

The Teachers' Life Insurance (Government Contributory) Act

being

Chapter T-8 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by *The Revised Statutes of Saskatchewan, 1978 (Supplement)*, c.74, and the *Statutes of Saskatchewan, 1979-80*, c.7; 1980-81, c.87; 1982-83, c.18; 1983, c.25; 1983-84, c.57; 1984-85-86, c.107; 1988-89, c.20 and 59; 1990-91, c.40; 1993, c.55; 1996, c.64; and 1998, c.38.

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 T-8

An Act respecting Government Contributory Life Insurance for Certain Teachers

Short title

1 This Act may be cited as *The Teachers' Life Insurance (Government Contributory) Act*.

Interpretation

1.1 In this Act, “**teacher**”, in the case of a board of education as defined in *The Education Act, 1995* and in the case of a conseil scolaire as defined in *The Education Act, 1995*, includes all persons employed on a full-time basis by the board or the conseil scolaire, as the case may be:

- (a) who, pursuant to section 264 of *The Education Act, 1995* have been designated as not being teachers by The Educational Relations Board; and
- (b) whose positions have been designated by the Teachers' Superannuation Commission as requiring the professional qualifications of a teacher.

1983-84, c.57, s.3; 1993, c.55, s.192; 1998, c.38, s.3.

Application of Act

2 This Act applies to:

- (a) boards of education and conseils scolaires, as defined in *The Education Act, 1995*, with respect to all teachers employed on a full-time basis by a board of education or a conseil scolaire, as the case may be;
- (b) teachers employed on a full-time basis in teaching or in the supervision of teaching in a school under *The Education Act, 1995* or in a school in respect of which the Department of Education has made or undertaken to make a grant in respect of the period in which the teacher is employed in the school;
- (c) boards of colleges established or continued pursuant to *The Regional Colleges Act* in respect of all teachers employed on a full-time basis by a board in positions designated by the board as requiring the professional qualifications and experience of a teacher;
- (d) teachers employed on a full-time basis in a position designated by the board of a college established or continued pursuant to *The Regional Colleges Act* as requiring the professional qualifications and experience of a teacher;
- (d.1) all persons employed on a full-time basis by a board of education or a conseil scolaire as defined in *The Education Act, 1995*:
 - (i) who, pursuant to section 261 of *The Education Act, 1995* have been designated as not being teachers by The Educational Relations Board; and

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(ii) whose positions have been designated by the Teachers' Superannuation Commission as requiring the professional qualifications of a teacher;

(d.2) all temporary teachers, as defined in *The Education Act, 1995*, who are employed by a board of education or a conseil scolaire under a contract for a term of at least 20 full or partial teaching days;

(d.3) the board of the Saskatchewan Institute of Applied Science and Technology established pursuant to *The Institute Act* with respect to teachers described in clause (d.4);

(d.4) teachers who, on December 31, 1987, were:

(i) employed under contract by a board of a college established pursuant to *The Community Colleges Act*; and

(ii) insured pursuant to an agreement entered into under section 4;

and who, on January 1, 1988, were transferred to the Saskatchewan Institute of Applied Science and Technology pursuant to *The Institute Act*, for as long as their contracts remain in force;

(e) other teachers who, by reason of special circumstances, are designated by the regulations.

1979-80, c.7, s.3; 1983-84, c.57, s.4; 1984-85-86, c.107, s.2; 1988-89, c.20, s.6 and c.59, s.3; 1993, c.55, s.192; 1998, c.38, s.4.

Administration of Act

3 This Act shall be administered by The Teachers' Superannuation Commission continued pursuant to *The Teachers Superannuation and Disability Benefits Act*.

R.S.S. 1978, c.T-8, s.3; 1998, c.38, s.5.

Agreement re insurance

4 The Lieutenant Governor in Council may authorize the Minister of Finance to enter into an agreement, with the approval of the Saskatchewan Teachers' Federation, with one or more insurance companies to provide for term life insurance and accidental death and dismemberment insurance with respect to all teachers to whom this Act applies, on any terms that may be considered advisable.

1980-81, c.87, s.3.

