Income Assistance Policy Manual

November 2026

Government of
Northwest Territories

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SECTION 1: INTRODUCTION

Section 1.01: Purpose

This manual explains the Northwest Territories (NWT) Income Assistance Regulations and policies. Where there is a discrepancy between policies and legislation, the legislation takes precedence.

What are the Income Assistance Programs?
The Income Assistance Programs helps people when they do not have enough money each month to pay for basic needs like shelter, utilities, food and clothing. The Income Assistance Programs provides additional benefits for other supports, such as childcare.

What are the Income Assistance Regulations?
The Income Assistance Regulations, R.R.N.W.T. 1990, c.S-16 (the Regulations), are part of the *Social Assistance Act* (the Act). The Regulations outline how the Income Assistance Program operates and how assistance is delivered.

What About Other Legislation?
Other legislation that can influence the Income Assistance Program is the Access to Information and Protection of Privacy Act (ATIPP) and the Interpretation Act. This list is not inclusive.

Who is Responsible?
The head of the Income Assistance program is the Director, Income Security Programs. The Director works out of ECE's headquarters office located in Yellowknife. When a Client Navigator finds themself in a situation that is not covered by the Act, the Regulations, or this Policy Manual, the Client Navigator, through their supervisor, should contact the Director to determine how to handle the situation.

Must Applicants Use the Assistance for Which it Was Intended?
Applicants are expected to use the assistance they receive through the Income Assistance Program for the purpose it was provided. Client Navigators are not expected to monitor spending except in unusual circumstances that require the Client Navigator's discretion.

Can Applicants Receive Benefits During a Refusal Period?
Applicants cannot receive Income Assistance or request a financial review at any time during their refusal period. If the applicant provides new information that supports a reversal in the refusal of Income Assistance, the Client Navigator, through their supervisor, may consult with the Director to determine if a refusal could be reversed.

When there is an appeal pending, Income Assistance shall not be granted until the decision of the Social Assistance Appeal Committee or the Social Assistance Appeal Board is made.

Asking for Types of Assistance
The Client Navigator must make all applicants aware of the benefits available to them.

What Happens When an Applicant Has a Debt with the Income Assistance Program
If an applicant incurs a debt to the Income Assistance program either through an overpayment or a security/utility deposit they will be required to acknowledge the debt and are responsible for paying this debt back to the Government of the Northwest Territories.

Section 1.02: Service Level Commitments

Income Security Programs guarantee we will:

- Provide courteous, quality service and answer all of your questions.
- Treat you with dignity and respect.
- Protect your personal information and correct your personal information if there has been an error or omission.
- Only use your personal information for the purpose of determining program eligibility.
- Welcome a friend, family member, or advocate to come to meetings with you.

We will achieve this by:

- Providing a response (verbal or written) to your application within three (3) business days of verifying all of your required documents.
- If approved, we will issue payment within two (2) business days. This does not include time for the bank to process the payment or mail time.
- Returning your telephone and e-mail messages within two (2) business days.
- Assisting you with filing an appeal if you do not agree with a decision.
- Conducting periodic customer satisfaction surveys to ensure optimum service.

In situations where the applicant is not satisfied that the service standards were met, they may complete the **Client Concern Form.**

Section 1.03: How to Use the Income Assistance Policy Manual

This manual follows the same order as the Regulations. The manual groups the Regulations according to themes before providing a brief explanation of those Regulations.

Each section includes the following headings:

- **The Law** – a copy of the Regulation(s)
- **What it Means** – provides details of the Regulation(s)

Each section may also include:

- **Current Practice** – describes what approved practices are in place.
- **Example** – describes "real life" examples of how the Regulation(s) should be used.
- **Note(s)** – outlines any issues or circumstances that a Client Navigator should be aware of.

Amendments

The Income Assistance Policy Manual is a living document that is updated on a regular basis. The date that policies are changed by the Director are identified with each amendment in this manual.

Notes

1. The words "must", "shall" and "will" in the Act and Regulations, or in this manual, refer to something that has to be done, there is no discretion.

2. The word "may" in the Act, Regulations, or in the manual will be used to express possibility, opportunity or permission and it is not a requirement.

SECTION 2: INCOME ASSISTANCE REGULATIONS

Section 2.01: Interpretations – The Definition of Words

The Law

1. (1) In these regulations,

"adult" means a person who is at least 19 years of age;

"applicant" means a person who applies or on whose behalf an application is made for assistance, and includes, subject to subsection (2), a spouse residing with the person applying, and a recipient;

"application" means an application for assistance under these regulations;

"budget deficit" means the amount by which the total cost of those income assistance benefits that are necessary to an applicant exceeds the financial resources of the applicant;

"budget surplus" means the amount by which the financial resources of an applicant exceed the total cost of the income assistance benefits;

"child" means a person who is less than 18 years of age; "dependant" means an individual who

(a) is a member of the family of the applicant,
(b) resides with the applicant, and
(c) is wholly or in part dependent on the income of the applicant,

and includes a mature dependant, but does not include

(d) a foster child,
(e) an adult residing with the applicant who is not a mature dependant, (*personne à charge*)

"Director of Child and Family Services" means the Director as defined in section 1 of the *Child and Family Services Act*;

"disability" means a physical, mental, intellectual, cognitive, learning, communication or sensory impairment that is prolonged, persistent or episodic and that is not expected to significantly restrict the person's ability to perform daily-living activities on a continuous basis;

"earned income" means the items set out in subsection 22(4);

"family" means an applicant and their dependants;

"financial resources" means the financial resources of an applicant as determined in accordance with section 22;

"foster child" means a child who is maintained in a private home by the Director of Child and Family Services;

"head of the family" means the oldest person in the family;

"household" means a family as well as any other adults who reside with the family, other than a person who is a person with a disability under section 2 of the *Income Assistance for Seniors and Persons with Disabilities Regulations*;

"income assistance benefits" means the benefits set out in the Schedule;

"mature child" means a person who is 18 years of age; "mature dependant" means a person who

(a) is a member of the family of the applicant,
(b) is an adult who is less than 22 years of age,
(c) resides with the applicant,
(d) is wholly or in part dependent on the income of the applicant, and
(e) elects to be considered a dependant of the applicant;

