

The Saskatchewan Student Direct Loans Regulations

being

Chapter S-61.1 Reg 1* (effective August 2, 2001) as amended by Saskatchewan Regulations 13/2002, 42/2002, 76/2002, 84/2004, 39/2005, 80/2005 and 61/2006.

*NOTE: The Chapter number of this regulation was changed by a Notice published in *The Saskatchewan Gazette* on September 21, 2001.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-61.1 REG 1

The Student Assistance and Student Aid Fund Act, 1985

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Saskatchewan Student Direct Loans Regulations*.

Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Student Assistance and Student Aid Fund Act, 1985*;
- (b) “**borrower**” means an individual who has received a Saskatchewan student direct loan or other financial assistance pursuant to these regulations;
- (c) “**Canada direct loan**” means a loan that is made pursuant to the *Canada Student Financial Assistance Regulations*, being SOR/95-329;
- (d) “**certificate of eligibility**” means a valid certificate of eligibility that is issued by the minister and that indicates that a full-time student is eligible to receive a Saskatchewan student direct loan;
- (e) “**consolidation**” means the change in status of a Saskatchewan student direct loan resulting in the borrower being obligated to make payments on the loan;
- (f) “**course**” means a part of a program of studies, where the course has a duration of at least six weeks and not more than 52 weeks;
- (g) “**designated educational institution**” means an educational institution that is approved by the minister pursuant to section 18;
- (h) “**enrolled**” means:
 - (i) registered in a course; or
 - (ii) qualified for and intending to register in a course;
- (i) “**family unit**” means:
 - (i) the borrower;
 - (ii) the borrower’s spouse;
 - (iii) any dependent children of the borrower, the borrower’s spouse or the borrower and the borrower’s spouse; and
 - (iv) any persons who, in the opinion of the minister, are wholly dependent on the borrower, the borrower’s spouse or the borrower and the borrower’s spouse;

- (j) **“full-time student”** means an individual:
- (i) subject to subsection (2), who is confirmed by a designated educational institution as being enrolled in courses that constitute at least 60% of a course load recognized by that designated educational institution as constituting a full-time course load for a program of studies; and
 - (ii) whose primary occupation during the confirmed period mentioned in subclause (i) is the pursuit of studies in the courses mentioned in that subclause;
- (k) **“in default”** means in default of making a payment due on a loan for a period of at least 90 days;
- (l) **“in good standing”** means a loan where the borrower:
- (i) is not in default under the terms of the loan agreement or any regulations governing the loan agreement; and
 - (ii) has not breached any term or condition of the loan agreement or the regulations governing the loan agreement;
- (m) **“interest-free certificate”** means a duly completed certificate that is used to maintain or reinstate the interest free status of a Saskatchewan student direct loan;
- (n) **“interest free status”** means, with respect to a Saskatchewan student direct loan that is not in consolidation, that a full-time student or borrower is not required to make payments on the principal or interest of the Saskatchewan student direct loan;
- (o) **“monthly family income”** means the total of the borrower’s and the borrower’s spouse’s gross monthly income as determined by the minister;
- (p) **“monthly payment”** means the minimum monthly instalment amount that a person is required to pay on a loan made under or pursuant to the Act;
- (q) **“parent”** includes a step-parent or legal custodian of a child;
- (r) **“past Saskatchewan student loan”** means a loan governed pursuant to *The Student Assistance and Student Aid Fund Regulations, 2001* or *The Lender-financed Saskatchewan Student Loans Regulations*;
- (s) **“period of study end date”** means the last day of the month in which a full-time student ceases to be a full-time student and that is confirmed by a certificate of eligibility, by an interest-free certificate or by notice to the minister;
- (t) **“period of study start date”** means the date that a full-time student is enrolled in a designated educational institution and that is confirmed by a certificate of eligibility, by an interest-free certificate or by notice to the minister;

