



Education, Health, and Social Development Act
INCOME AND SOCIAL ASSISTANCE REGULATION

Date Enacted: 3 April 2009

Order Number: O.034-2009

Last Amended: 5 May 2020

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Table of Regulation Changes

Section(s) Amended	Date	Order number	Come Into Force Date
s.1 amended (definitions added) s.3(1) amended s.3.1 added	25/05/2016	O.035-2016	25/05/2016
s.1 amended s.3.1 amended s.3.1(d), 3.1(e), 3.1(f), 3.1(g) added s.4, 5, 6 deleted	05/05/2020	O.035-2020	05/05/2020

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Interpretation

1 In this regulation:

“Act” means the Education, Health and Social Development Act.

“budget” means the consolidated annual budget of Tsawwassen First Nation that has been approved by the Tsawwassen Legislature in accordance with section 24 of the *Financial Administration Act*.

“income and social assistance” means the assistance, services, benefits, training and education described in section 17 (1) (a) to (e) of the Act.

“manager” means the Manager of Health and Social Services within the Department of Health and Social Services.

“Person with Disabilities” means a person who is eligible for the Persons with Disabilities (PWD) designation as defined in the policy manual.

“Person with Persistent Multiple Barriers” means a person who is eligible for the Persons with Persistent Multiple Barriers (PPMB) designation in accordance with the policy manual.

“policy manual” means the policy manual distributed by the federal or provincial government which the Tsawwassen Health and Social Services department follows when administering income and assistance.

“Tsawwassen Minors’ Trust” means the Tsawwassen Minors’ Trust managed and operated by the Tsawwassen First Nation Trust Society further to the *Other Trust Funds and TFN Trust Society Regulation*.

[Amended by Order number O.035-2020]

Manager to administer assistance programs

2 The manager’s responsibilities under the Act include, but are not limited to, the administration of programs in relation to income and social assistance.

Income and social assistance to Tsawwassen Members and to non-members

- 3** (1) Subject to subsection (2) and section 3.1, the policy manual applies in respect of income and social assistance
- (a) to Tsawwassen Members ordinarily resident on Tsawwassen Lands, and
 - (b) to aboriginal persons and their families, both as described in section 18 of the Act, who are eligible for that assistance, as set out in that section.
- (2) The manager may vary the policies and procedures set out in the policy manual, as applicable under subsection (1), if he or she considers it appropriate to do so
- (a) in the circumstances of a particular case, or

- (b) to supplement the policy manual to provide for administrative and procedural matters for which no express, or only partial, provision has been made.

Exemptions for the Purpose of Calculating Eligibility for Income and Social Assistance

3.1 Notwithstanding the policy manual, a payment received by a Tsawwassen Member is exempt income or an exempt asset, as the case may be, for the purpose of determining the eligibility of that Member for income and social assistance if the payment

- (a) it is made from the amounts authorized in the budget for Tsawwassen First Nation Distributions,
- (b) is a one-time payment made on or after the Member reaches 60 years of age from the amounts authorized in the budget for Tsawwassen First Nation Member Financial Benefits,
- (c) is made from the Tsawwassen Minors' Trust,
- (d) is a cultural grant provided by the Tsawwassen First Nation Cultural Grants Policy,
- (e) is a funeral benefit provided by the Funeral Benefits for Tsawwassen Members Policy,
- (f) is an Emergency Housing Grant provided by the Emergency Housing Assistance Policy, or
- (g) is made from the Tsawwassen First Nation Legacy Trust

[Amended by Order number O.035-2020]