

SOCIAL ASSISTANCE ACT
R-020-2013
Registered with the Registrar of Regulations
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SOCIAL ASSISTANCE REGULATIONS, amendment

The Commissioner, on the recommendation of the Minister, under section 16 of the *Social Assistance Act* and every enabling power, makes the annexed amendment to the *Social Assistance Regulations*.

1. The *Social Assistance Regulations*, R.R.N.W.T. 1990, c. S-16, are amended by these regulations.

2. The following definitions are added to section 1 in alphabetical order:

“earned income” means the items listed in subsection 20(3); (*revenu gagné*)

“unearned income” means the items listed in subsection 20(4); (*revenu non gagné*)

3. (1) Paragraph 1.1(1)(b) is amended by striking out “inadequate” and substituting “inadequate, as determined in accordance with the direction of the Director.”.

(2) Subsection 1.1(2) is repealed and the following substituted:

(2) An applicant described in subsection (1) is not a person in need where the applicant

- (a) is employable and is unwilling to accept employment of any type that has been offered within Nunavut that would enable the applicant to provide adequately for himself or herself and his or her dependants;
- (b) is a child and is residing with his or her parent or a person who has lawful custody of the applicant;
- (c) is unemployed but is employable as determined under section 5 and an Officer is not satisfied that the applicant is searching for and is willing to undertake wage employment or self-employment;
- (c.1) is incarcerated;
- (c.2) refuses or neglects to use all of the financial resources that he or she may access; or
- (d) is a person described in paragraph 16(1)(a), (a.1), (b), (c), (d) or (e).

(3) The following is added after subsection 1.1(2):

(3) An applicant is not required to access pension benefits before he or she attains the age of 65 years if doing so would reduce his or her future entitlements under the pension plan.

4. (1) Paragraph 3.2(c) is amended by striking out “health care” and substituting “proof, satisfactory to an Officer, of health care”.

(2) Paragraph 3.2(i) is repealed, and the following substituted:

- (i) information concerning finances from, if relevant, his or her employer, educational institution, bank, co-operative association or other body providing banking services, or government agency.

5. (1) Paragraph 3.3(e) is amended by striking out “ or bank, a co-op” and substituting “, educational institution, bank, co-operative association”

(2) Paragraph 3.3(k) is repealed, and the following substituted:

- (k) will repay assistance for which the applicant is not eligible or in excess of the amount of assistance to which the applicant is eligible and understands that such assistance may be deducted from future assistance payments.

6. (1) Paragraph 12(3)(a) is repealed and the following substituted:

- (a) by cheque or direct deposit to the recipient or as otherwise directed by the recipient;
- (a.1) as part of a consolidated cheque to a vendor;

(2) Paragraph 12(3)(b) is amended by striking out “cheque” and substituting “payment”.

7. (1) The following is added after paragraph 16(1)(a):

- (a.1) the recipient refuses or neglects to use all the financial resources that he or she may access;

(2) The following is added after subsection 16(1):

(1.1) A recipient is not required to access pension benefits before he or she attains the age of 65 years if doing so would reduce his or her future entitlements under the pension plan.

8. (1) The following is added after subsection 17(1):

(1.1) An officer shall inform the recipient of the results of an inquiry conducted and the information obtained under subsection (1).

(2) Subsection 17(2) is amended by striking out “shall inform” and substituting “shall inform, if possible,” and by striking out “immediately” and substituting “in a timely manner”.

9. Subsection 20(4) is amended by adding the following after paragraph (l):

- (l.1) winnings in excess of \$40 a month, including bingo and lottery winnings;

10. Subsection 29(2) is amended by striking out “Education, Culture and Employment” and substituting “Family Services”.