- (u) **“permanent disability”** means a functional limitation caused by a physical or mental impairment that:
- (i) restricts the ability of an individual to perform the daily activities necessary to participate in studies at a post-secondary level or in the labour force; and
 - (ii) is expected to remain throughout that individual’s life;
- (v) **“prime rate”** means the rate of interest calculated in accordance with subsection (3);
- (w) **“program of studies”** means a program of post-secondary studies that:
- (i) leads to a degree, diploma or certificate;
 - (ii) is taken at a designated educational institution; and
 - (iii) lasts at least 12 weeks within a period of 15 consecutive weeks;
- (x) **“provincial loan agreement”** means an agreement entered into after July 31, 2001 between the minister and a full-time student or borrower for a Saskatchewan student direct loan;
- (y) **“Saskatchewan student direct loan”** means a loan granted pursuant to Part II of these regulations;
- (z) **“sponsor”** means a person who sponsors an application by an immigrant pursuant to the *Immigration Act* (Canada);
- (aa) **“spouse”** means, with respect to a full-time student or borrower:
- (i) the person to whom the full-time student or borrower is legally married; or
 - (ii) another person with whom the full-time student or borrower is cohabiting and has cohabited as a spouse continuously for at least one year;
- (bb) **“table”** means a table set out in the Appendix.
- (2) Notwithstanding subclause (1)(j)(i), an individual is to be considered as a full-time student if the individual satisfies the minister that the individual:
- (a) has a permanent disability that significantly restricts the individual’s ability to be enrolled in at least 60% of a course load that is recognized by the designated educational institution with which the individual is enrolled as constituting a full-time course load for a program of studies; and
 - (b) is taking at least 40% of a course load that is recognized by the designated educational institution with which the individual is enrolled as constituting a full-time course load for a program of studies.

(3) For the purposes of these regulations, the minister shall calculate the prime rate by:

- (a) using the variable reference rates of interest that:
 - (i) are determined by the Minister as defined in the *Canada Student Loans Act* or the *Canada Student Financial Assistance Act*; and
 - (ii) are based on the variable reference rates of interest declared by the five largest Canadian financial institutions;
- (b) ignoring the highest and lowest of the five rates of interest mentioned in clause (a); and
- (c) taking the average of the remaining three rates of interest.

10 Aug 2001 cS-61.1 Reg 1 s2; 6 Sep 2002 SR 76/2002 s3; 24 Sept 2004 SR 84/2004 s3; 5 Aug 2005 SR 80/2005 s3; 30 Jne 2006 SR 61/2006 s3.

PART II Saskatchewan Student Direct Loans

Application for loans

3(1) A full-time student may apply to the minister for a Saskatchewan student direct loan on a form provided by the minister.

- (2) A full-time student who applies pursuant to subsection (1) shall:
 - (a) provide the minister with any information that the minister considers necessary to determine whether or not the full-time student is eligible for a Saskatchewan student direct loan; and
 - (b) sign any consents allowing the minister, third parties or both to obtain, use, release or provide information about the full-time student that the minister may require:
 - (i) to determine whether or not the full-time student is eligible for a Saskatchewan student direct loan; or
 - (ii) to administer these regulations.

10 Aug 2001 cS-61.1 Reg 1 s3.

Eligibility for loans

4 In order to be eligible for a Saskatchewan student direct loan, a full-time student must:

- (a) be eligible for a Canada direct loan;
- (b) not be in default on any past Saskatchewan student loan, any loan made pursuant to the *Canada Student Financial Assistance Act* or the *Canada Student Loan Act* or any Saskatchewan student direct loan; and
- (c) in the opinion of the minister, be in need of financial assistance after taking into account the following:
 - (i) the income, assets and expenses of the full-time student and the full-time student's spouse to the extent and in any amounts that the minister considers appropriate; and
 - (ii) the income of the full-time student's parents or sponsor to the extent and in any amounts that the minister considers appropriate;
 - (iii) any other criteria that the minister considers necessary.

10 Aug 2001 cS-61.1 Reg 1 s4.

Health card numbers required

4.1(1) In this section, "**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*.

(2) For the purpose of determining the amount of a Saskatchewan student direct loan or other financial assistance for which a full-time student may be eligible pursuant to these regulations, the minister may require the full-time student to provide to the department the family/beneficiary number and personal health number as set out on a valid Saskatchewan Health Services card for the full-time student and for each person whom the full-time student claims as a dependant.

24 Sept 2004 SR 84/2004 s4.

Certificate of eligibility

5(1) On receipt of an application pursuant to section 3:

- (a) where the minister is satisfied that the full-time student applicant has complied with these regulations and is eligible for a Saskatchewan student direct loan and that it is not contrary to the purposes of the Act or the public interest to grant the loan, the minister may issue a certificate of eligibility to the full-time student; or
- (b) in any other circumstances, the minister may refuse to issue a certificate of eligibility to the full-time student.

- (2) A certificate of eligibility is:
- (a) to be in the form that the minister considers appropriate; and
 - (b) to set out the amount of a Saskatchewan student direct loan for which the full-time student is eligible and any other terms that the minister considers appropriate.
- (3) A full-time student to whom a certificate of eligibility is issued must:
- (a) have an appropriate official of the designated educational institution where the full-time student is enrolled confirm the full-time student's enrollment:
 - (i) on the certificate of eligibility; or
 - (ii) in any other manner that the minister may require;
 - (b) sign a provincial loan agreement in which the full-time student agrees to repay the Saskatchewan student direct loan according to the terms and conditions of these regulations and the agreement;
 - (c) sign any consents, authorizations and certificates that the minister may require; and
 - (d) return the certificate of eligibility, along with the confirmation mentioned in clause (a), to the minister within 30 days of the designated educational institution confirming full-time enrollment and before the full-time student's period of study end date.