"month" means a calendar month;

"Officer" means a Social Welfare Officer appointed under section 4 of the Act;

"recipient" means an applicant to whom assistance has been granted under section 15;

"reporting period" means the period beginning on the 25th day of the month that is two months prior to the month in which an application is submitted and ending on the 24th day of the month immediately preceding the month in which an application is submitted;

"resident" means a person who resides in and is ordinarily present in the Northwest Territories;
"senior" means a person who is at least 60 years of age; "spouse" means a person who

(a) is married to another person,
(b) has together with another person, in good faith, entered into a marriage that is voidable or void, or
(c) is cohabiting with another person in a conjugal relationship outside marriage;

"trustee" means a person named in a legal instrument as having decision-making authority respecting the administration of the property of an applicant and includes a power of attorney under the *Powers of Attorney Act* and a guardian or trustee under the *Guardianship and Trusteeship Act*;
"unearned income" means the items set out in subsection 22(5).

(2) The Director may, for the purposes of the definition "applicant", recognize a spouse who does not reside with an applicant as included in that definition.

What it Means

Section 1. of the Regulations provides the exact meaning of significant words that are used throughout the Regulations.

Words in This Manual

The following are definitions of words and terms used in this manual:

Adult – Revised June 2025
A person who is at least 19 years of age.

Applicant
A person who applies for assistance and their spouse.

Application
An Application for Income Assistance, which includes the Statement and Authorization. An application must be completed annually, or when an applicant has a change in relationship status.

Assessment Period/Assessment Month
The month that the applicant is applying to receive benefits, such as the month of June. Applicants must complete **Form A – Reporting Form** each month they want to apply.

Asset
Any item of economic value owned by an individual, which may include cash, investments, vehicles, real estate or other property. The value of the item may not be included in the financial review until it is sold.

Bachelor Apartment
Is a self-contained unit which combines a living room, bedroom and kitchenette into a single room and has a separate bathroom that is not shared.

Business Day
Monday through to Friday, excluding statutory and civic holidays and Mandatory Leave days.

Client Navigator
An individual appointed as a Social Welfare Officer by the Director.

Compensation
Money paid or payable as compensation for harm done to an individual.

Detached Secondary Structure– Revised November 2026
A structure located on the same lot as the primary residence and is considered a standard residential structure.

Director's Discretion
The Director has the legislative authority to make a decision in an applicant's case.

Earned Income
The items set out in Section 20. (4) of the Regulations (any income that comes from participation in a community activity, employment or an activity that includes honoraria).

Excluded Income
Income that is not included in the calculation of financial resources.

Family
This refers to immediate family and is defined as a father; mother, legal guardian, brother, sister, spouse, child, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparent, and all relatives permanently residing with them.

Financial Review
A review of an applicant's income, including assets and other financial resources.

Friend
A close and favoured companion.

Full-time Child Care
Child care provided for a period of more than five consecutive hours per day.

Headquarters
The head office of ECE where the Income Security Programs Division is located, the Director is based, and support is provided for the administration of Income Security Programs.

Landlord
The legal owner(s) of a property and/or building.

Mature Child– Revised November 2026
A person who is 18 years of age.

Mature Dependant
An adult under 22 years of age, who resides with the applicant and elects to be considered a dependant of the applicant.

The mature dependant is treated as a dependant and is not included in the calculation of benefits.

Month or Monthly
The period of time that represents a calendar month, such as the month of February. [*Interpretations Act*]

Neglect
An applicant's failure to carry out, perform, or meet program requirements.

Notice of Assessment (NOA)
Is a summary of your tax return, issued by the Canada Revenue Agency.

Occupancy– Revised November 2026
Living in or using a suite or standard residential structure as a place of residence.

Part-Time Child Care
Child care provided for a period not exceeding five consecutive hours per day.

Recipient
An applicant to whom income assistance has been granted.

Remote/Inaccessible Area
A remote or inaccessible area is any place that is not easily accessible and is more than 50 kilometres from the nearest road.

Reporting Period
The period of time which an assessment is based. It is from the 24th of the month prior to the assessment month to the 25th of the previous month. Applicants must provide documents for this period for an assessment to be completed.

Example: *A March assessment has a reporting period of January 25 to February 24*

Reside
The location where an applicant lives either permanently or on a long-term basis.

Resident
A person who resides in and is ordinarily present in the Northwest Territories.

Retroactive
Intended to apply or take effect at a date in the past.

Room and Board
An accommodation in which the fee includes the cost for shelter and food, such as a long-term care facility

Secondary Suite
A secondary suite is a private, self-contained unit within an existing home. It has its own bathroom, kitchen, living area and sleeping area.

Self-contained unit
An accommodation that has a kitchen and bathroom contained within the unit that is not shared.

> ***Example:*** *a hotel room that contains a kitchenette and a bathroom within the room*

Senior
A person who is 60 years of age or older.

Separated
When a couple no longer lives together but are not legally divorced. The Client Navigator must consult their supervisor if other circumstances exist.

- **Indicators of Separation**: A partner of legal or common law marriage, who claims to be separated when applying for Income Assistance, must sign a statutory declaration in support of this separation.
- **Evidence of Family Violence**: Information provided by police, medical personnel, social worker, or advocate accompanied by a change in residence for the applicant or partner.
- **Geographic Separation**: When an applicant is residing outside of their home community and maintaining a separate residence from their spouse due to educational or medical reasons. This does **NOT** apply to applicants who are residing separately from their spouse for employment reasons.

Spouse
A person, 19 years of age and older, who is either legally married to another person or living together in a common-law relationship.

A person under the age of 19 can only be added to the Income Assistance assessment as a spouse if they are legally married to the applicant.

Standard Residential Structure– Revised November 2026
A self-contained structure or unit that is built and intended for people to live in year-round. It includes basic features needed for daily living such as sleeping, cooking, heating, plumbing, and toilet facilities, and has been approved for occupancy in accordance with local authority requirements.