Agreement re insurance

5(1) The Lieutenant Governor in Council may authorize the Minister of Finance to enter into an agreement, with the approval of the Saskatchewan Teachers' Federation, with one or more insurance companies to provide for term life insurance and accidental death and dismemberment insurance, on any terms and conditions that may be considered advisable, for every person who holds a subsisting certificate of qualification issued by the Department of Education and is employed on a full-time basis as a secretary, treasurer or secretary treasurer or as an assistant secretary, assistant treasurer or assistant secretary treasurer or superintendent of administration by boards of education of school divisions or conseils scolaires for francophone education areas.

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(2) An agreement entered into under subsection (1) is required to provide that the lives of the persons to whom it applies are to be insured pursuant to the agreement only if the lives of those persons and the lives of teachers to whom an agreement entered into under section 4 applies can be insured under a single contract of life insurance.

(3) Where an agreement is entered into under subsection (1) the other provisions of this Act apply *mutatis mutandis*, except that no part of any of the premiums in respect of the term life insurance and accidental death and dismemberment insurance on the lives of the persons to whom the agreement applies are to be paid by the Minister of Finance.

(4) A teacher to whom sections 4 and 6 apply and to whom an allowance is granted on the grounds of age and service under *The Teachers Superannuation and Disability Benefits Act* may elect to maintain continued insurance coverage as provided in section 4 until attaining the age of 65, except that no part of any of the premiums are to be paid by the Minister of Finance.

(5) On and from September 1, 1988, a teacher:

(a) to whom an allowance is or has been granted pursuant to *The Teachers Superannuation and Disability Benefits Act* on the grounds of age and service; and

(b) who elects or has elected to maintain continued insurance coverage pursuant to subsection (4);

may elect to maintain continued insurance coverage for decreased amounts of insurance until attaining the age of 75, except that no part of any of the premiums are to be paid by the Minister of Finance.

(6) On and from September 1, 1988, a teacher between the ages of 65 and 75 may, on commencing receipt of an allowance pursuant to *The Teachers Superannuation and Disability Benefits Act*, elect to maintain continued insurance coverage for decreased amounts of insurance until attaining the age of 75, except that no part of any of the premiums are to be paid by the Minister of Finance.

(7) On and from July 1, 1991, subsections (4), (5) and (6) apply, with any necessary modification, to a teacher who receives a pension benefit based on age and service pursuant to a pension plan established and administered by the Saskatchewan Teachers' Federation.

(8) For the purposes of subsections (4), (5) and (6), a teacher is deemed to have elected to continue his or her insurance coverage unless the teacher has provided written notice to the Teachers' Superannuation Commission that the coverage is to be discontinued.

(8.1) Subsections (3) to (7) apply, with any necessary modification, to a person described in subsection (1) who has been granted an allowance or annuity on the basis of that person's age and service pursuant to the superannuation plan of which the person is a member.

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(8.2) To continue insurance coverage pursuant to subsection (8.1), a person shall:

- (a) provide written notice to the Teachers' Superannuation Commission that the coverage is to be continued; and
- (b) remit all required premiums to the Teachers' Superannuation Commission;

(9) Subject to subsection (8.2), all premiums required to continue insurance coverage pursuant to this section shall be deducted from any superannuation allowance or pension benefit:

- (a) by the Teachers' Superannuation Commission; or
- (b) by the Saskatchewan Teachers' Federation and remitted to the Teachers' Superannuation Commission.

1982-83, c.18, s.3; 1983, c.25, s.2; 1988-89, c.59, s.4; 1990-91, c.40, s.7; 1993, c.55, s.192; 1996, c.64, s.2; 1998, c.38, s.6.

Payment of insurance premiums

6(1) The Minister of Finance shall pay 50% of the amount of the premiums payable for any insurance provided pursuant to an agreement entered into under section 4, and that amount is a charge upon and payable out of the consolidated fund.

(2) Each teacher insured pursuant to an agreement entered into under section 4 shall pay 50% of the amount of the premiums payable with respect to that insurance.

1980-81, c.87, s.4.

Transfer or withholding of teachers' premiums

7 The Minister of Education shall:

- (a) request a board of education or a conseil scolaire to transfer to the commission the amount of the portion of the premium payable pursuant to section 6 by each teacher employed by the board of education or by the conseil scolaire, as the case may be, and the board of education or the conseil scolaire, as the case may be, shall forthwith comply with the request; or
- (b) cause such amounts to be withheld from the grants payable to a board of education or to a conseil scolaire, and the amount transferred or withheld shall be paid over in satisfaction of the liability of the teacher for that portion of the premium.

R.S.S. 1978, c.T-8, s.7; 1993, c.55, s.192.