10 Aug 2001 cS-61.1 Reg 1 s5.

Granting of loan

- 6(1) Where a full-time student has complied with section 5, the minister may grant a Saskatchewan student direct loan to the full-time student in the amount set out in the certificate of eligibility.
- (2) The minister may determine the maximum amount of a Saskatchewan student direct loan that may be provided to a student.

10 Aug 2001 cS-61.1 Reg 1 s6.

Reduction of loan

- 7(1) The minister may reduce the amount of a Saskatchewan student direct loan granted to a full-time student where:
- (a) there is a change in any information concerning the full-time student that would result in the full-time student being eligible for a reduced loan;
 - (b) the full-time student ceases to be a full-time student before the full-time student's period of study end date;
 - (c) the full-time student or the full-time student's spouse, parent or sponsor has provided false or misleading information to the minister; or

- (d) the full-time student fails to comply with any provision of these regulations, any terms and conditions of the provincial loan agreement, any provision of *The Lender-financed Saskatchewan Student Loans Regulations*, *The Student Assistance and Student Aid Fund Regulations, 1990* or *The Student Assistance and Student Aid Fund Regulations, 2001* or any direction of the minister issued pursuant to these regulations.
- (2) If the minister reduces the amount of a Saskatchewan student direct loan pursuant to subsection (1), the minister may:
- (a) direct the full-time student to immediately repay any excess amount granted to the full-time student; or
 - (b) deduct the excess amount from any subsequent Saskatchewan student direct loan disbursements or future Saskatchewan student direct loans that are made or granted to the full-time student.
- (3) A full-time student to whom a direction is made pursuant to clause (2)(a) shall comply with that direction within the time period that the minister may set out in the direction.
- (4) The minister may increase the amount of a Saskatchewan student direct loan granted to a full-time student where there is a change in any information concerning the full-time student that would result in the full-time student being eligible for an increased loan.
- (5) If the minister increases the amount of a Saskatchewan student direct loan to a full-time student pursuant to subsection (4), the minister may issue a certificate of eligibility to the full-time student that authorizes the amount of the increased loan.
- (6) If a full-time student who receives a certificate of eligibility pursuant to subsection (5) complies with subsection 5(3), the minister may grant the increased Saskatchewan student direct loan in the amount set out in the certificate of eligibility.

10 Aug 2001 cS-61.1 Reg 1 s7.

Loan disbursements rules

8 Notwithstanding any other provision of these regulations or the provisions of a provincial loan agreement, the minister shall not make any disbursements under the Saskatchewan student direct loan before the full-time student's period of study start date or after the full-time student's period of study end date.

10 Aug 2001 cS-61.1 Reg 1 s8.

PART III
Interest free Status

Interest free status

9 For the purposes of these regulations, if a Saskatchewan student direct loan has an interest free status, no interest is payable on the Saskatchewan student direct loan and no interest is to accumulate on the loan during the period that the Saskatchewan student direct loan has the interest free status.

10 Aug 2001 cS-61.1 Reg 1 s9.

Students with certificate of eligibility

10 Subject to section 12, where the minister issues a certificate of eligibility to a full-time student pursuant to section 5, the full-time student's Saskatchewan student direct loan has an interest free status during the period:

- (a) commencing on the later of:
 - (i) the period of study start date indicated on the certificate of eligibility; and
 - (ii) the date the completed certificate of eligibility is delivered to the minister by the full-time student according to the minister's direction; and
- (b) ending on the period of study end date as indicated in the certificate of eligibility.

10 Aug 2001 cS-61.1 Reg 1 s10; 15 Feb 2002 SR
13/2002 s3.

With interest-free certificate

11(1) Subject to section 12, a full-time student whose Saskatchewan student direct loan does not have an interest free status may apply to the minister for interest free status by filing a completed interest-free certificate in a form provided by or acceptable to the minister.

(2) An interest-free certificate pursuant to subsection (1) must include or be accompanied by:

- (a) a statement of the appropriate official of the designated educational institution in which the full-time student is enrolled that:
 - (i) confirms the full-time student's enrollment in the designated educational institution; and
 - (ii) is signed or confirmed in a manner the minister considers satisfactory by the appropriate official within 30 days of the day that the certificate is delivered to the minister; and
- (b) any consents signed by the full-time student allowing the minister, third parties or both to obtain, use, release or provide information about the full-time student that the minister may require to determine whether or not the full-time student is eligible for an interest free status on the full-time student's Saskatchewan student direct loan or to administer these regulations.

