

The Training Allowance Regulations

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[Chapter G-5.1 Reg 80](#) (effective September 10, 1997) as amended by Saskatchewan Regulations [51/98](#), [19/2000](#), [62/2000](#), [4/2001](#), [61/2001](#), [86/2004](#), [103/2005](#), [125/2005](#), an Errata notice published in the Gazette January 20, 2006, [62/2006](#), [31/2007](#), [63/2007](#), [92/2007](#), [69/2008](#), [100/2008](#), [9/2009](#) and [90/2010](#).

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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Appendix

CHAPTER G-5.1 REG 80

The Government Organization Act

Title

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

Interpretation

- 2** In these regulations:

- (a) **“applicant”** means an applicant for a training allowance;
- (b) **“asset”** means any real or personal property, regardless of its source, kind or nature, that is owned or in which an interest is held by a person;
- (c) **“child”**, except in section 18, means a child:
 - (i) who:
 - (A) is less than 18 years of age; and
 - (B) in the minister’s opinion, resides with the applicant; or
 - (ii) who:
 - (A) is over 18 and less than 21 years of age;
 - (B) resides with the applicant;
 - (C) attends secondary school;
 - (D) has never had a spouse; and
 - (E) does not have any children;

and includes a person for whom the applicant receives a payment mentioned in clause 17(2)(h), (h.1) or (h.2) if the applicant claims that person as a dependant;

- (d) **Repealed.** 13 Aug 2010 SR 90/2010 s3.

- (e) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;

- (f) **“minister”** means the member of the Executive Council to whom, for the time being, the administration of *The Post-Secondary Education and Skills Training Act* is assigned;

- (f.1) **“ministry”** means the ministry over which the minister presides;

- (g) **“program”** means a training, employment or education program that has been approved pursuant to section 3;

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(h) “**regional entity**” means the Saskatchewan Institute of Applied Science and Technology, a regional college established pursuant to *The Regional Colleges Act*, the Dumont Technical Institute Inc. or any other legal entity that the minister enters into an agreement with to deliver services related to training allowances;

(i) “**Saskatchewan Health Services card**” means a card, known as a Saskatchewan Health Services card, issued pursuant to section 6.5 of *The Department of Health Act*;

(j) “**spouse**” means:

(i) the legal spouse of an applicant; or

(ii) if the applicant does not have a legal spouse or is living separate and apart from his or her legal spouse, another person who:

(A) has cohabited with the applicant for a period of not less than three consecutive months before the start date of the program for which the applicant has applied for a training allowance and shares financial resources with the applicant;

(B) is cohabiting with the applicant and represents himself or herself as the spouse of the applicant; or

(C) is cohabiting with the applicant and:

(I) is the parent of a child of the applicant; or

(II) represents himself or herself as the parent of a child of the applicant;

(k) “**training allowance**” means assistance paid to an applicant pursuant to these regulations for the purposes of pursuing a program.

24 Sep 2004 SR 86/2004 s3; 30 Sep 2005 SR 103/2005 s3; 7 Jly 2006 SR 62/2006 s3; 20 Jly 2007 SR 63/2007 s3; 13 Aug 2010 SR 90/2010 s3.

Approved programs

3(1) The minister may approve programs for which the minister may pay training allowances to persons attending those programs.

(2) The minister may approve a program on the condition that the program is offered by a particular educational institution, regional entity, community-based organization, government agency, employer or any other person that the minister may determine.

(3) The minister may approve a program as a pilot project and may set requirements or restrictions on that program respecting any of the following:

(a) age of participants;

(b) residency of participants in an area of Saskatchewan;

(c) location of program in Saskatchewan.

20 Jly 2007 SR 63/2007 s4.

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Authorization and payment of training allowances

4(1) The minister may, in writing, authorize paying a training allowance to a person who:

- (a) applies for a training allowance pursuant to section 5; and
 - (b) meets the eligibility criteria for a training allowance set out in section 6.
- (2) Subject to subsections (3) to (4), training allowances may be paid for a period not to exceed one year.
- (3) The minister may, in writing, renew or extend the authorization to pay a training allowance where the person receiving the training allowance:
- (a) requests a renewal or extension of the training allowance, in a form acceptable to the minister; and
 - (b) continues to meet the eligibility criteria set out in section 6.
- (4) A training allowance is to be paid monthly and in advance to the person receiving the training allowance.

7 Apr 2000 SR 19/2000 s3.

Application

5 A person may apply for a training allowance by submitting to the minister, within a time set by the minister:

- (a) an application, in a form acceptable to the minister, that is completed in all respects, including the signing of any declarations the minister may require;
- (b) any releases for information that the minister may require; and
- (c) any other information that the minister may reasonably require.

19 Sep 97 cG-5.1 Reg 80 s5.

Eligibility

6 An applicant must:

- (a) be named in a valid Saskatchewan Health Services card;
- (b) have a valid social insurance number;
- (c) be enrolled in a program;
- (d) not be receiving a loan as a full-time student pursuant to the *Canada Student Financial Assistance Regulations*, being SOR/95-329, nor financial assistance as a student pursuant to *The Saskatchewan Student Direct Loans Regulations*; and
- (e) be in need of financial assistance, as determined pursuant to these regulations.