Deduction of teachers' shares of premiums from salaries

8 The treasurer of a board of education or a conseil scolaire employing a teacher shall deduct from the teacher's salary the amount payable by the teacher in any year pursuant to section 6 in equal instalments commencing with the month of September in one year and ending with the month of June in the next year.

1979-80, c.7, s.5; 1993, c.55, s.192.

Payment of refunds, etc., in respect of certain insurance premiums

9(1) Where:

- (a) pursuant to the terms of an agreement entered into under section 4, a refund or other amount in respect of premiums is payable by a life insurance company to the Minister of Finance and to the teachers whose lives are insured pursuant to the agreement;
- (b) pursuant to the terms of an agreement entered into under subsection (1) of section 5, a refund or other amount in respect of premiums is payable by a life insurance company to the persons whose lives are insured pursuant to the agreement;

the refund or other amount shall be paid by the life insurance company to the Minister of Finance.

(2) The Minister of Finance shall:

- (a) upon receipt of a refund or other amount mentioned in clause (a) of subsection (1), pay to the Saskatchewan Teachers' Federation on behalf of the teachers entitled thereto a sum that bears the same relation to the refund or other amount received that the total amount of the premiums paid by the teachers bears to the total amount of premiums paid pursuant to the agreement;
- (b) upon receipt of a refund or other amount mentioned in clause (b) of subsection (1), pay to the Saskatchewan Teachers' Federation on behalf of the persons entitled thereto a sum equal to the refund or other amount received.

(3) The receipt by the Minister of Finance of a refund or other amount paid pursuant to subsection (1) is a complete discharge of the liability of the life insurance company in respect of the payment of the refund or other amount, and the receipt by the Saskatchewan Teachers' Federation of any sum paid pursuant to subsection (2) is a complete discharge of the liability of the Minister of Finance in respect of the payment of that sum.

R.S.S. 1978, c.T-8, s.9.

Annual report

10(1) The Teachers' Superannuation Commission shall transmit annually to the Minister of Education a report in respect of the preceding year showing:

- (a) the sums paid pursuant to section 6;
- (b) the sums withheld from school grants pursuant to section 7;
- (c) the sums paid by teachers pursuant to regulations under clause (d) of subsection (2) of section 11;
- (d) the number of claims made in respect of teachers insured;
- (e) the amount paid in respect of those claims;
- (f) the sums retained by a company pursuant to an agreement entered into under section 4;
- (g) the sums paid for the conversion of insurance, pursuant to such an agreement;
- (h) the number of insured teachers;
- (i) the total amount of insurance in force.

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(2) The Minister of Education shall, in accordance with *The Tabling of Documents Act*, lay before the Legislative Assembly each report received by him under subsection (1).

R.S.S. 1978, c.T-8, s.10.

Regulations

11(1) For the purpose of carrying out the provisions of this Act according to their intent and of supplying any deficiency therein the Lieutenant Governor in Council may make regulations not inconsistent with the spirit of this Act which shall have the same force and effect as if enacted herein.

(2) Without limiting the generality of subsection (1) the Lieutenant Governor in Council may make regulations:

- (a) defining the interpretation to be placed on various words or expressions used herein, as may be necessary;
- (b) requiring any board of education or any conseil scolaire to which this Act applies to make returns with respect to teachers employed by the board of education or the conseil scolaire;
- (c) designating teachers or classes of teachers, other than those mentioned in clause (b) of section 2, to whom, by reason of special circumstances, this Act shall apply;
- (d) prescribing the terms and conditions on which this Act shall apply to a teacher who is absent for the purpose of pursuing a course of study that is directly related to the work of a teacher, or who is absent from teaching on account of ill health, or who is serving as an exchange or special teacher outside Saskatchewan under a plan recognized by the Department of Education, or who in the opinion of The Teachers' Superannuation Commission is engaged in other work requiring the professional qualifications and experience of a teacher, and prescribing the manner in which premiums payable by the teacher shall be paid;
- (e) prescribing the forms to be used by a board of education, a conseil scolaire, or The Teachers' Superannuation Commission for the purposes of this Act or the regulations;
- (f) prescribing the method of proving any fact necessary to be proved in respect of any premium to be paid or in respect of any amount to be withheld from a grant pursuant to section 7.

R.S.S. 1978, c.T-8, s.11; 1993, c.55, s.192.