- (3) An interest-free certificate must be delivered to the minister within 30 days of the date that the designated educational institution confirms the full-time student's enrollment.
- (4) Where the minister receives an application pursuant to subsection (1) and is satisfied that the full-time student has complied with these regulations and that it is not contrary to the purposes of the Act or the public interest to do so, the minister may grant interest free status to the full-time student's Saskatchewan student direct loan.
- (5) Where the minister grants interest free status to a full-time student's Saskatchewan student direct loan, the interest free status is in effect during the period:
- (a) commencing on the later of:
 - (i) the period of study start date indicated on the interest-free certificate; and
 - (ii) the date the completed interest-free certificate is delivered to the minister by the full-time student according to the minister's direction; and
 - (b) ending on the period of study end date as indicated on the interest-free certificate.

10 Aug 2001 cS-61.1 Reg 1 s11.

Rules respecting interest free status

- 12(1)** If the period of study end date as shown on a full-time student's certificate of eligibility or interest-free certificate changes, the interest free status of the full-time student's Saskatchewan student direct loan ends on the new period of study end date.
- (2) Notwithstanding sections 10 and 11, no full-time student is entitled to interest free status on a Saskatchewan student direct loan if the student:
- (a) is in default on a loan pursuant to these regulations, *The Lender-financed Saskatchewan Student Loans Regulations, The Student Assistance and Student Aid Fund Regulations, 1990* or *The Student Assistance and Student Aid Fund Regulations, 2001*; or
 - (b) in the opinion of the minister, it is not in the public interest to grant interest free status.
- (3) The minister may terminate a full-time student's or borrower's interest free status where:
- (a) the full-time student or borrower or the full-time student's or borrower's spouse, parent or sponsor has provided false or misleading information to the minister;

- (b) the full-time student or borrower fails to comply with any provision of these regulations, the Saskatchewan student direct loan, *The Lender-financed Saskatchewan Student Loans Regulations, The Student Assistance and Student Aid Fund Regulations, 1990* or *The Student Assistance and Student Aid Fund Regulations, 2001*; or
 - (c) the minister considers that it is in the public interest to do so.
- (4) Notwithstanding that the period of study end date as stated on a full-time student's or borrower's previous certificate of eligibility or interest-free certificate has been reached, the full-time student's or borrower's Saskatchewan student direct loan remains in interest free status during the period between the previous period of study end date and next period of study start date as shown on the full-time student's or borrower's current certificate of eligibility or interest-free certificate if:
- (a) the period between the previous period of study end date and next period of study start date as shown on the full-time student's or borrower's current certificate of eligibility or interest-free certificate is less than six months; and
 - (b) the full-time student or borrower delivers the current certificate of eligibility or interest-free certificate to the minister within the six month period mentioned in clause (a).

10 Aug 2001 cS-61.1 Reg 1 s12.

PART IV

Repayment and Financial Assistance during Repayment

Consolidation

- 13(1) For the purposes of these regulations, when a borrower's Saskatchewan student direct loan is consolidated, the borrower is obliged to make payments on the principal and interest of the Saskatchewan student direct loan in accordance with the terms of these regulations and the borrower's provincial loan agreement.
- (2) A borrower's Saskatchewan student direct loan is consolidated on the earlier of:
- (a) the date communicated to the minister by the borrower; and
 - (b) the last day of the sixth month following the borrower's last period of study end date.
- (3) A borrower shall pay a minimum monthly amount on a consolidated Saskatchewan student direct loan as directed by the minister.
- (4) A borrower shall make payments on a consolidated Saskatchewan student direct loan at the place, in the manner and to the persons that the minister may direct in writing.

- (5) The minister shall apply any payments from the borrower:
- (a) first to any outstanding service charges and interest on the Saskatchewan student direct loan; and
 - (b) if any amounts remain after the application mentioned in clause (a), to any outstanding principal.

10 Aug 2001 cS-61.1 Reg 1 s13.

Interest relief

14(1) For the purposes of these regulations, if a borrower has been granted interest relief on his or her Saskatchewan student direct loan:

