



## 5.09 DISASTER FINANCIAL ASSISTANCE APPLICATION

### 5.09.1 GENERAL

Disaster Financial Assistance (DFA) is a funding support program administered by EMBC, which provides some assistance to various categories of eligible recipients who suffer damages or loss because of a major emergency or disaster, and where insurance for the losses is not available. The application of DFA is authorized under the *Emergency Program Act* Section 20 (2), "The Lieutenant Governor in Council or the minister may provide disaster financial assistance in accordance with the regulations."

The discretion (authority) to apply or not to apply DFA to any given emergency event is delegated to the Assistant Deputy Minister (ADM) of EMBC. In general, those events that qualify for DFA are major events with significant losses that were unforeseen and generally not predictable. There is an expectation that land use planners and developers will take into consideration public safety risks when they approve or proceed with development in their communities. While there is always some risk attached to most developments, there should be consideration of "reasonable risk" to public safety in all development. The province will not be financially responsible for damages and losses which should have been foreseeable with due diligence on the part of the land use planners and developers or which contravenes public policy and guidelines (i.e. observations of 200 year return period flood development levels). Likewise, predictable situations where mitigation actions did not account for expected damages (i.e. sinking and fracturing foundations in soft soils) are not compensable events.

**Related Policies:**

N/A

### 5.09.2 DEFINITIONS

See Terms and Definitions

Significant emergency events are generally defined as:

- Sudden and unexpected emergencies or disasters.
- Having a measurable and defined start and end.
- The result of an extreme natural event or technical failure.
- A reportable situation with Task # applied through the ECC.
- Where there has been a significant increase in the risk to public safety.

### 5.09.3 POLICY STATEMENT

- (1) From time to time significant emergency events occur in the Province of BC that result in losses and damages to individual properties, businesses, the province, and local governments. The ADM will determine if an event will qualify for DFA upon receipt of a recommendation from a



Regional Manager of EMBC. Assuming that the event generally fits into the definition above, the ADM will consider the follow questions as being germane to the decision:

- a. Does the province have the financial means to fund the projected losses?
- b. Is there significant direct infrastructure damage and economic impact to the victims and/or the community?
- c. Is there a category of victims that would qualify for support under the regulation?
- d. Could the property owners have reasonably taken action to prevent the damages? (Was this an ongoing and/or correctable situation, i.e. annual flooding?)
- e. Does the event, the damages, or the losses result directly or obviously from negligence or the failure to act on the part of the victim or a third party?
- f. Do the damages result from development of lands that are at a significant risk to suffer damages and/or where the risks were or should have been identified?

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#### **5.09.4 CONDITIONS/RESPONSIBILITIES**

N/A

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#### **5.09.5 AUTHORITIES**

*Emergency Program Act*  
*Compensation and Disaster Financial Assistance Regulation*

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#### ***Original Signed by***

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Chris Duffy  
A/Assistant Deputy Minister  
Emergency Management BC

August 4, 2016

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#### **5.09.6 RELATED DOCUMENTS**

N/A