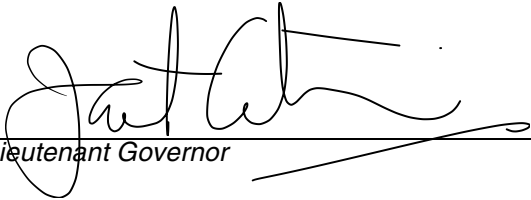


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 318

, Approved and Ordered June 18, 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

- (a) the Employment and Assistance Regulation, B.C. Reg. 263/2002, is amended as set out in the attached Appendix 1, and
- (b) the Employment and Assistance for Persons with Disabilities Regulation, B.C. Reg. 265/2002, is amended as set out in the attached Appendix 2.



Minister of Social Development and Poverty Reduction



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: *Employment and Assistance Act*, S.B.C. 2002, c. 40, s. 35;
Employment and Assistance for Persons with Disabilities Act, S.B.C. 2002, c. 41, s. 26

Other: OIC 873/2002 and 874/2002

R20419517

APPENDIX 1

1 *The Employment and Assistance Regulation, B.C. Reg. 263/2002, is amended in Part 1 by adding the following sections:*

Modifications in relation to COVID-19 emergency – CESB

- 2.2 (1) This section applies in relation to the provision of assistance to or for
- (a) a family unit that was eligible on May 1, 2020, or includes a person who was in a family unit that was eligible on May 1, 2020, for
 - (i) income assistance, or
 - (ii) hardship assistance, other than hardship assistance provided under section 43 because an applicant applied for
 - (A) an income support payment under the *Canada Emergency Response Benefit Act*, or
 - (B) employment insurance, or
 - (b) a family unit that is described in section 2.02 (1) (a) of the *Employment and Assistance for Persons with Disabilities Regulation*.
- (2) Section 11 (1) is to be read as though it also provided that a Canada emergency student benefit under the *Canada Emergency Student Benefit Act* is exempt for the purposes of section 11 (2) and (2.1).
- (3) Section 1 (a) of Schedule B is to be read as though it also provided that a Canada emergency student benefit under the *Canada Emergency Student Benefit Act* is exempt from income when calculating the net income of a family unit for the purposes of section 28 (b) of this regulation.
- (4) Section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for a Canada emergency student benefit under the *Canada Emergency Student Benefit Act* when calculating the maximum amount of hardship assistance for which an applicant's family unit is eligible under section 2 of that Schedule.

Modifications in relation to COVID-19 emergency – Indigenous emergency assistance

- 2.3 (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*;
- “**Indigenous emergency assistance**” means an amount provided as assistance in relation to the COVID-19 emergency by
- (a) an Indigenous nation, or
 - (b) an Indigenous organization that provides services to Indigenous individuals.

- (2) The definition of “assistance” in section 1 (1) does not apply in relation to the definition of “Indigenous emergency assistance” in this section.
- (3) Section 11 (1) is to be read as though it also provided that Indigenous emergency assistance is exempt for the purposes of section 11 (2) and (2.1).
- (4) Section 1 (a) of Schedule B is to be read as though it also provided that Indigenous emergency assistance is exempt from income when calculating the net income of a family unit for the purposes of section 28 (b) of this regulation.
- (5) Section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for Indigenous emergency assistance when calculating the maximum amount of hardship assistance for which an applicant’s family unit is eligible under section 2 of that Schedule.

**Modifications in relation to COVID-19 emergency
– federal one-time payment for seniors**

2.4 (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*;

“**federal one-time payment for seniors**” means any of the following payments granted by the government of Canada in relation to the COVID-19 emergency:

- (a) a payment of \$300 to an individual who is eligible in June 2020 for a federal old age security payment;
- (b) a payment of \$200 to an individual who is eligible in June 2020 for a federal guaranteed income supplement payment.

- (2) Section 11 (1) is to be read as though it also provided that a federal one-time payment for seniors is exempt for the purposes of section 11 (2) and (2.1).
- (3) Section 1 (a) of Schedule B is to be read as though it also provided that a federal one-time payment for seniors is exempt from income when calculating the net income of a family unit for the purposes of section 28 (b) of this regulation.
- (4) Section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for a federal one-time payment for seniors when calculating the maximum amount of hardship assistance for which an applicant’s family unit is eligible under section 2 of that Schedule.

APPENDIX 2

1 The Employment and Assistance for Persons with Disabilities Regulation, B.C. Reg. 265/2002, is amended in Part 1 by adding the following sections:

Modifications in relation to COVID-19 emergency – CESB

- 2.02** (1) This section applies in relation to the provision of assistance to or for
- (a) a family unit that
 - (i) was eligible on May 1, 2020, or includes a person who was in a family unit that was eligible on May 1, 2020, for disability assistance or hardship assistance, or
 - (ii) includes a person with disabilities who was a person with disabilities on May 1, 2020, or
 - (b) a family unit that is described in section 2.2 (1) (a) of the Employment and Assistance Regulation.
- (2) Section 10 (1) is to be read as though it also provided that a Canada emergency student benefit under the *Canada Emergency Student Benefit Act* is exempt for the purposes of section 10 (2).
- (3) Section 1 (a) of Schedule B is to be read as though it also provided that a Canada emergency student benefit under the *Canada Emergency Student Benefit Act* is exempt from income when calculating the net income of a family unit for the purposes of section 24 (b) of this regulation.
- (4) Section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for a Canada emergency student benefit under the *Canada Emergency Student Benefit Act* when calculating the maximum amount of hardship assistance for which an applicant’s family unit is eligible under section 2 of that Schedule.

Modifications in relation to COVID-19 emergency – Indigenous emergency assistance

- 2.03** (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*;
- “**Indigenous emergency assistance**” means an amount provided as assistance in relation to the COVID-19 emergency by
- (a) an Indigenous nation, or
 - (b) an Indigenous organization that provides services to Indigenous individuals.
- (2) The definition of “assistance” in section 1 (1) does not apply in relation to the definition of “Indigenous emergency assistance” in this section.

- (3) Section 10 (1) is to be read as though it also provided that Indigenous emergency assistance is exempt for the purposes of section 10 (2).
- (4) Section 1 (a) of Schedule B is to be read as though it also provided that Indigenous emergency assistance is exempt from income when calculating the net income of a family unit for the purposes of section 24 (b) of this regulation.
- (5) Section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for Indigenous emergency assistance when calculating the maximum amount of hardship assistance for which an applicant's family unit is eligible under section 2 of that Schedule.

**Modifications in relation to COVID-19 emergency
– federal one-time payment for seniors**

2.04 (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*;

“federal one-time payment for seniors” means any of the following payments granted by the government of Canada in relation to the COVID-19 emergency:

- (a) a payment of \$300 to an individual who is eligible in June 2020 for a federal old age security payment;
- (b) a payment of \$200 to an individual who is eligible in June 2020 for a federal guaranteed income supplement payment.

- (2) Section 10 (1) is to be read as though it also provided that a federal one-time payment for seniors is exempt for the purposes of section 10 (2).
- (3) Section 1 (a) of Schedule B is to be read as though it also provided that a federal one-time payment for seniors is exempt from income when calculating the net income of a family unit for the purposes of section 24 (b) of this regulation.
- (4) Section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for a federal one-time payment for seniors when calculating the maximum amount of hardship assistance for which an applicant's family unit is eligible under section 2 of that Schedule.