- (a) no interest or principal and no amount on account of interest is payable on the Saskatchewan student direct loan by the borrower, and no interest is to accumulate on the Saskatchewan student direct loan, during the period for which the Saskatchewan student direct loan has been granted interest relief; and
 - (b) the borrower shall make the first payment with respect to the principal and interest on the Saskatchewan student direct loan one month after the end of the period mentioned in clause (a).
- (2) The minister may grant interest relief to a borrower respecting the borrower's Saskatchewan student direct loan if:
- (a) the borrower resides in Canada;
 - (b) all Saskatchewan student direct loans of the borrower have been consolidated;
 - (c) all of the following loans of the borrower are in good standing:
 - (i) all loans made pursuant to the Act;
 - (ii) all loans made pursuant to the Canada-Saskatchewan Integration Agreement for the Harmonization and Administration of Federal and Provincial Student Loans Programs, dated June 19, 2001, or pursuant to a similar Canada-Saskatchewan agreement;
 - (iii) if another Canadian jurisdiction has entered into an agreement with the Government of Canada similar to an agreement mentioned in subclause (ii), all loans that that jurisdiction would require to be in good standing if that jurisdiction were considering an application by the borrower for interest relief for a loan made to the borrower pursuant to such an agreement;
 - (d) the borrower applies to the minister for the interest relief:
 - (i) in a form provided by or acceptable to the minister; and
 - (ii) after the Saskatchewan student direct loan has been consolidated;

- (e) the borrower provides the minister with any documents or other information that the minister may require to consider the application;
 - (f) the borrower's monthly family income is equal to or less than the applicable interest relief income amount for that borrower as set out in Table 1 based on:
 - (i) the number of persons in the borrower's family unit; and
 - (ii) the total amount of all monthly payments that the borrower and the borrower's spouse are required to pay on all loans mentioned in clause (c); and
 - (g) in the minister's opinion, it is not contrary to the purposes of the Act or the public interest.
- (3) No interest relief may be granted until at least six months have passed after the borrower's last period of study end date.
- (4) Subject to subsection (5), the minister may not grant interest relief pursuant to this section if the total of all interest relief periods granted on Saskatchewan student direct loans and all other loans granted to the borrower pursuant to these regulations or any Act of the Parliament of Canada similar to the Act would exceed 30 months.
- (5) Notwithstanding that a borrower already has been granted a total of 30 months of interest relief on the loans mentioned in subsection (4) and if not more than 60 months have elapsed since the borrower's last period of study end date, as that period is specified by the borrower in his or her first application for interest relief, the minister may grant the borrower a further period of interest relief of not more than 24 months and not beyond the 60-month period since the borrower's last period of study end date, if the minister is satisfied that:
- (a) in the case of a Saskatchewan student direct loan that has a repayment period of 15 years or more, the borrower is unable to make the monthly payment required on the loan; or
 - (b) in the case of a Saskatchewan student direct loan that has a repayment period of less than 15 years, the borrower would be unable to make the monthly payment required on the loan even if the repayment schedule were extended to 15 years.
- (5.1) For the purposes of subsection (5), the borrower's first application for interest relief is the borrower's first application for interest relief on any loan mentioned in clause (2)(c).
- (6) The maximum length of each period of interest relief that the minister may grant pursuant to this section is six months.
- (7) As a condition of the minister granting interest relief, the borrower shall agree to pay or capitalize any accrued interest that remains unpaid on the first day of the interest relief period in accordance with any direction of the minister.

(8) Where an application is made for interest relief respecting a Saskatchewan student direct loan and a past Saskatchewan student loan, the minister shall provide notice of the minister's decision to the borrower and any relevant financial institution lender.

(9) Where the minister grants interest relief pursuant to this section, the first payment on principal and interest that the borrower is required to make is due within one month after the end of the interest relief period.

(10) The minister may terminate interest relief where:

(a) the borrower has provided false or misleading information to the minister;

(b) the borrower fails to comply with any provision of these regulations, the borrower's provincial loan agreement, *The Lender-financed Saskatchewan Student Loans Regulations*, *The Student Assistance and Student Aid Fund Regulations, 1990* or *The Student Assistance and Student Aid Fund Regulations, 2001*; or

(c) the minister considers that it is in the public interest to do so.

10 Aug 2001 cS-61.1 Reg 1 s14; 15 Feb 2002 SR 13/2002 s4; 7 Jun 2002 SR 42/2002 s3; 6 Sep 2002 SR 76/2002 s4; 24 Sept 2004 SR 84/2004 s5.

Debt reduction and repayment

15(1) In this section and in Table 2, "**monthly family income ceiling**", with respect to a borrower, means, based on the size of the borrower's family unit, the sum of the borrower's monthly family income less the total amount of all monthly payments that the borrower's spouse is required to pay on all loans made under or pursuant to the Act.

(2) A borrower may apply to the minister to reduce the borrower's indebtedness to the minister respecting the borrower's Saskatchewan student direct loan and any past Saskatchewan student loans.