Suitable Housing
An accommodation that contains enough bedrooms for the size and make-up of resident households, according to the Canadian National Occupancy Standard (CNOS) requirements.
CNOS requirements define suitable housing as a unit that has one bedroom for the following:

- each cohabiting adult couple;
- each lone parent or legal guardian;
- unattached household member 18 years of age and over;
- same-sex pair of children under age 18; and
- an additional child of each sex in the family, unless there are two opposite sex children under 5 years of age, in which case they are expected to share a bedroom.

Timely Manner
As soon as reasonably possible but does not extend past the next assessment period.

Transient Living Accommodation – Revised March 2025
A room or suite of rooms which is occupied not as a primary residence. This includes recreational vehicles, tents, emergency shelters, hospitals, short term care facilities, hotels, hostels, or other similar tourist establishments.

Traditional Activities
A traditional activity is any one of the following: hunting, fishing, trapping, crafting (baskets, beading etc.), carving or being out-on-the-land in a remote or inaccessible area.

Trustee
Any person who has been given control or powers of administration of the property of the Applicants under any form of legal agreement, including Power of Attorney, Guardianship, or a Long Term Care Arrangement. This does not include family

members or a spouse that share household responsibilities as this is not a legal agreement.

Unearned Income
The items set out in Section 20. (5) of the Regulations. Income received as a result of activities other than participation in community activities, employment, or training.

Year
A 12-month period, beginning on the first day of the following month.

Example: *February 1st, 2022, through January 31, 2023, is a year.*

Section 2.02: Person in Need – Who is Eligible

The Law

2. (1) Subject to subsection (2) and for the purposes of determining the provision of assistance, an applicant is a person in need if

(a) the applicant is unable to provide adequately for their family or any member of their family due to
  (i) an inability to obtain employment,
  (ii) the loss of the principal family provider,
  (iii) illness,
  (iv) disability, or
  (v) any other cause, other than age or disability as defined in the *Income Assistance for Seniors and Persons with Disabilities Regulations*; and

(b) as a result of the inability described in paragraph (a),
  (i) a budget deficit exists, or
  (ii) a budget surplus exists that is inadequate, as determined in accordance with the direction of the Director, to provide for an unexpected situation.

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

(a) is a child or a mature child;
(b) is incarcerated;
(c) has the means available to maintain their family adequately;
(d) refuses or neglects to utilize all of the financial resources that the applicant may access, including unemployment benefits but not including disability or pension benefits; or
(e) is a recipient as defined in the *Income Assistance for Seniors and Persons with Disabilities Regulation*.

3. An applicant is eligible to receive assistance if the applicant

(a) is a Canadian citizen;
(b) is a permanent resident as defined in subsection 2(1) of the Immigration and Refugee Protection Act (Canada);
(c) is a protected person within the meaning of subsection 95(2) of the Immigration and Refugee Protection *Act* (Canada) and
  (i) has applied for permanent resident status, and
  (ii) has been issued a social insurance number; or
(d) is a person who has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
  (i) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
  (ii) has not been rejected, suspended, abandoned or withdrawn.
(e) is a foreign national in Canada who has made a request under subsection 25(1) of the Immigration and Refugee Protection Act (Canada) and whose request has not been rejected, suspended, refused, abandoned or withdrawn

3.1. (1) An applicant is not eligible to receive assistance if

(a) the applicant has applied for assistance under the *Income Assistance for Seniors and Persons with Disabilities Regulations* and their eligibility for assistance has yet to be determined; or
(b) the applicant is a recipient under the *Income Assistance for Seniors and Persons with Disabilities Regulations*, subject to subsection (3).

(2) If an applicant is ineligible to receive assistance for one month or two months, as the case may be, under section 5 or 6 of the *Income Assistance for Seniors and Persons with Disabilities Regulations*, the applicant is not eligible to receive assistance under these regulations during that period.
(3) Subject to subsection (4), an applicant who is or was a recipient under the *Income Assistance for Seniors and Persons with Disabilities Regulations* is eligible for assistance under these regulations.
(4) If an applicant who is or was a recipient under the *Income Assistance for Seniors and Persons with Disabilities Regulations* is granted assistance under section 15, an Officer shall not grant or provide assistance to the applicant under the *Income*

Assistance for Seniors and Persons with Disabilities Regulations while they remain a recipient under these regulations.

4. (1) If the Director determines that an applicant has made a false or misleading statement for the purpose of obtaining assistance for themselves or any other person, the applicant is not eligible to receive assistance for the month in which the Director makes that determination and an Officer shall terminate any assistance that has been provided for that month.
(2) If an applicant is found to be ineligible under subsection (1) and they were previously found to be ineligible under that subsection, the applicant is not eligible to receive assistance for a period of two months, beginning in the month in which the Director makes the determination under subsection (1).
(3) Subsection (2) does not apply if
(a) it has been at least 36 months since the applicant was last found to be ineligible under subsection (1); or
(b) the applicant has not been in receipt of assistance during the 12 months preceding the determination under subsection (1).

5. (1) If a recipient's assistance is terminated under paragraph 20(1)(c), the recipient is not eligible to receive assistance for the month for which their assistance is terminated.
(2) If a recipient's assistance is terminated under paragraph 20(1)(c) and it was previously terminated under that paragraph, the recipient is not eligible to receive assistance for a period of two months, beginning in the month in which the recipient's assistance is most recently terminated.
(3) Subsection (2) does not apply if
(a) it has been at least 36 months since the recipient's assistance was last terminated under paragraph 20(1)(c); or
(b) the recipient has not been in receipt of assistance during the 12 months preceding the most recent termination.

What it Means

Sections 2. through 5. of the Regulations explains how to determine if a person is in need and is eligible to receive Income Assistance. It also explains what a Client Navigator must do when an applicant's assistance is increased, reduced or refused.

Person in Need

A person in need is a person who does not have enough money to pay for their basic needs (shelter, utilities, food and clothing). The amount of Income Assistance needed is calculated by subtracting the applicant's income from the cost of their basic needs. If a person **does not have** money left over, they may be eligible for Income Assistance.

If a person has money left over, they are not a person in need unless the Director believes the money left over is not enough to provide for an unexpected circumstance.