24 Sep 2004 SR 86/2004 s5.

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6.1 For the purpose of determining the amount of a person's training allowance, the minister may require the applicant to provide to the ministry the family/beneficiary number and personal health number as set out on a valid Saskatchewan Health Services card for the applicant and for each person whom the applicant claims as a dependant.

24 Sep 2004 SR 86/2004 s5; 13 Aug 2010 SR 90/2010 s4.

Change in circumstances

7(1) No person who is receiving a training allowance shall fail to immediately notify the minister or the appropriate regional entity of any change in circumstances that might affect:

- (a) that person's continued eligibility for a training allowance; or
- (b) the amount of that person's training allowance.

(2) After receiving information that there has been a change in circumstances relating to a person who is receiving a training allowance, the minister may vary the amount of or cancel the person's training allowance.

(3) If a person fails to comply with subsection (1), the minister may:

- (a) vary the amount of or cancel that person's training allowance; and
- (b) declare any training allowance payment, or any portion of any training allowance payment, made after the date of the change in circumstances as an overpayment.

19 Sep 97 cG-5.1 Reg 80 s7.

Assets

8(1) For the purpose of calculating the amount of a person's training allowance pursuant to section 9 for a program that starts before August 1, 2010, the sum of a person's assets is:

- (a) the fair market value of all motor vehicles owned by the person or by the person's spouse, less \$5,000; and
- (b) all cash of the person and of the person's spouse, and the fair market value of all other assets of the person and of the person's spouse that are capable of being readily converted to cash, less:
 - (i) if the person has no spouse and no children, \$1,500;
 - (ii) if the person has a spouse but no children, \$3,000;
 - (iii) if the person has no spouse but has one or more children:
 - (A) \$3,000 for the first child; and
 - (B) \$500 for each additional child; or
 - (iv) if the person has a spouse and one or more children:
 - (A) \$3,000; and
 - (B) \$500 for each child.

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(2) For the purpose of calculating the amount of a person's training allowance pursuant to section 9 for a program that starts on or after August 1, 2010, the sum of a person's assets is all cash of the person and of the person's spouse, and the fair market value of all other assets of the person and of the person's spouse that are capable of being readily converted to cash, less:

- (a) if the person has no spouse and no children, \$1,500;
- (b) if the person has a spouse but no children, \$3,000;
- (c) if the person has no spouse but has one or more children:
 - (i) \$3,000 for the first child; and
 - (ii) \$500 for each additional child; or
- (d) if the person has a spouse and one or more children:
 - (i) \$3,000; and
 - (ii) \$500 for each child.

(3) For the purposes of subsections (1) and (2), the minister has the absolute discretion to determine:

- (a) the fair market value of any asset;
- (b) the ownership of any asset; and
- (c) whether or not an asset is capable of being readily converted to cash.

13 Aug 2010 SR 90/2010 s5.

Calculation of training allowance

9(1) The amount of the monthly training allowance allowed to a person is the amount N calculated in accordance with the following formula:

$$N = TAA - \frac{PRA}{12} - TAR - \left[\frac{PSB - 1800}{12} \right]$$

where:

TAA is the total assessed living allowance of the person, being the sum of the allowances allowed to the person pursuant to sections 14 to 16;

PRA is the amount of the person's assets calculated in accordance with section 8 and subsection (5);

TAR is the total assessed resources of the person, being the sum of the following:

- (a) that portion of the person's monthly income that is to be counted pursuant to section 17;
- (b) if applicable, that portion of the person's spouse's monthly income that is to be counted pursuant to section 17;
- (c) if the person is in the single dependent person category mentioned in section 10, that portion of the person's parents' monthly income that is to be counted pursuant to section 18; and

PSB is the amount calculated in accordance with subsections (4) and (5).

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- (2) If N, calculated pursuant to subsection (1), is:
- (a) a positive number, it represents the monthly amount of the person's training allowance; and
 - (b) a negative number, the person is not considered to be in need of a training allowance.
- (3) In order to determine a person's living allowance pursuant to section 14, the minister shall determine the person's category and living situation using the criteria set out in sections 10 to 13.
- (4) The following percentage of the total amount of a person's scholarships and bursaries is to be deducted from that total amount:
- (a) if the total scholarship and bursary amount is \$1,801 to 2,499, 16.24%;
 - (b) if the total scholarship and bursary amount is \$2,500 or more, 18.48%.

- (5) For the purposes of the formula in subsection (1), if PRA or $\left[\frac{\text{PSB} - 1800}{12} \right]$ is a negative amount, zero shall be used for the purpose of that amount.

19 Sep 97 cG-5.1 Reg 80 s9; 24 Sep 2004 SR 86/2004 s7; 30 Sep 2005 SR 103/2005 s5; 13 Aug 2010 SR 90/2010 s6.

Single dependent person

10 A person is considered to be in the single dependent person category if the person does not meet any of the criteria set out in section 11, 12 or 13.

19 Sep 97 cG-5.1 Reg 80 s10.

Single independent person

11 A person is considered to be in the single independent person category if the person:

- (a) has no spouse or is separated from his or her spouse;
- (b) does not meet the criteria set out in section 13; and
- (c) either:
 - (i) has not attended elementary or secondary school for at least four years;
 - (ii) has been working or actively seeking employment for two periods of 12 consecutive months and was not a full-time student during that time; or
 - (iii) has no parent, guardian, sponsor or other supporting relative as the result of death or disappearance.

