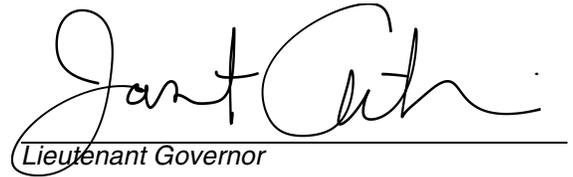


**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 372

, Approved and Ordered June 29, 2022

  
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, effective July 1, 2022,

- (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: OICs 873/2002, 874/2002

R10608917

## APPENDIX 1

### **1 Section 39 of the Employment and Assistance Regulation, B.C. Reg. 263/2002, is amended**

**(a) in subsection (1) (a) by striking out “sections 41 to 47.2” and substituting “sections 41 to 47.21”,**

**(b) in subsection (2) (c) (i) by striking out “sections 41 to 46” and substituting “sections 41 to 46 and 47.21”, and**

**(c) by adding the following subsection:**

(3.1) A family unit is not eligible for hardship assistance under section 47.21 if the family unit has received hardship assistance for 6 or more calendar months under this regulation or the Employment and Assistance for Persons with Disabilities Regulation.

### **2 The following section is added:**

#### **Applicants fleeing armed conflict abroad**

**47.21** (1) The minister may provide hardship assistance to a family unit that is not eligible for income assistance because the family unit does not satisfy the requirement under section 7 (1) [*citizenship requirements*] or 7.1 (1) [*exemption from citizenship requirements*] if

(a) the minister considers that undue hardship will otherwise occur, and

(b) the family unit includes a person who is in Canada under a temporary resident visa under the *Immigration and Refugee Protection Act* (Canada) that was issued through an emergency authorization process for humanitarian reasons related to armed conflict.

(2) Section 7 does not apply in respect of hardship assistance under this section.

(3) For the purposes of hardship assistance under this section, section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for the following when calculating the maximum amount of hardship assistance for which an applicant’s family unit is eligible under section 2 of that Schedule:

(a) income that, because of the armed conflict, is not immediately available to meet the family unit’s basic needs;

(b) subject to subsection (4), earned income in a calendar month that is less than or equal to the amount determined under section 3 (6) of Schedule B for the family unit.

(4) A family unit may not claim an exemption under subsection (3) (b) in relation to the first calendar month for which the family unit becomes eligible for hardship assistance under this section unless a member of the family unit received income assistance, disability assistance or hardship assistance under this regulation or the Employment and Assistance for Persons with Disabilities Regulation in at least one of the 6 calendar months immediately preceding that first calendar month.

## APPENDIX 2

**1 Section 35 of the Employment and Assistance for Persons with Disabilities Regulation, B.C. Reg. 265/2002, is amended**

(a) *in subsection (1) (a) by striking out “sections 37 to 41” and substituting “sections 37 to 41.1”, and*

(b) *by adding the following subsection:*

- (4) A family unit is not eligible for hardship assistance under section 41.1 if the family unit has received hardship assistance for 6 or more calendar months under this regulation or the Employment and Assistance Regulation.

**2 The following section is added:**

**Applicants fleeing armed conflict abroad**

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

“**base amount**” has the same meaning as in section 3 of Schedule B;

“**qualifying income**” has the same meaning as in section 3 of Schedule B.

(2) The minister may provide hardship assistance to a family unit that is not eligible for disability assistance because the family unit does not satisfy the requirement under section 6 (1) [*citizenship requirements*] or 6.1 (1) [*exemption from citizenship requirements*] if

- (a) the minister considers that undue hardship will otherwise occur, and  
(b) the family unit includes a person who is in Canada under a temporary resident visa under the *Immigration and Refugee Protection Act* (Canada) that was issued through an emergency authorization process for humanitarian reasons related to armed conflict.

(3) Section 6 does not apply in respect of hardship assistance under this section.

(4) For the purposes of hardship assistance under this section, section 6 of Schedule D is to be read as though it also provided that no deduction is to be made for the following when calculating the maximum amount of hardship assistance for which an applicant’s family unit is eligible under section 2 of that Schedule:

- (a) income that, because of the armed conflict, is not immediately available to meet the family unit’s basic needs;  
(b) subject to subsection (5), qualifying income in a calendar month that is less than or equal to the base amount for the family unit.

(5) A family unit may not claim an exemption under subsection (4) (b) in relation to the first calendar month for which the family unit becomes eligible for hardship assistance under this section unless a member of the family unit received income assistance, disability assistance or hardship assistance under this regulation or the Employment and Assistance Regulation in at least one of the 6 calendar months immediately preceding that first calendar month.