Applicants who are Temporarily Hospitalized or Staying in a Safe or Emergency Shelter

An applicant who is temporarily hospitalized or staying at a safe or emergency shelter may be considered a person in need and may be eligible to receive benefits under the Schedule.

Person Not in Need – Revised June 2025

The following are examples of situations where a person is not considered person in need:

- A person is under the age of 19 and considered a child

  - In cases where a parent is receiving Income Assistance benefits for a child who turns 19 during the assessment month, the adult child can choose to be a mature dependant or, the adult child can choose to apply for Income Assistance benefits on their own behalf.
  - In cases where an applicant is receiving IA benefits and is married to a spouse under the age of 19, the spouse must not be added as a co-applicant and instead be added as a household member. The spouse is ineligible for benefits and their income is not counted in the calculation of IA benefits.
- A person is in prison
  - If the person becomes incarcerated after receiving Income Assistance, those benefits are not to be recovered.
- A person who, while receiving Income Assistance
  - Now has the resources (money) to support themself and/or their dependants.
  - Will not, or does not, use all the financial resources they can access (other than Income Assistance) and is thus not eligible for assistance for the assessment period.
  - Will not, or does not, provide any personal or financial information required for the Client Navigator to carry out a financial review.
  - Has made a false or misleading statement, as determined by the Director, in order to receive assistance for themselves or another applicant.
  - Leaves the NWT for a period greater than three (3) months, other than for medical care or treatment.
- A person who applied for Income Assistance for Seniors and Persons with Disabilities and is waiting for eligibility to be determined.
- A person who is receiving Income Assistance for Seniors and Persons with Disabilities or had their assistance terminated under subsection 5. (1), 5. (2) or paragraph 20. (1)(c) of the Income Assistance for Seniors and Persons with Disabilities Regulations.
- A person who is receiving benefits from the Senior Home Heating Subsidy in the same assessment period.

Penalties

- **False or Misleading Statement:** If the Director is satisfied that an applicant has made a false or misleading statement for the purpose of obtaining assistance for themself or any other person, the applicant and their dependants are not eligible to receive assistance for a one (1) month period at the discretion of the Director.
- **Assistance is Terminated**: Where an applicant and their dependant's assistance is terminated, they are not eligible to receive assistance for the month in which their assistance is terminated.
- **Two Strikes Rule:** If an applicant's assistance is terminated a second or subsequent time, for the same reason as the first, they are not eligible to receive

assistance for a two (2) month period, beginning the month in which their assistance is terminated. If the two (2) month termination was issued more than 36 months ago, the termination period resets to one (1) month.

***Example**: An applicant received a two (2) month refusal of assistance in June 2024 for failing to declare income. If they are not issued a refusal for the same reason between September 2024 and May 2027, the refusal period is reset to one (1) month.*

Who is Eligible? – Revised June 2025

Canadian citizens, permanent residents, refugee claimants, protected persons, and applicants who have applied to the Government of Canada for permanent residency under Humanitarian and Compassionate grounds who are awaiting the decision are eligible for assistance with a social insurance number.

If refugee claimants or protected persons and their dependants have not been issued temporary or permanent social insurance numbers, they must provide proof within two (2) months that they have applied for their social insurance number. The Client Navigator must contact their supervisor who can verify the applicant's and their dependants' Canadian citizenship status.

Debts versus Needs

An applicant cannot receive assistance for a need that is outside of the Regulations. A debt of any type (credit card, maintenance, personal taxes, car payments, phone bills etc.) is not considered a need.

Rent, utilities, or fuel arrears incurred when an applicant was not receiving Income Assistance are not considered needs.

Notes

1. Housing NWT delivers the Homelessness Assistance Fund, which can assist an applicant and their dependants to return to their home community within Canada or those who are at risk of becoming homeless.

2. Housing NWT delivers the Canada NWT Housing Benefit, which can assist applicant with a portion of their rental costs.

3. A person under the age of 19 is not eligible to apply for Income Assistance. The Department of Health and Social Services may provide benefits under a social program through an Extended Support Services Agreement (ESSA).

Section 2.03: Kinds of Assistance – Money, Goods or Services

The Law

6. (1) The kinds of aid that constitute assistance for the purpose of the Act are money, goods and services.

(2) Income assistance benefits or a portion of them may be provided in goods or services of an equivalent amount.

What it Means

Section 6. of the Regulations explains how Income Assistance can be provided to applicants.

Aid for benefits can be provided to the applicant in the form of:

- Money (cheque or direct deposit) and/or
- Goods and services (e.g., food, fuel, etc.)

For more information on benefits available through the Income Assistance Program, refer to Section 3 of this manual.

Section 2.04: Delegation – Transfer of Responsibilities

The Law

7. The Minister may delegate to a local authority designated under section 5.1 of the Act the implementation of any direction of the Director referred to in these regulations in a community in respect of which the local authority has been designated.

What it Means

Section 7. of the Regulations explains how local First Nations, Indigenous Governments and other community groups can be given responsibilities regarding Income Assistance.

The Minister can delegate duties, not the authority of the Director, to community groups. However, at this time, the Minister has not delegated any authority.

Regardless of the employer, all Client Navigators are subject to the same Regulations, policies and procedures. On matters regarding policies and procedures, the Client Navigator should report to their regional supervisor.

Section 2.05: Application for Assistance – How to Apply

The Law

8. (1) Every person applying for assistance shall
- (a) make an application for assistance to the Officer for the area in which the applicant is residing; and
- (b) sign a statement and authorization in accordance with sections 9 and 11.

(2) Subject to subsection (3), an application for assistance on behalf of a family shall be made by the head of the family on behalf of the family.
(3) An Officer may permit an application to be made by another member of the family who is an adult or a senior, or by a responsible person outside of the family, if the Officer determines that extraordinary circumstances exist that render the head of the family unable to make the application.
(4) A person shall not apply for assistance if
- (a) the person has applied for assistance under the *Income Assistance for Seniors and Persons with Disabilities Regulations*; and
- (b) the person's eligibility for assistance has yet to be determined.