19 Sep 97 cG-5.1 Reg 80 s11.

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Married person

12 A person is considered to be in the married person category if the person:

- (a) has a spouse; and
- (b) is not separated from his or her spouse.

19 Sep 97 cG-5.1 Reg 80 s12.

Single parent

13 A person is considered to be in the single parent category if:

- (a) the person:
 - (i) has no spouse; or
 - (ii) is separated from his or her spouse; and
- (b) the person is the legal custodian of a child.

19 Sep 97 cG-5.1 Reg 80 s13; 24 Sep 2004 SR 86/2004 s8.

Living allowance

14(1) For the purposes of this section, the following persons are to be counted when determining the number of people in a family unit:

- (a) the person receiving the training allowance;
- (b) the spouse of the person receiving the training allowance;
- (c) any child of the person receiving the training allowance.

(2) For a program that starts before August 1, 2006, the following monthly amounts are allowed as a living allowance for the respective categories:

- (a) single dependent person or single independent person, residing with parents, \$372;
- (b) single dependent person or single independent person, not residing with parents, \$552;
- (c) single parent, \$812;
- (d) **Repealed.** 24 Sep 2004 SR 86/2004 s9.
- (e) married person, \$977;
- (f) married person, where both spouses are in programs, \$1,024 per couple;
- (g) married person not residing with his or her spouse while attending training if the program is 25 kilometres or more from the person's normal residence, \$310 in addition to the applicable amount mentioned in clause (e) or (f).

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(2.1) For a program that starts on or after August 1, 2006, the following monthly amounts are allowed as a living allowance for the respective categories:

- (a) single dependent person or single independent person, residing with parents, \$432;
- (b) single dependent person or single independent person, not residing with parents, \$612;
- (c) single parent, \$872;
- (d) married person, \$1,037;
- (e) married person, where both spouses are in programs, \$1,084 per couple;
- (f) married person not residing with his or her spouse while attending training if the program is 25 kilometres or more from the person's normal residence, \$310 in addition to the applicable amount mentioned in clause (d) or (e).

(2.2) For a program that starts on or after August 1, 2007, the following monthly amounts are allowed as a living allowance for the respective categories:

- (a) single dependent person or single independent person, residing with parents, \$442;
- (b) single dependent person or single independent person, not residing with parents, \$622;
- (c) single parent, \$882;
- (d) married person, \$1,047;
- (e) married person, where both spouses are in programs, \$1,098 per couple;
- (f) married person not residing with his or her spouse while attending training if the program is 25 kilometres or more from the person's normal residence, \$310 in addition to the applicable amount mentioned in clause (d) or (e).

(2.3) Notwithstanding subsections (2) to (2.2), on and after October 1, 2007 the following monthly amounts are allowed as a living allowance for the respective categories:

- (a) single dependent person or single independent person, residing with parents, \$442;
- (b) single dependent person or single independent person, not residing with parents, \$657;
- (c) single parent, \$882;
- (d) married person, \$1,067;
- (e) married person, where both spouses are in programs, \$1,108 per couple;
- (f) married person not residing with his or her spouse while attending training if the program is 25 kilometres or more from the person's normal residence, \$345 in addition to the applicable amount mentioned in clause (d) or (e).

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(2.4) Notwithstanding subsections (2) to (2.3), commencing on August 1, 2008, the following monthly amounts are allowed as a living allowance for the respective categories:

- (a) single dependent person or single independent person, residing with parents, \$442;
- (b) single dependent person or single independent person, not residing with parents, \$689;
- (c) single parent, \$907;
- (d) married person, \$1,119;
- (e) married person, where both spouses are in programs, \$1,170 per couple;
- (f) married person not residing with his or her spouse while attending training if the program is 25 kilometres or more from the person's normal residence, \$377 in addition to the applicable amount mentioned in clause (d) or (e).

(2.5) Notwithstanding subsections (2) to (2.4), commencing on November 1, 2008, the following monthly amounts are allowed as a living allowance for the respective categories:

- (a) single dependent person or single independent person, residing with parents, \$442;
- (b) single dependent person or single independent person, not residing with parents, \$713;
- (c) single parent, \$931;
- (d) married person, \$1,145;
- (e) married person, where both spouses are in programs, \$1,196 per couple;
- (f) married person not residing with his or her spouse while attending training if the program is 25 kilometres or more from the person's normal residence, \$401 in addition to the applicable amount mentioned in clause (d) or (e).

(2.6) Notwithstanding subsections (2) to (2.5), commencing on March 1, 2009, the following monthly amounts are allowed as a living allowance for the respective categories:

- (a) single dependent person or single independent person, residing with parents, \$442;
- (b) single dependent person or single independent person, not residing with parents, \$744;
- (c) single parent, \$962;
- (d) married person, \$1,183;
- (e) married person, where both spouses are in programs, \$1,234 per couple;
- (f) married person not residing with his or her spouse while attending training if the program is 25 kilometres or more from the person's normal residence, \$432 in addition to the applicable amount mentioned in clause (d) or (e).

