

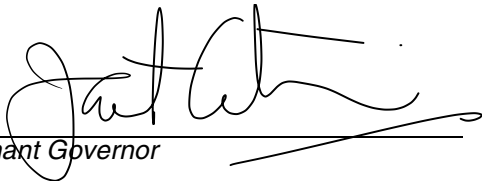
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 203

, Approved and Ordered

April 27, 2020

  
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Child Care Subsidy Regulation, B.C. Reg. 74/97, is amended as set out in the attached Schedule.

  
Minister of Children and Family Development

  
Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Child Care Subsidy Act*, R.S.B.C. 1996, c. 26, s. 13 (2)

Other: OIC 271/97

R10408137

## SCHEDULE

*1 The Child Care Subsidy Regulation, B.C. Reg. 74/97, is amended by adding the following section:*

### **Child care subsidy during COVID-19 emergency**

**22** (1) In this section:

**“COVID-19 emergency”** means the emergency that is the subject of

- (a) the notice provided on March 17, 2020 by the provincial health officer under section 52 (2) of the *Public Health Act*, and
- (b) the declaration of a state of emergency made on March 18, 2020, and any extension of that declaration, under section 9 of the *Emergency Program Act*;

**“eligible child”** means any of the following:

- (a) a child in respect of whom a child care subsidy is being paid as of the date this section comes into force;
- (b) a child in respect of whom a child care subsidy ceased to be paid for the month of March or April 2020;
- (c) a child in respect of whom a child care subsidy is not paid as of the date this section comes into force, if
  - (i) an application for the child care subsidy was received by the minister on or before the date this section comes into force, and
  - (ii) at the time the application was received, the requirements set out in sections 3 to 7 were met;

**“end of the COVID-19 emergency”** means the later of the following:

- (a) the date on which the provincial health officer provides notice under section 59 (b) of the *Public Health Act* that the COVID-19 emergency has passed;
- (b) the date on which the last extension of the declaration of a state of emergency, referred to in paragraph (b) of the definition of “COVID-19 emergency”, expires or is cancelled.

(2) Subsection (3) applies if the minister is satisfied that, for a reason related to the COVID-19 emergency,

- (a) an eligible child is or has been absent, for any period of time, from a child care setting described in section 2 (a), (b) or (b.1), or
- (b) an eligible child’s parent or parents, as the case may be, ceased to meet the requirements set out in section 3 on or after March 17, 2020.

(3) Despite section 3, the minister may, in respect of an eligible child, pay or continue to pay a child care subsidy for child care provided in a child care setting described in section 2 (a), (b) or (b.1) as follows:

- (a) for a child referred to in paragraph (a) or (b) of the definition of “eligible child” in subsection (1) of this section, the minister may pay an amount based on the number of full days or number of half days, as defined in

section 8 (1), in relation to child care the child was receiving immediately before a circumstance described in subsection (2) (a) or (b) of this section arose;

- (b) for a child referred to in paragraph (c) of the definition of “eligible child” in subsection (1) of this section, the minister may pay an amount based on the number of full days or number of half days, as defined in section 8 (1), in relation to child care the child would have received but for a circumstance described in subsection (2) (b) of this section.
- (4) Despite section 15 (5), no child care subsidy will be paid to a child care provider for child care provided in a child care setting described in section 2 (a), (b) or (b.1) for any day on which the child care setting is closed if the minister is satisfied that the closure is related to the COVID-19 emergency.
- (5) This section ceases to apply as follows:
- (a) if the end of the COVID-19 emergency occurs on or before the 15th day of a month, at the end of the month;
  - (b) if the end of the COVID-19 emergency occurs after the 15th day of a month, at the end of the following month.