(5) A person shall not apply for assistance if the person is or was a recipient under the *Income Assistance for Seniors and Persons with Disabilities Regulations*, except as described in subsection 3.1(3).

9. Subject to sections 10 and 11, the Director shall determine the content of the forms to be used
- (a) for an application and statement and authorization referred to in paragraph 8(1)(b);
- (b) for an assessment and verification of whether an applicant is a person in need; and
- (c) for any other purpose that the Director considers necessary.

10. (1) In this section, "income in kind" means goods or services received by an applicant free of charge.
(2) The following must be provided in respect of an applicant and, except where otherwise noted, each of the applicant's dependants before assistance is granted:
- (a) name, gender, address, birth date, marital status and ethnicity;
- (b) subject to subsection (3), proof satisfactory to an Officer, of social insurance number;
- (c) description of any maintenance order entitling the applicant to maintenance;
- (d) the monthly amount and sources of all income including gross earned income, net earned income, unearned income and income in kind;
- (e) information concerning finances from, if relevant, the applicant's employer, bank or other financial institution, mercantile organization, educational institution and federal, provincial, territorial and municipal government departments and agencies, including the Canada Revenue Agency and Employment and Social Development Canada.

(3) If, for reasons satisfactory to the Officer, proof of social insurance number is not available at the date of an application for assistance, the applicant shall, within two months after that date, provide proof that
- (a) the applicant has applied for a social insurance number; or
- (b) in the case of a mature dependant, the mature dependant has applied for a social insurance number.

11. The statement and authorization referred to in paragraph 8(1)(b) must include statements that the applicant
- (a) meets one of the eligibility criteria set out in paragraphs 3(a) to (d);
- (b) is at least 19 years of age;
- (c) will inform the Officer of any change in the applicant's circumstances as set out in subsection 19(1);
- (d) authorizes the Officer to verify the information provided by the applicant;
- (e) authorizes the release to an Officer of any information, including personal information, relating to the applicant by the applicant's employer, bank or

other financial institution, mercantile organization or educational institution or by a federal, provincial, territorial or municipal government department or agency, including the Canada Revenue Agency and Employment and Social Development Canada for the purpose of determining the applicant's financial resources and their eligibility for assistance and for the effective and efficient general administration and enforcement of the Act and the regulations made under the Act;

(f) authorizes the release to an Officer of any information, including personal information relating to any claim by the applicant for benefits, including but not limited to employment, unemployment, pension or disability benefits under any Act of Canada, the Northwest Territories, another territory or a province;

(g) authorizes the release by an Officer of any information relating to the applicant including personal information, to the applicant's employer, bank or other financial institution, mercantile organization or educational institution or to a federal, provincial, territorial or municipal government department or agency, including the Canada Revenue Agency and Employment and Social Development Canada for the purpose of determining the applicant's financial resources and their eligibility for assistance and for the effective and efficient general administration of the Act and the regulations made under the Act;

(h) understands the circumstances under which and the procedure by which they may appeal a decision respecting assistance and the circumstances under which the Officer may assist the applicant in making the appeal;

(i) declares the information that the applicant provides to the Officer is true;

(j) understands that making a false or misleading statement for the purpose of obtaining assistance for themselves or any other person is an offence punishable on summary conviction; and

(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.

12. (1) An Officer may, in addition to the requirements set out in sections 10 and 11, require an applicant to disclose fully such information as the Officer considers necessary to establish the eligibility of the applicant.
(2) An Officer may refuse assistance until sufficient information is provided as required under subsection (1).
(3) An Officer shall, within three business days of a decision to refuse assistance under subsection (2),

(a) inform the applicant of the decision; and
(b) provide written reasons for the refusal.

13. If an applicant has previously applied for assistance in accordance with section 8 within 12 months of the date of the current application, an Officer may accept the previous application and statement and authorization as a new application for assistance, and may request additional information to make the application complete and up to date.

14. An Officer shall refuse assistance to any applicant whom the Officer determines is not a person in need or is not eligible under section 3, 4 or 5, and shall, within three business days of a decision to refuse,

(a) inform the applicant of the decision; and
(b) provide written reasons for the refusal.

What it Means

Sections 8. through 14. of the Regulations set out the rules that applicants must follow when applying for Income Assistance and the rules a Client Navigator must follow when refusing an applicant.

Place of Residence

An applicant must apply for Income Assistance in their home community. Before an applicant can receive Income Assistance from another community, they must provide proof of residence (e.g., address change, rental agreement, utility bill, etc.) to the Client Navigator that they have moved to a new community. To assess eligibility for assistance in the new community, the Client Navigator must determine the amount of assistance received prior to an applicant's move to a new community.

Applicants who are Temporarily Outside of their Home Community and Within the NWT

An applicant may be considered temporarily outside of their home community if they are travelling for personal reasons (e.g., visiting relatives or participating in traditional activities) and will not be immediately returning to their home community.

An applicant must notify their Client Navigator anytime they leave their home community as it may impact their benefits.

> **Note:** If an applicant is travelling within the NWT and is away from their home community for more than three (3) months, the Client Navigator must confirm an applicant's primary residence and consult with their supervisor to determine if benefit rates need to be adjusted.

Application and Forms

The Director must approve all forms. The Client Navigator **shall** use only the approved forms.

An applicant must complete and sign all necessary forms to apply for Income Assistance. Applicants who are unable to complete the forms may request assistance from another adult member of the family, another responsible adult, or the Client Navigator.

E-signatures are accepted on any form or document.

Applicant and Dependant Information

Applicants must provide all the following information for themselves and for any dependants. The Client Navigator must collect all this information before the need for Income Assistance is determined:

- Full name (first, last, middle, as well as nicknames, maiden names, aliases, etc.)

- Gender
- Address (street and mailing)
- Phone number
- Birth date
- Marital status
- Proof of Social insurance number (copy)
- Description of any maintenance order (copy)
- Employment information
- Monthly income (gross earned, net earned, unearned and income-in-kind)
- Information about the money kept in or received from employers, financial institutions, agencies or governments
- Most recent copy of the Canada Child Benefit Notice/GST Notice
- Notice of Assessment (NOA) from the previous calendar tax year

Note: An applicant is not required to provide photo identification.