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- (3) A person in the single dependent person category is deemed to reside with his or her parents where that person attends a program in the same municipality in which his or her parents reside.
- (4) Persons residing and attending programs in any of the northern communities set out in Table 1 of the Appendix are allowed an additional living allowance of \$50 per month per person in the family unit.
- (5) For each month starting with December, 2005 and ending with April, 2006, an additional \$20 is allowed as a living allowance in addition to each amount mentioned in clauses (2)(a) to (f).

19 Sep 97 cG-5.1 Reg 80 s14; 3 Jly 98 SR 51/98 s4; 24 Aug 2001 SR 61/2001 s2; 24 Sep 2004 SR 86/2004 s9; 30 Sep 2005 SR 103/2005 s6; 25 Nov 2005 SR 125/2005 s2; 7 Jly 2006 SR 62/2006 s4; 20 Jly 2007 SR 63/2007 s5; 21 Sep 2007 SR 92/2007 s3; 8 Aug 2008 SR 69/2008 s3; 31 Oct 2008 SR 100/2008 s3; 6 Feb 2009 SR 9/2009 s2.

Child allowance

15(1) A monthly child allowance is allowed in the following amount if the child resides for at least 50% of the time with the parent who is receiving a training allowance:

- (a) \$45 per child if the parent is receiving the Saskatchewan Child Benefit, as defined in *The Child Benefit Regulations, 2001* or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*;
 - (b) \$170 per child if the parent is not receiving the Saskatchewan Child Benefit, as defined in *The Child Benefit Regulations, 2001* or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*.
- (1.1) Notwithstanding subsection (1), on and after October 1, 2007 a monthly child allowance is allowed in the following amount if the child resides for at least 50% of the time with the parent who is receiving a training allowance:
- (a) \$75 per child if the parent is receiving the Saskatchewan Child Benefit, as defined in *The Child Benefit Regulations, 2001* or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*;
 - (b) \$200 per child if the parent is not receiving the Saskatchewan Child Benefit, as defined in *The Child Benefit Regulations, 2001* or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*.
- (1.2) Notwithstanding subsections (1) and (1.1), commencing on August 1, 2008, a monthly child allowance is allowed in the following amount if the child resides for at least 50% of the time with the parent who is receiving a training allowance:
- (a) \$110 per child if the parent is receiving the Canada Child Tax Benefit within the meaning of the *Income Tax Act* (Canada) or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*;
 - (b) \$235 per child if the parent is not receiving the Canada Child Tax Benefit within the meaning of the *Income Tax Act* (Canada) or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*.

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(1.3) Notwithstanding subsections (1) to (1.2), commencing on November 1, 2008, a monthly child allowance is allowed in the following amount if the child resides for at least 50% of the time with the parent who is receiving a training allowance:

- (a) \$112 per child if the parent is receiving the Canada Child Tax Benefit within the meaning of the *Income Tax Act* (Canada) or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*;
- (b) \$237 per child if the parent is not receiving the Canada Child Tax Benefit within the meaning of the *Income Tax Act* (Canada) or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*.

(1.4) Notwithstanding subsections (1) to (1.3), commencing on March 1, 2009, a monthly child allowance is allowed in the following amount if the child resides for at least 50% of the time with the parent who is receiving a training allowance:

- (a) \$132 per child if the parent is receiving the Canada Child Tax Benefit within the meaning of the *Income Tax Act* (Canada) or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*;
- (b) \$257 per child if the parent is not receiving the Canada Child Tax Benefit within the meaning of the *Income Tax Act* (Canada) or a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*.

(2) If a child resides for less than 50% of the time with the parent who is receiving a training allowance, a prorated monthly child allowance will be allowed, calculated by:

- (a) multiplying \$170 by the number of days in the month that the child resides with the parent; and
- (b) dividing the product derived in clause (a) by the number of days in the month.

(3) Notwithstanding subsection (2), on and after October 1, 2007, if a child resides for less than 50% of the time with the parent who is receiving a training allowance, a prorated monthly child allowance will be allowed, calculated by:

- (a) multiplying \$200 by the number of days in the month that the child resides with the parent; and
- (b) dividing the product derived in clause (a) by the number of days in the month.

(4) Notwithstanding subsections (2) and (3), commencing on August 1, 2008, if a child resides for less than 50% of the time with the parent who is receiving a training allowance, a prorated monthly child allowance will be allowed, calculated by:

- (a) multiplying \$235 by the number of days in the month that the child resides with the parent who is receiving the training allowance; and
- (b) dividing the product derived in clause (a) by the number of days in the month.

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(5) Notwithstanding subsections (2) to (4), commencing on November 1, 2008, if a child resides for less than 50% of the time with the parent who is receiving a training allowance, a prorated monthly child allowance will be allowed, calculated by:

- (a) multiplying \$237 by the number of days in the month that the child resides with the parent who is receiving the training allowance; and
- (b) dividing the product derived in clause (a) by the number of days in the month.

(6) Notwithstanding subsections (2) to (5), commencing on March 1, 2009, if a child resides for less than 50% of the time with the parent who is receiving a training allowance, a prorated monthly child allowance will be allowed, calculated by:

- (a) multiplying \$257 by the number of days in the month that the child resides with the parent who is receiving the training allowance; and
- (b) dividing the product derived in clause (a) by the number of days in the month.