(3) On an application pursuant to subsection (2), the minister may reduce the amount of the borrower's indebtedness if the borrower resides in Canada and the minister is satisfied that:

(a) all of the following criteria are met:

(i) the borrower is not in default on the Saskatchewan student direct loan or any past Saskatchewan student loan;

(ii) the borrower ceased to be a full-time student 60 months or more before the date of the application;

(iii) the borrower has exhausted at least 30 months of interest relief;

- (iv) the borrower has not previously been granted a reduction of indebtedness pursuant to this section;
 - (v) the total amount of all monthly payments that the borrower is required to pay on all loans made under or pursuant to the Act is greater than the dollar amount set out in Column 1 of Table 2 for the borrower's monthly family income ceiling set out in Column 2 of Table 2; or
- (b) all of the following criteria are met:
- (i) the borrower has incurred extraordinary expenses due to circumstances beyond the control of the borrower and the borrower's spouse;
 - (ii) the borrower will be able to make the monthly payment required on the reduced amount of the loan.
- (4) Subject to subsection (5), the amount of reduction of indebtedness that the minister may grant pursuant to this section is the positive amount P, rounded to the nearest dollar, calculated in accordance with the following formula:

$$P = A(1 - B/C)$$

where:

A is the total principal amount owing by the borrower with respect to all outstanding Saskatchewan student direct loans granted pursuant to these regulations and any past Saskatchewan student loans;

B is the dollar amount set out in Column 1 of Table 2 for the borrower's monthly family income ceiling set out in Column 2 of Table 2; and

C is:

- (a) if the repayment period of the Saskatchewan student direct loan and past Saskatchewan student loans is 15 years or more, the sum of the monthly payments due by the borrower on the Saskatchewan student direct loan and the past Saskatchewan student loans; or
 - (b) if the repayment period of the Saskatchewan student direct loan and past Saskatchewan student loans is less than 15 years, the sum of the monthly payments that would be due by the borrower on the Saskatchewan student direct loan and past Saskatchewan student loans if the repayment period were 15 years.
- (5) The maximum amount of reduction of indebtedness that may be granted pursuant to this section is \$3,000.

Forgiveness or cancellation of indebtedness

16(1) The minister may forgive all or any part of a borrower's indebtedness or cancel all or any part of a borrower's obligation to pay principal and interest on a Saskatchewan student direct loan if:

- (a) the borrower dies; or
 - (b) the borrower satisfies the minister that:
 - (i) the borrower suffers from a permanent disability that impairs the borrower's ability to repay the Saskatchewan student direct loan; and
 - (ii) the borrower's family income is not sufficient to permit the borrower to fully repay the principal and interest on the Saskatchewan student direct loan.
- (2) **Repealed.** 5 Aug 2005 SR 80/2005 s4.

10 Aug 2001 cS-61.1 Reg 1 s16; 24 Sept 2004
SR 84/2004 s7; 5 Aug 2005 SR 80/2005 s4.

PART V
Miscellaneous

Rules respecting interest payments

17(1) A borrower shall pay the interest described by this section as accruing on the borrower's Saskatchewan student direct loan in accordance with the terms set out in these regulations and in the borrower's provincial loan agreement.

(2) If a borrower fails to pay interest owed on a Saskatchewan student direct loan as required by subsection (1), the minister may, as a condition of providing any interest relief, any other financial assistance or benefits or any other Saskatchewan student direct loan, require the borrower to:

- (a) pay the accrued interest owing; or
 - (b) capitalize the accrued interest owing by entering into an agreement with the minister that consolidates the Saskatchewan student direct loan and that adds the accrued interest to the principal amount payable on the Saskatchewan student direct loan.
- (3) Interest accrues on a Saskatchewan student direct loan at a floating rate equal to the prime rate plus 2.5% per annum during the period between:
- (a) the date after the borrower's last period of study end date; and
 - (b) the date the Saskatchewan student direct loan is consolidated.

- (4) With respect to accrued interest mentioned in subsection (3), the borrower shall:
- (a) pay the accrued interest; or
 - (b) capitalize the accrued interest by entering into an agreement with the minister that adds the accrued interest to the principal amount payable on the Saskatchewan student direct loan.
- (5) After the completion of the period mentioned in subsection (3), interest accrues on the Saskatchewan student direct loan at:
- (a) a floating rate equal to the prime rate plus 2.5% per annum; or
 - (b) if requested by the borrower after the consolidation date, a fixed rate equal to the prime rate at the date of the request plus 5% per annum.