First time applicants who are unable to provide proof of social insurance number must provide proof within two (2) months that they have applied for their social insurance number.

First time applicants who are unable to provide their Notice of Assessment from the prior tax year must provide proof within two months that they have submitted their taxes.

Once proof is provided, Income Assistance benefits may be issued for the following assessment month(s). Applicants who do not provide this information within two (2) months must be issued a Request for Missing Information form and are ineligible to receive Income Assistance benefits until such time as the information is provided.

A Client Navigator must submit a request for Verification of the applicant's income at the time an application is submitted. If the verification process produces additional information on income that was not reported, the applicant may be refused benefits and it may result in an overpayment of IA benefits.

Dependants who are 19-21 Years of Age

If the applicant has an adult child between 19-21 years of age residing in their household, the adult child can opt to remain on their parent or legal guardian's application as a mature dependant or apply for benefits independently.

- If the adult child chooses to be a mature dependant:
  - The parent or legal guardian and mature dependant must sign **Form I – Mature Dependant**

- The mature dependant's income is excluded from the calculation of benefits
- There is no change in household benefits
- Shelter and utility benefits are included in the parent or legal guardian's application

- If the adult child chooses to apply for Income Assistance on their own:
  - They must complete their own application
  - Their income is counted in the calculation of benefits
  - They may be eligible for basic benefits
  - They may be eligible for a portion of shelter and utilities

Statement and Authorization
The Statement and Authorization (SAA) is a required document and must be signed by the applicant and co-applicant. The SAA has conditions that the applicant and co-applicant must declare, agree to and understand. Applicants agree to tell the truth on their application.

The SAA allows the Client Navigator to collect information about an applicant and their dependants, as well as use any information that an applicant has provided in determining eligibility for program benefits.

The SAA also permits an official from Income Security Programs to obtain information from Canada Revenue Agency or that applicants will provide a copy that may be redacted as per section 2.10 of the Regulations.

The SAA is valid for one year from the date it was signed by the applicant.

> **Note:**
> The SAA must cover an entire assessment period to be valid. If the SAA expires in the middle of an assessment period, the applicant must complete a new application prior to receiving benefits.
>
> ***Example**: John Doe signs his SAA on January 13, 2024 and it expires on January 12, 2025. John Doe will not be eligible to receive January 2025 benefits until they complete a new application.*

Request for Additional Information
Applicants may be asked to provide additional information if it is required for the Client Navigator to determine eligibility.

Refusing Assistance
The Client Navigator may refuse assistance to any applicant if they do not meet the requirements of the program. Applicants must be notified in writing of the decision

within three (3) business days. If that is not possible, the written decision will be mailed to an applicant.

Guardian
A person who has guardianship of a child(ren) must provide documentation that they have day-to-day care of the child(ren).

Documentation that an applicant has day-to-day care of the named child(ren) can be one or more of the following:

- A letter from Health and Social Services (does not include foster children)
- A signed Statutory Declaration from the parent or legal guardian outlining the guardianship has been given over
- Guardianship Order

This would not apply in a custom adoption situation as the child(ren) will be considered legally adopted.

Other Sources of Income for Children
In the event of a separation, the parent or legal guardian who has day-to-day custody of the child(ren) are encouraged to apply for child support. The legal parent or legal guardian are encouraged to apply for child maintenance as this is an additional financial resource.

Parents and legal guardians who are not in receipt of the Canada Child Benefit (CCB) are encouraged to apply. This is a financial resource to provide for the cost of raising a child.

Section 2.06: Granting of Assistance – How Assistance is Given

The Law

15. (1) If, after thoroughly reviewing and verifying the information provided by the applicant, an Officer is satisfied that an applicant is eligible to receive assistance and is a person in need, the Officer shall grant assistance and shall

(a) determine the amount of assistance to be provided based on the applicant's need and in accordance with the Schedule as is applicable to the circumstances of the applicant;

(b) determine, in accordance with the direction of the Director, whether the assistance is to be provided as money, goods or services, or any combination of them; and

(c) provide the assistance determined under paragraphs (a) and (b).

(2) An Officer shall

(a) advise the applicant of the decision under subsection (1), including the amount of assistance to be provided and the manner in which the amount was determined; and

(b) advise the applicant of their responsibility to inform the Officer of any change in circumstances as set out in subsection 19(1).

What it Means

Sections 15. of the Regulations set out the process Client Navigators must follow to provide Income Assistance.

Client Navigator Responsibilities

All documentation submitted by the applicant must be date stamped upon receipt.

After the Client Navigator has reviewed and examined an applicant's application and determined that the applicant is in need, the Client Navigator must:

- Calculate the amount of eligible assistance
- Inform the applicant they are eligible to receive assistance and what they can receive
- Determine how the assistance will be provided in consultation with applicant
    - Inform the applicant that for payments not issued directly to a supplier (e.g. landlord, utility provider) proof of payment must be provided to receive benefits in future months.
- Inform the applicant that they must report all changes to their personal information (where they live, how many people are in the family, etc.) and financial information (income)
- Explain the Income Assistance program to the applicant, making sure they understand what they are eligible to receive, how much they are receiving, what their rights and obligations are and what the Government of the Northwest Territories rights and obligations are
- Ensure all of the applicant's needs are authorized as soon as eligibility is determined

The Director has the authority to overturn the Client Navigator's decision.

Providing Assistance to Family Members and Friends
A Client Navigator who works alone in a community can help a family member, friend or co-worker who is applying for assistance, but cannot issue Income Assistance without approval from a Client Navigator in another community or their supervisor.

Where is the Benefit Paid to? – Revised June 2025
The benefit is payable to the applicant, or on behalf of an applicant, to the person, business, landlord, government or agency of the applicant's choice.

It is up to an applicant to decide to whom the benefit will be paid. If an applicant wants the payment to go to someone other than themselves, they must complete **Form E – Payment Authorization to a Third Party**. This authorization is valid for one year from the date of signature.

Bi-monthly Payment of Benefits
An applicant can request for their benefits to be paid on a bi-monthly basis.