19 Sep 97 cG-5.1 Reg 80 s15; 3 Jly 98 SR 51/98 s5; 11 Aug 2000 SR 62/2000 s4; 24 Sep 2004 SR 86/2004 s10; 30 Sep 2005 SR 103/2005 s7; 21 Sep 2007 SR 92/2007 s4; 8 Aug 2008 SR 69/2008 s4; 31 Oct 2008 SR 100/2008 s4; 6 Feb 2009 SR 9/2009 s4.

Day-care allowance

16(1) A monthly day-care allowance is allowed in accordance with this section for each child receiving day-care, up to and including the month of the child's twelfth birthday.

(2) To be eligible for a monthly day-care allowance, the parent who is receiving a training allowance must declare if the parent is receiving a subsidy pursuant to *The Child Care Regulations, 2001*.

(3) **Repealed.** 30 Sep 2005 SR 103/2005 s8.

(4) If the parent is not receiving a subsidy pursuant to *The Child Care Regulations, 2001*, the monthly day-care allowance is as follows:

- (a) for one child, \$400;
- (b) for two children, \$540;
- (c) for three children, \$680;
- (d) for four or more children, \$820.

(5) If the parent is receiving a subsidy pursuant to *The Child Care Regulations, 2001*, the monthly day-care allowance is as follows:

- (a) for one child, \$85;
- (b) for two children, \$170;
- (c) for three children, \$255;
- (d) for four or more children, \$340.

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(6) Subject to subsection (7), an incidental day care rate allowance of \$20 per day may be allowed to a parent who is receiving a training allowance for each of his or her children who:

- (a) are under 12 years of age; and
- (b) reside for at least 50% of the time with him or her.

(7) Subject to subsection (8), an incidental day care rate allowance may be allowed pursuant to subsection (6) for the entire month in which the child who resides for at least 50% of the time with the parent attains 12 years of age.

(8) The maximum amount of incidental day care rate allowances that a parent may receive each month pursuant to subsection (6) and (7) is:

- (a) if the parent who is receiving a training allowance has one child described in subsection (6) or (7), \$200;
- (b) if the parent who is receiving a training allowance has two children described in subsection (6) or (7), \$270;
- (c) if the parent who is receiving a training allowance has three children described in subsection (6) or (7), \$340; and
- (d) if the parent who is receiving a training allowance has four or more children described in subsection (6) or (7), \$410.

19 Sep 97 cG-5.1 Reg 80 s16; 30 Sep 2005 SR
103/2005 s8; 20 Jly 2007 SR 63/2007 s6.

Monthly income

17(1) For the purposes of clauses (a) and (b) of the definition of TAR in subsection 9(1), the portion of a person's monthly income and, where applicable, the portion of the person's spouse's monthly income that is to be counted as part of the person's total assessed resources is the sum of:

- (a) for the income sources mentioned in subsections (2) and (6.1), the monthly income determined in accordance with the following formula:

$$PTAR = [(I - D) - 125] \times F$$

where:

PTAR is the portion of the person's total assessed resources as determined pursuant to this clause and if it is a negative number, it is deemed to be zero;

I is the person's gross monthly income from all sources listed in subsections (2) and (6.1);

D is the percentage to be deducted from the person's gross monthly income pursuant to subsection (4); and

F is:

- (i) in the case of a person with a child, 1.0; and
- (ii) in the case of a person with no child, 0.8.

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(b) for the income sources mentioned in subsection (3), the monthly income determined in accordance with the following formula:

$$\text{PTAR} = \text{I} - \text{D}$$

where:

PTAR is the portion of the person's total assessed resources as determined pursuant to this clause;

I is the person's gross monthly income from all sources listed in subsection (3); and

D is the percentage to be deducted from the person's gross monthly income pursuant to subsection (4);

(c) **Repealed.** 24 Sep 2004 SR 86/2004 s11.

(d) **Repealed.** 30 Sep 2005 SR 103/2005 s9.

(2) The income sources for the purposes of clause (1)(a) are:

(a) for a program that starts before August 1, 2010, employment, including salaries, wages, fees, commissions, royalties, drawings, bonuses, tips and gratuities, realized taxable employment benefits, and holiday, vacation, retroactive, overtime, shift differential and severance pay;

(b) for a program that starts before August 1, 2010, self-employment, in which case gross income is considered as gross income minus operating expenses;

(c) survivors, old age security, guaranteed income supplement, Canada Pension Plan and disabled persons' benefits;

(d) spousal alimony or maintenance payments;

(e) child support;

(f) rental income, in which case gross income is considered as gross income minus operating expenses;

(g) investment income that is taxable;

(h) a payment by the minister pursuant to *The Child and Family Services Act* or by an agency with which the minister has entered into an agreement pursuant to section 61 of that Act if the applicant claims the child as a dependant;

(h.1) a payment made by the minister with respect to a young person committed to open custody in a place or facility of open custody within the meaning of *The Youth Justice Administration Act* if the applicant claims the young person as a dependant;

(h.2) a payment made by the Department of Indian Affairs and Northern Development (Canada) for the foster care of a child if the applicant claims the child as a dependant;

(i) any other income source, except income received from a source mentioned in subsection (3) or (5).