10 Aug 2001 cS-61.1 Reg 1 s17.

Designation of educational institutions

18 For the purposes of approving an educational institution as a designated educational institution or revoking the designation of an educational institution and for the purposes of efficiently administering student loan programs jointly administered by the department and the Government of Canada, the minister may take into consideration:

- (a) whether or not the educational institution is designated as an educational institution for the purposes of Canada direct loans pursuant to sections 3 and 4 of the *Canada Student Financial Assistance Act*; and
- (b) whether or not the educational institution:
 - (i) offers a program of studies that:
 - (A) leads to a degree, diploma or certificate; and
 - (B) lasts at least 12 weeks within a period of 15 consecutive weeks;
 - (ii) in the case of vocational or technical programs, provides a minimum of 20 hours per week of student activity or participation;
 - (iii) has been in operation for at least 18 months and has graduated at least one class of students;
 - (iv) is authorized to operate pursuant to the appropriate legislation for that class of educational institution; and
 - (v) has entered into an agreement with the minister that establishes the terms and conditions with respect to maintaining its status as a designated educational institution pursuant to sections 3 and 4 of the *Canada Student Financial Assistance Act*.

30 Jne 2006 SR 61/2006 s4.

Exemptions

19(1) The minister may exempt a full-time student or borrower from any requirement set out in these regulations where, 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 full-time student or borrower;
 - (ii) the non-compliance is with respect to a minor detail;
 - (iii) the full-time student or borrower has proposed other conditions that meet or exceed the conditions with respect to which there is non-compliance;
 - (b) the full-time student or borrower is mainly in compliance with the requirements of these regulations; and
 - (c) it is not contrary to the public interest to grant the exemption.
- (2) After taking into consideration the general objectives of the Act, these regulations and student loan programs jointly administered by the department and the Government of Canada, the minister may, on any terms and conditions and in any amount that the minister may determine:
- (a) provide additional financial assistance and related benefits pursuant to these regulations to full-time students and borrowers or to classes of full-time students and borrowers; or
 - (b) abolish, restrict or modify financial assistance and related benefits otherwise available pursuant to these regulations to full-time students and borrowers or to classes of full-time students and borrowers

10 Aug 2001 cS-61.1 Reg 1 s19; 24 Sept 2004
SR 84/2004 s8.

Reconsideration of determination

19.1(1) The minister shall establish a review process for the reconsideration of any determination made by the minister with respect to a person's application for a Saskatchewan student direct loan or other financial assistance pursuant to these regulations.

(2) After receiving written notice from the minister advising of the minister's determination with respect to the person's application for a Saskatchewan student direct loan or other financial assistance pursuant to these regulations, the person may request that the minister reconsider the determination.

(3) A request for reconsideration of a determination must:

- (a) be in writing;
- (b) be made within the time set by the minister; and
- (c) set out the reasons why the person believes that the minister should reconsider his or her determination.

(4) On receipt of a request made in accordance with this section, the minister shall:

- (a) reconsider his or her determination;
- (b) cause the person who requested the reconsideration to be notified of the minister's decision on reconsideration; and
- (c) provide the person notified pursuant to clause (b) with written reasons for the minister's decision on reconsideration.

(5) Nothing in these regulations entitles a person to a hearing before the minister or the department.

24 Sept 2004 SR 84/2004 s9.

Limitations exception

19.2 Notwithstanding section 5 of *The Limitations Act*, no proceedings shall be commenced with respect to a claim respecting a loan made pursuant to these regulations after six years from the day on which the claim is discovered.

6 May 2005 SR 39/2005 s2.

PART VI
Coming into Force

Coming into force

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

10 Aug 2001 cS-61.1 Reg 1 s20.

APPENDIX

Table 1
[clause 14(2)(f)]