Section 2.07: Commencement of Assistance – When Assistance Starts

The Law

16. (1) If assistance has been granted under section 15, the assistance

(a) must begin on the later of the month in which an application is made and the month in which the need for assistance is established;

(b) must be provided for the entire month in which assistance begins; and

(c) may be provided in advance for up to two months if the recipient is able to demonstrate to an Officer that the recipient and their family will be residing in a remote or inaccessible location for an extended period of time.

(2) If the eligibility of an applicant for assistance cannot be determined immediately for reasons beyond the control of the applicant or the Officer and the need of the applicant is apparently urgent, a grant of minimal assistance may be provided in accordance with the Schedule to meet the need until the eligibility of the applicant can be determined.

(3) The Director may exercise their discretion to provide assistance for a maximum of 12 months prior to the day on which the need for assistance is established, but may not provide assistance for any period prior to the first day of the month in which an application is submitted.

(4) Notwithstanding anything in this section, if it is determined as a result of an appeal commenced in accordance with the Act that the applicant was incorrectly denied a benefit through no fault of the applicant, the applicant is entitled to be awarded assistance for the entire period of entitlement.

(5) Notwithstanding subsections (1) and (2), assistance shall not be provided in respect of a period of time during which an applicant was not eligible to receive assistance under section 3, 4 or 5.

(6) Notwithstanding subsections (1) and (2), an Officer shall not provide assistance to an applicant for any month during which the applicant received assistance under the *Income Assistance for Seniors and Persons with Disabilities Regulations*.

What it Means

Section 16. of the Regulations explains when to begin an applicant's Income Assistance.

An **Application for Income Assistance**, which includes the SAA, must be completed annually. If there is a change in the applicant's circumstance, such as a change in relationship status or a change in residence, the applicant must notify their Client Navigator and complete a new Application. Applicants must complete **Form A – Reporting Form** and submit all supporting documentation each assessment period.

Start of Assistance

Once the application process is complete, assistance is retroactive to the month the application process started, or the month the applicant informed a Client Navigator of their intent to make an application, unless the applicant misses their appointment to start the application process.

If the Client Navigator is not in the community, the assistance starts when the applicant contacts the Client Navigator by phone, fax or email, unless the applicant misses the appointment date to start the application process.

Missing Information
If the applicant does not submit the required supporting documentation with their **Application for Income Assistance** or **Form A - Reporting Form**, the Client Navigator must issue **Form B - Request for Missing Information**. Applicants have until the last day of the calendar month to submit the supporting documentation. If an applicant does not submit the supporting documentation by the last day of the calendar month, the Client Navigator must issue a refusal under Section 20. (1) (d) of the Regulations.

Retroactive Payments
The Client Navigator has the authority to issue eligible assistance to a maximum of six (6) months prior to the current assessment period. The Client Navigator must have supervisor approval to issue payments for any other months within a 12 month period. Applicants will not be eligible to receive retroactive payments for benefits outside of the 12 month period.

> ***Example:*** *If an applicant qualified for Income Assistance in January 2023 and did not submit a utility bill, the bill can be paid up to December 2023.*

Urgent Assistance Requirements
In circumstances where eligibility for assistance cannot be immediately determined and the Client Navigator believes the need is urgent, the Client Navigator may issue a quarter of an applicant's basic benefit(s) under the Schedule.

Once eligibility is established, the amount of urgent assistance must be deducted from the applicant's total assistance available.

> ***Example:*** *A single applicant in Yellowknife is eligible for $573 of the basic benefit from the Schedule. If the Client Navigator believes the need of the applicant is urgent, the Client Navigator can issue a quarter of the $573 with supervisor approval.*

If it is determined that an applicant was not eligible, the amount of assistance that was advanced to the applicant must be recovered through the overpayment process.

The Client Navigator may review other extraordinary circumstances on a case-by-case basis in consultation with the Director.

Verification Delays
The applicant must provide all required documentation the Client Navigator needs to determine eligibility for assistance. In addition to the required documentation, the Client Navigator must complete additional verification checks. Awaiting responses from ClientCheck for this additional information shall not prevent the Client Navigator from determining eligibility.

If the applicant provided all required documentation to complete an assessment and they are eligible for assistance, the benefits are to be issued, regardless if ClientCheck verifications are outstanding. Once ClientCheck verifications are received and if it is determined that the applicant was not eligible for assistance, the assessment must be amended to reflect the new information and the Client Navigator must review the file to determine future eligibility.

> ***Example:*** *An applicant who receives income from CPP and has not provided documentation regarding the amount would not be assessed until verification is received from ClientCheck or the applicant provides the documents.*

> ***Example:*** *If an applicant has indicated that they have zero (0) sources of income and bank verifications from ClientCheck takes longer than three (3) days, the Client Navigator will assess the application based on the information provided by the applicant and make any necessary adjustments once verifications have been received.*

In situations where verification checks are delayed beyond three (3) business days, the Client Navigator shall assess the application.

Section 2.08: Method of Providing Assistance – Money Now or Later

The Law

17. (1) Assistance in the form of money may be paid

(a) by cheque or direct deposit to the recipient or as otherwise directed by the recipient; or

(b) by cheque to a trustee.

(2) Assistance in the form of goods or services may be provided to the recipient by the Officer or by a person authorized by the Officer to provide the goods or services.

(3) If, under subsection (1), payment is made to a trustee the trustee shall, in a manner approved by the Director and at intervals of not longer than 12 months, provide an accounting of expenditures to the Officer granting the assistance.

What it Means

Section 17. of the Regulations sets out the rules for providing Income Assistance to applicants by the month, in advance or to another person or agency.

The Client Navigator can provide assistance to the applicant as follows:

- At the beginning of the month
- If the applicant and their family are residing in a remote, inaccessible area, assistance can be provided for up to two (2) months in advance.

