

**Excerpted References to CIHR in
Employment and Assistance for Persons With Disabilities Regulation
As at March 31, 2010**

**THIS DOCUMENT IS INTENDED FOR ADMINISTRATION OF CIHR CLIENTS WHO
APPLIED FOR CIHR ON OR PRIOR TO MARCH 31, 2010 AND WERE GRAND-
PARENTED IN THE PROGRAM UNDER THE REGULATIONS EXISTING AS OF
MARCH 31, 2010. PLEASE NOTE THAT THIS IS NOT THE OFFICIAL VERSION OF
THE REGULATION FOR ANY INFORMATION OTHER THAN CIHR.**

PART 1 – INTERPRETATION

Definitions

1 (1) In this regulation:
“**child in the home of a relative**” has the same meaning as in the Employment
and Assistance Regulation;

**PART 2 – ELIGIBILITY FOR DISABILITY ASSISTANCE
Division 1 – Applications and Applicant Requirements**

Application for disability assistance – stage 1

4.1 (2) The applicants for disability assistance in a family unit

(b) subject to subsection (4), must

(i) complete searches for employment as directed by the minister for the
3 weeks immediately following the date of the application under
paragraph (a), or

(ii) demonstrate that each of the applicants has completed a search for
employment satisfactory to the minister within the 30 day period prior to
the date of the application under paragraph (a) and in either case
provide information about and verification of the searches for
employment, in the form specified by the minister. (B.C. Reg. 98/2009)

(6) Subsection (2) (b) does not apply to a sole applicant who

(a) has a dependent child, or

(b) provides care to a child in the home of a relative, a foster child or a child in
their care under an agreement referred to in sections 8 or 93 (1) (g) (ii) of the
Child, Family and Community Service Act if the child has not reached 3 years
of age. (B.C. Reg. 99/2009)

**Part 3 – Other Factors That Affect Eligibility for
Disability Assistance or Hardship Assistance
Division 1 – Factors Related to Employment and Employment Plans**

Consequences of failing to meet employment-related obligations

25 (4) Section 12 [*consequences of not meeting employment-related obligations*] of the Act does not apply to a family unit of an applicant or recipient who is in any of the following categories:

(c) sole applicants or sole recipients who have a child in the home of a relative who

(i) has not reached 3 years of age, or

(ii) has a physical or mental condition that, in the minister's opinion, precludes the sole applicant or recipient from leaving home for the purposes of employment;

**Division 3 – Supplements – Family Unit Eligible for
Disability Assistance or Hardship Assistance**

Advance for lost or stolen family bonus cheque

58 (3) No amount may be advanced under this section to a recipient in respect a family bonus for a child in the home of a relative.

Advance for delayed or suspended family bonus

59 (5) No amount may be advanced to a family unit in respect of a family bonus for a child in the home of a relative.

**SCHEDULE B
NET INCOME CALCULATION**

(section 24 (b))

Deduction and exemption rules

1 When calculating the net income of a family unit for the purposes of section 24 (b) [*amount of disability assistance*] of this regulation,

(a) the following are exempt from income:

(iii) income assistance paid to a child in the home of a relative;

Backdated family bonus treated as unearned income

10 (1) If that portion of a child benefits cheque attributable to family bonus, the payee of which is a person in the applicant's or recipient's family unit, includes an amount attributable to family bonus for one or more calendar months preceding the calendar month in which the cheque was issued, the amount for each preceding calendar month must be treated as unearned income.

(3) Subsection (1) does not apply to an amount included in that portion of a child benefits cheque attributable to family bonus

(b) for a child in the home of a relative.

Schedule D HARDSHIP ASSISTANCE

Maximum amounts of hardship assistance

2 (7) If that portion of a child benefits cheque attributable to family bonus, the payee of which is a person in the applicant's family unit, includes an amount attributable to family bonus, for one or more calendar months preceding the calendar month in which the cheque was issued, the amount for each preceding calendar month must be treated as unearned income in determining the family unit's net income under subsection (1) (b).

(9) Subsection (7) does not apply to an amount included in that portion of a child benefits cheque attributable to family bonus

(c) for a child in the home of a relative who resides with the applicant's family unit.

Exempt income and assets

6 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 this Schedule:

(b) disability assistance paid for a child in the home of a relative;