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- (3) The income sources for the purposes of clause (1)(b) are:
- (a) any benefits payable pursuant to the *Employment Insurance Act* (Canada);
 - (b) compensation, as defined in *The Workers' Compensation Act, 1979*;
 - (b.1) **Repealed.** 8 Aug 2008 SR 69/2008 s5.
 - (c) orphan's benefits;
 - (d) disabled child benefits;
 - (e) funds from Indian and Northern Affairs Canada;
 - (f) funds from any Indian band;
 - (g) funds in educational savings plans;
 - (h) **Repealed.** 30 Sep 2005 SR 103/2005 s9.
 - (i) all other income received for educational or training purposes.
- (4) For the purposes of clauses (1)(a) and (b), the following percentage is to be deducted:
- (a) if gross monthly income from all sources is \$1 to 199, 5.76%;
 - (b) if gross monthly income from all sources is \$200 to 999, 8.93%;
 - (c) if gross monthly income from all sources is \$1,000 to 1,749, 12.71%;
 - (d) if gross monthly income from all sources is \$1,750 to 2,499, 16.24%;
 - (e) if gross monthly income from all sources is \$2,500 or more, 18.48%.
- (5) The following income sources are not to be counted in calculating a person's monthly income in accordance with this section:
- (a) the Saskatchewan Child Benefit, as defined in *The Child Benefit Regulations, 2001*;
 - (b) the SES benefit, as defined in *The Employment Supplement Regulations*;
 - (c) a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*;
 - (d) the RHS benefit, as defined in *The Rental Housing Supplement Regulations*;
 - (e) the DHS benefit, as defined in *The Disability Housing Supplement Regulations*;
 - (f) a payment by the minister pursuant to *The Child and Family Services Act* or by an agency with which the minister has entered into an agreement pursuant to section 61 of that Act if the applicant does not claim the child as a dependant;
 - (g) a payment made by the minister with respect to a young person committed to open custody in a place or facility of open custody within the meaning of *The Youth Justice Administration Act* if the applicant does not claim the young person as a dependant;

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- (h) a payment made by the Department of Indian Affairs and Northern Development (Canada) for the foster care of a child if the applicant does not claim the child as a dependant;
- (i) the Canada Child Tax Benefit, within the meaning of the *Income Tax Act* (Canada);
- (j) a refund of the goods and services tax credit within the meaning of the *Income Tax Act* (Canada);
- (k) a refund of the Saskatchewan low income tax credit within the meaning of section 39 of *The Income Tax Act, 2000*;
- (l) financial assistance from the employability assistance for people with disabilities program pursuant to *The Training Programs Regulations*;
- (m) the skills training benefit, as defined in *The Skills Training Benefit Regulations*;
- (n) assistance, as defined in *The Saskatchewan Assistance Act*;
- (o) any utility rebate provided by the Government of Saskatchewan, the Government of Canada or a Crown Corporation;
- (p) any income tax refund;
- (q) a payment made by the Canada Revenue Agency to the person pursuant to the *Universal Child Care Benefit Act* (Canada);
- (r) a payment of compensation that is related to a claim with respect to abuse sustained while attending an Indian residential school;
- (s) any premium rebate paid pursuant to Division 3 of Part III.1 of *The Automobile Accident Insurance (General) Regulations, 2002* to the person as an eligible insured within the meaning of those regulations;
- (t) if the person is a Class Member within the meaning of the 1986-1990 Hepatitis C Settlement Agreement made June 15, 1999, the amount of compensation payments to which the person is entitled pursuant to that agreement;
- (u) any transitional employment allowance, as defined in *The Transitional Employment Allowance Regulations, 2005*;
- (v) a payment of compensation that is related to the settlement of a treaty land entitlement claim or other land claim of an Indian band.

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(6) For the purposes of calculating a person's monthly income, where applicable, the person's spouse's monthly income is to be counted in determining the total assessed resources for that person, and subsections (1) to (5) apply, with any necessary modification.

(6.1) Notwithstanding any other provision of this section, if a person who enrolls in a program that starts on or after August 1, 2010 has a spouse, the spouse's income from the following sources is to be counted for the purposes of clause (1)(a) in addition to the income sources mentioned in subsection (2):

- (a) employment, including salaries, wages, fees, commissions, royalties, drawings, bonuses, tips and gratuities, realized taxable employment benefits, and holiday, vacation, retroactive, overtime, shift differential and severance pay;
- (b) self-employment, in which case gross income is considered as gross income minus operating expenses.

(7) When calculating a spouse's monthly income, in addition to the income sources mentioned in subsection (5), the spouse's income from the following sources is not to be counted where the income from these sources is to be used for the spouse's education:

- (a) scholarships;
- (b) bursaries;
- (c) funds in educational savings plans;
- (d) student loans.

19 Sep 97 cG-5.1 Reg 80 s17; 3 Jly 98 SR 51/98 s6; 11 Aug 2000 SR 62/2000 s5; 26 Jan 2001 SR 4/2001 s2; 24 Sep 2004 SR 86/2004 s11; 30 Sep 2005 SR 103/2005 s9; 7 Jly 2006 SR 62/2006 s5; 11 May 2007 SR 31/2007 s3; 20 Jly 2007 SR 63/2007 s7; 8 Aug 2008 SR 69/2008 s5; 13 Aug 2010 SR 90/2010 s7.

Parental income

18(1) In this section, **"monthly discretionary income"** means the monthly discretionary income of the parents of a person receiving a training allowance who is in the single dependent person category, calculated in accordance with subsection (3).