Interest Relief Table

Total amount of all Monthly Payments (\$) that the borrower and the borrower's spouse are required to pay on all loans mentioned in clause 14(2)(c)	Maximum Monthly Family Income (\$) based on size of Family Unit									
	1 person	2 people	3 people	4 people	5 people	6 people	7 people	8 people	9 people	10 people
0 - 35	1684	2631	3399	4009	4569	5084	5545	5934	6252	6493
35.01 - 70	1717	2678	3441	4053	4615	5132	5595	5985	6306	6549
70.01 - 105	1755	2723	3482	4096	4662	5180	5647	6036	6360	6605
105.01 - 140	1792	2770	3523	4140	4707	5229	5697	6090	6413	6661
140.01 - 175	1830	2806	3565	4183	4753	5278	5749	6144	6470	6718
175.01 - 210	1871	2840	3608	4226	4800	5328	5801	6197	6526	6776
210.01 - 245	1912	2877	3648	4270	4847	5377	5853	6262	6582	6832
245.01 - 280	1951	2917	3691	4314	4894	5426	5904	6317	6638	6891
280.01 - 315	1993	2958	3735	4360	4941	5476	5956	6369	6696	6949
315.01 - 350	2034	2998	3777	4405	4988	5524	6007	6423	6753	7008
350.01 - 385	2075	3039	3822	4451	5036	5573	6061	6475	6810	7067
385.01 - 420	2116	3079	3867	4497	5084	5624	6114	6529	6867	7124
420.01 - 455	2158	3119	3912	4542	5132	5674	6168	6584	6925	7184
455.01 - 490	2201	3159	3956	4589	5179	5725	6223	6638	6981	7244
490.01 - 525	2246	3200	4002	4634	5227	5775	6278	6696	7040	7303
525.01 - 560	2289	3240	4047	4681	5276	5826	6333	6753	7098	7363
560.01 - 595	2334	3280	4092	4727	5326	5878	6386	6810	7157	7424
595.01 - 630	2378	3319	4136	4772	5375	5930	6442	6867	7215	7484
630.01 - 665	2423	3360	4182	4818	5425	5982	6496	6925	7274	7544
665.01 - 700	2469	3401	4226	4866	5474	6035	6552	6981	7334	7606
700.01 - 735	2515	3443	4271	4912	5524	6088	6609	7040	7393	7668
735.01 - 770	2563	3484	4316	4959	5574	6140	6664	7098	7454	7730
770.01 - 805	2610	3525	4362	5006	5625	6194	6720	7157	7515	7792
805.01 - 840	2660	3566	4407	5054	5675	6248	6777	7215	7576	7855
840.01 - 875	2709	3608	4451	5102	5726	6303	6832	7273	7636	7918
875.01 - 910	2759	3649	4497	5150	5777	6357	6890	7333	7698	7981
910.01 - 945	2794	3691	4541	5199	5829	6411	6947	7392	7760	8044
945.01 - 980	2827	3734	4586	5248	5880	6468	7005	7452	7821	8108
980.01 - 1015	2861	3777	4631	5295	5934	6524	7061	7512	7883	8172
1015.01 - 1050	2901	3819	4677	5345	5986	6581	7120	7571	7946	8236
1050.01 - 1085	2941	3863	4721	5393	6038	6638	7178	7631	8009	8301
1085.01 - 1120	2981	3906	4766	5443	6090	6696	7237	7692	8072	8366
1120.01 - 1155	3022	3951	4811	5494	6144	6753	7295	7754	8136	8432
1155.01 - 1190	3062	3995	4856	5544	6197	6810	7353	7816	8201	8508
1190.01 - 1225	3102	4039	4900	5594	6252	6867	7412	7877	8265	8573
1225.01 - 1260	3142	4080	4946	5645	6306	6926	7470	7940	8329	8639
1260.01 - 1295	3182	4121	4991	5695	6361	6984	7530	8003	8393	8707
1295.01 - 1330	3222	4165	5036	5746	6417	7042	7589	8066	8458	8773
1330.01 - 1365	3264	4209	5081	5796	6471	7101	7648	8129	8523	8840
1365.01 - 1400	3305	4255	5126	5846	6526	7161	7708	8192	8588	8907

TABLE 2
[Section 15]

Debt Reduction Table

COLUMN 1	COLUMN 2					
Dollar Amount (\$)	Monthly Family Income Ceiling (\$)					
	1 person	2 people	3 people	4 people	5 people	6 people or more
10	539	1180	1396	1612	1815	2012
15	912	1486	1783	2080	2371	2658
20	1105	1645	1984	2324	2660	2294
25	1291	1798	2178	2558	2938	3318
50	1399	1905	2285	2623	3003	3383
75	1506	2012	2392	2688	3068	3448
100	1613	2119	2499	2753	3133	3513
125	1720	2226	2564	2818	3198	3578
150	1827	2334	2630	2884	3264	3643
175	1934	2441	2695	2949	3329	3709
200	2041	2506	2760	3014	3394	3774
225	2148	2571	2825	3079	3459	3839
250	2256	2636	2890	3144	3524	3904
275	2363	2701	2955	3209	3589	3969
300	2470	2766	3020	3274	3654	4034
325	2535	2832	3086	3340	3720	4099
350	2600	2897	3151	3405	3785	4165
375	2665	2962	3216	3470	3850	4230
400	2730	3027	3281	3535	3915	4295
425	2795	3092	3346	3600	3980	4360
450	2861	3157	3411	3665	4045	4425
475	2926	3222	3476	3730	4094	4490
500	2991	3288	3542	3796	4142	4555
525	3056	3353	3607	3861	4191	4621
550	3121	3418	3672	3926	4239	4686
575	3186	3483	3737	3991	4288	4751
600	3251	3548	3802	4056	4337	4816
625	3317	3613	3867	4121	4385	4881
650	3382	3678	3932	4186	4434	4946
675	3447	3744	3998	4235	4482	5011
700	3512	3809	4063	4284	4531	5077

24 Sept 2004 SR 84/2004 s10.