(2) For the purposes of this section:

- (a) the following persons are to be counted when determining the number of people in a family unit:
 - (i) both parents in a two-parent family;
 - (ii) in a one-parent family, the parent financially responsible for the person receiving the training allowance, if the parent is not estranged from the person receiving the training allowance;

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- (iii) the person receiving the training allowance;
- (iv) an unmarried child of a parent mentioned in subclause (i) or (ii) who is:
 - (A) 18 years of age or younger and wholly dependent on the parent for support and for whom the parent has custody and control; or
 - (B) in full-time attendance at a secondary school or a post-secondary institution and meets the criteria of a person in the single dependent person category pursuant to section 10;
- (v) a person who is wholly dependent on a parent mentioned in subclause (i) or (ii) and is recognized as being wholly dependent within the meaning of the *Income Tax Act* (Canada);

(b) subject to subsection (2.1), the monthly income level for a moderate standard of living for a family unit consisting of:

- (i) two people is \$3,013;
- (ii) three people is \$3,773;
- (iii) four people is \$4,313;
- (iv) five people is \$4,731;
- (v) six people is \$5,073;
- (vi) seven people is \$5,362;
- (vii) eight people is \$5,613;
- (viii) nine people is \$5,833;
- (ix) 10 people or more is \$6,031.

(2.1) After considering the monthly income level for a moderate standard of living as published annually for the purposes of any Canada student loan program, the minister may adjust the monthly income levels set out in clause (2)(b).

(3) The monthly discretionary income of the parents of a person receiving a training allowance who is in the single dependent person category is to be calculated in accordance with the following formula:

$$DI = (GI - D) - MSL$$

where:

DI is the parents' monthly discretionary income;

GI is the parents' gross monthly income as determined by the minister based on the parents' income tax return and income tax assessment for the previous year;

D is the appropriate percentage to be deducted from the parents' gross monthly income based on the amounts set out in subsection 17(4); and

MSL is the moderate standard of living amount to be deducted for the size of the family unit based on the amounts set out in clause (2)(b).

(4) **Repealed.** 24 Sep 2004 SR 86/2004 s12.

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(5) For the purposes of clause (c) of the definition of TAR in subsection 9(1), the portion of the parents' monthly income that is to be counted as part of the total assessed resources of a person who is in the single dependent person category is:

- (a) where the parents' monthly discretionary income is \$0 to \$583, the amount calculated in accordance with the following formula:

$$\text{PTAR} = 0.15 \times \text{DI}$$

where:

PTAR is the portion of the parents' monthly income that is to be counted as part of a person's total assessed resources; and

DI is the parents' monthly discretionary income, calculated pursuant to subsection (3);

- (b) where the parents' monthly discretionary income is \$584 to \$1,166, the amount calculated in accordance with the following formula:

$$\text{PTAR} = \$87 + [0.2 \times (\text{DI} - \$583)]$$

where:

PTAR is the portion of the parents' monthly income that is to be counted as part of a person's total assessed resources; and

DI is the parents' monthly discretionary income, calculated pursuant to subsection (3); and

- (c) where the parents' monthly discretionary income is \$1,167 or more, the amount calculated in accordance with the following formula:

$$\text{PTAR} = \$204 + [0.4 \times (\text{DI} - \$1,166)]$$

where:

PTAR is the portion of the parents' monthly income that is to be counted as part of a person's total assessed resources; and

DI is the parents' monthly discretionary income, calculated pursuant to subsection (3).

(6) In a one-parent family, the income of the parent financially responsible for the person receiving the training allowance is to be used for the purposes of calculating the parents' monthly income, and subsections (1) to (5) apply, with any necessary modification.

19 Sep 97 cG-5.1 Reg 80 s18; 24 Sep 2004 SR 86/2004 s12; 30 Sep 2005 SR 103/2005 s10; 20 Jly 2007 SR 63/2007 s8; 8 Aug 2008 SR 69/2008 s6.

Ministerial discretion

19 Where the minister is satisfied that a person has shown that he or she will suffer undue financial hardship as a result of any of the requirements set out in section 8, 10, 12, 13, 16, 17 or 18, the minister may exempt that person from that requirement.

19 Sep 97 cG-5.1 Reg 80 s19; 7 Apr 2000 SR 19/2000 s4; 24 Sep 2004 SR 86/2004 s13.

G-5.1 REG 80**TRAINING ALLOWANCE****Agreements with regional entity**

20(1) In accordance with these regulations, the minister may enter into agreements with a regional entity to require that regional entity to do any or all of the following:

- (a) receive applications for training allowances;
 - (b) forward to the ministry the necessary information with respect to eligibility of persons for training allowances;
 - (c) verify the information that is provided;
 - (d) hold funds to be paid as training allowances in trust for the Crown;
 - (e) pay training allowances on behalf of the Crown from the funds mentioned in clause (d).
- (2) The minister may delegate to a regional entity any of the minister's non-discretionary administrative functions pursuant to these regulations.

19 Sep 97 cG-5.1 Reg 80 s20; 13 Aug 2010 SR 90/2010 s8.

Cancellation of training allowance

21 The minister may cancel a person's training allowance where, in the opinion of the minister, the person who is receiving the training allowance:

- (a) does not continue in a program; or
- (b) no longer meets the other criteria outlined in these regulations.

19 Sep 97 cG-5.1 Reg 80 s21.

Verification and audit

21.1(1) A person receiving a training allowance shall provide, at the minister's written request, any information or records reasonably required by the minister respecting that person's income, eligibility or other information used by the minister to assess the person's eligibility for a training allowance or to calculate the amount of the training allowance to be paid to the person.

(2) The minister may cancel a person's training allowance or refuse to process any future applications for assistance from any person who refuses or fails to provide the information requested pursuant to subsection (1) within 90 days after a written request.

7 Apr 2000 SR 19/2000 s5.

Reconsideration of applications, variations or cancellations

22(1) Where a dispute arises with respect to an application for or the variation or cancellation of a training allowance that cannot be resolved by mutual agreement of the parties, the person affected may request a reconsideration of the decision by the Executive Director of the Student Financial Assistance Branch.

(2) The request mentioned in subsection (1) for a reconsideration of a decision is to be:

- (a) in writing; and
- (b) made within the time set by the minister.

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- (3) A person requesting a reconsideration of a decision pursuant to subsection (1):
- (a) is to be notified of the date and time when the application will be reconsidered; and
 - (b) has the right to be heard.
- (4) A hearing held pursuant to subsection (3) may be conducted via telephone conference call.
- (5) If the person fails to appear or exercise a right to be heard after receiving notification pursuant to subsection (3), the Executive Director of the Student Financial Assistance Branch may reconsider the decision and make any decision that he or she considers appropriate in the absence of the person requesting the reconsideration.
- (6) The Executive Director of the Student Financial Assistance Branch shall notify the person who applied for the reconsideration of his or her decision and provide that person with written reasons for the decision.

19 Sep 97 cG-5.1 Reg 80 s22; 13 Aug 2010 SR 90/2010 s9.

Overpayments

23(1) If a person contravenes any provision of these regulations, the minister may declare that any payments, or portions of payments, received by that person pursuant to these regulations are overpayments.

(1.1) If a person receiving a training allowance fails to continue in the program identified by the person in his or her application for the training allowance, the minister may declare that any payments or portions of payments received by that person pursuant to these regulations for the month following the month in which the person ceased to continue in the program and for any subsequent months are overpayments.

(2) Any overpayment made to a person, including a payment declared as an overpayment pursuant to subsection (1), is a debt due to the Crown in right of Saskatchewan and may be recovered in any manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

19 Sep 97 cG-5.1 Reg 80 s23; 7 Apr 2000 SR 19/2000 s6.

Certain amounts deemed not to be overpayments

23.1(1) In this section, “**increased amount**” means the amount A calculated in accordance with the following formula:

$$A = B - C$$

where:

B is the amount of a training allowance that was paid to a person on or before the coming into force of these regulations and that was calculated on the basis of not including the amount mentioned in clause 17(5)(s) in the income of that person; and

C is the amount of a training allowance that would be calculated as including the amount mentioned in clause 17(5)(s) in the income of the person mentioned in the description of the amount B.

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(2) Notwithstanding any other provision of these regulations, any increased amount paid to a person on or before the coming into force of *The Training Allowance Amendment Regulations, 2007* is deemed not to be an overpayment for the purposes of these regulations, and no person who received an increased amount is required to repay that increased amount.

11 May 2007 SR 31/2007 s4.

R.R.S. c.G-5.1 Reg 9 repealed

24 *The Northern Training Program Regulations, 1988* are repealed.

19 Sep 97 cG-5.1 Reg 80 s24.

R.R.S. c.G-5.1 Reg 16 repealed

25 *The Non-Status Indian and Metis Program Regulations, 1988* are repealed.

19 Sep 97 cG-5.1 Reg 80 s25.

Appendix

TABLE 1
[Subsection 14(4)]

Northern Communities

Air Ronge	Barthel	Beauval	Beaver Lake
Black Point	Black Lake	Brabant Lake	Buffalo Narrows
Camsell Portage	Canoe Narrows	Cluff Lake Mine	Cole Bay
Collins Bay	Cree Lake	Creighton	Cumberland House
Denare Beach	Deschambault Lake	Descharme Lake	Dillon
Dipper Lake	Doré Lake	Dorintosh	Elak Dase
Eldorado	Fond Du Lac	Garson Lake	Goodsoil
Grandmother Bay	Green Lake	Ile à la Crosse	Jan Lake
Jans Bay	Key Lake	Key Lake Mine	Kinoosao
La Loche	La Ronge	Landing	Loon Lake
Makwa	McLennan Lake	Meadow Lake	Michel
Missinipe	Molanosa	Montreal Lake	Neeb
Patuanak	Peerless	Pelican Narrows	Pemmican Portage
Pierceland	Pinehouse Lake	Point North Landing	Primeau Lake
Rabbit Lake Mine	Rapid View	Sandy Bay	Sled Lake
Southend	St. George's Hill	Stanley Mission	Stoney Lake
Stony Rapids	Sturgeon Landing	Sucker River	Timber Bay
Turnor Lake	Uranium City	Waterhen Lake	Waterloo Lake
Weyakwin	Whelan	Wollaston Lake	

19 Sep 97 cG-5.1 Reg 80.