Advanced Assistance

To advance Income Assistance benefits for up to two (2) months, an applicant must demonstrate to the Client Navigator that they will be residing in a remote or inaccessible location for at least two (2) months. The Client Navigator must obtain the following information to determine if advancing Income Assistance benefits is appropriate:

- Estimated dates when the applicant is leaving and returning
- Household members who will be residing in the remote or inaccessible location
- Location where the applicant will be
- Reason for the applicant being in the remote or inaccessible location

If the Client Navigator determines that the information provided by an applicant is not sufficient, the Client Navigator must consult with their supervisor and obtain approval to request additional information from a third party including, but not limited to an Indigenous Organization, Hunters and Trappers Association, the Department of Environment and Climate Change (ECC), the Department of Industry Tourism and Investment (ITI).

Assistance Paid to a Trustee

If assistance is paid to a trustee, the trustee must provide the list of expenses paid on behalf of the applicant to the Client Navigator at least every 12 months, unless the Director approves another time-period.

When assistance is paid to the trustee, the trustee must arrange to take care of the applicant's affairs by completing all the required documentation and signing or arranging for signatures for all the required documentation.

Section 2.09: Changes in Amount of Assistance – Changing or Stopping Assistance

The Law

18. (1) If a recipient provides information satisfactory to an Officer that the recipient's need for assistance, as assessed under paragraph 15(1)(a), has increased due to a change in circumstances, the Officer shall, subject to subsection (3), grant an increase in the amount of assistance determined under that paragraph.
(2) An increase to assistance granted under subsection (1) must be applied in respect of the later of
- (a) the month in which the Officer is advised that the recipient's need has increased; and
- (b) the month in which the need for increased assistance is established.

(3) The Director may exercise their discretion to provide assistance for a maximum of 12 months prior to the month in which the need for increased assistance is established, but may not provide assistance for any month prior to the month in which the application for assistance was made.
(4) Notwithstanding anything in this section, if it is determined as a result of an appeal commenced in accordance with the Act that the applicant was incorrectly denied a benefit through no fault of the applicant, the applicant is entitled to be awarded assistance for the entire period of entitlement.
(5) An increase in assistance may be denied if, in the opinion of the Director, the recipient has, in an unreasonable manner, caused or contributed to the change in the recipient's circumstances.

19. (1) A recipient shall inform an Officer, on or before the first of the month following the month in which assistance is provided, of any change in circumstances that may affect the amount of assistance determined under paragraph 15(1)(a), including
- (a) a change in family members, income, assets or residence; or
- (b) (b) relocation outside the Northwest Territories to receive treatment or medical care.

(2) If the need of a recipient for assistance is reduced, the Officer shall take immediate action to reduce the amount of the assistance provided.
(3) Subsection (2) does not apply if the need of a recipient is reduced because the recipient leaves their home community for a temporary period
- (a) to receive treatment or medical care for a period of less than one month; or
- (b) in extraordinary circumstances, as may be determined by the Director.

20. (1) Subject to subsection (2), an Officer shall terminate assistance provided to a recipient or a family, as the case may be, if
- (a) the recipient has the means available to maintain their family adequately;
- (b) the recipient refuses or neglects to utilize all the financial resources that the recipient may access;
- (c) the recipient fails to inform the Officer of any change in circumstances as set out in subsection 19(1);
- (d) the recipient fails to submit to the Officer the forms and information required under sections 8 and 10 to 12 to assess continued eligibility for income assistance benefits by the last day of the month;
- (e) the recipient obtains employment resulting in earnings adequate to meet the needs of their family, but assistance may be continued until receipt of the recipient's first pay cheque; or
- (f) subject to subsections (5) and (6), the recipient leaves the Northwest Territories.

(2) An Officer who believes that it is appropriate in the circumstances may issue to a recipient referred to in paragraph (1)(c) a formal warning instead of terminating the recipient's assistance under that paragraph.
(3) No more than one warning may be issued under subsection (2) in respect of a failure to provide the information referred to in paragraph (1)(c).
(4) Notwithstanding subsection (3), a second or subsequent warning may be issued if
- (a) it has been at least 36 months since the recipient last received a warning under subsection (2); or
- (b) the recipient has not been in receipt of assistance during the 12 months preceding the most recent warning.

(5) An Officer shall not terminate assistance provided to a recipient or a family, as the case may be, if the recipient leaves the Northwest Territories for a period not exceeding three months

(a) to receive treatment or medical care; or
(b) in extraordinary circumstances, as may be determined by the Director.

(6) The Director may provide assistance to a recipient whose assistance would otherwise have been terminated under this section, for one or more temporary periods not exceeding three months each, if the recipient leaves the Northwest Territories for a period exceeding three months

(a) to receive treatment or medical care; or
(b) in extraordinary circumstances, as may be determined by the Director.

(7) For greater certainty, a recipient who is provided assistance under paragraph (5)(a) or (6)(a) shall be provided the out-of-territory patient benefit applicable to their circumstances in accordance with the Schedule.

21. (1) Before changing, suspending, reinstating or terminating assistance, an Officer shall, if possible, review the recipient's circumstances with them, or in lieu of this review and with the knowledge of the recipient, make such inquiry and obtain such information as the Officer considers necessary.

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

(3) If assistance is changed, suspended, reinstated or terminated, the Officer shall, as soon as practicable,

(a) inform the recipient of the change, suspension, reinstatement or termination; and
(b) provide written reasons for the change, suspension, reinstatement or termination

What it Means

Sections 18. through 21. of the Regulations provide information on when and how to increase, decrease, or end an applicant's Income Assistance.

Change in Needs - Increased Needs

An applicant must provide proof if their eligible needs increase. Once the Client Navigator confirms the increased need, they must increase the eligible Income Assistance by updating the needs from the month the applicant reports the change.

> ***Example:*** *If an applicant's rent is increased, they must provide a report or a bill to support the increase.*

Change in Needs - Decreased Needs

When the need of an applicant decreases, the Client Navigator must reduce the Income Assistance immediately. If the decrease takes place before the applicant reports it to the Client Navigator, a recovery is required, and the Client Navigator must set up an overpayment.

> ***Example:*** *If the applicant takes on a roommate, the need for rent and utilities assistance will decrease.*

When to Stop Assistance

A Client Navigator shall stop assistance immediately when an applicant:

- Has the resources (money or goods) to support themself and their dependants.

- Will not or does not use all the financial resources (such as Employment Insurance benefits) that they can access.
- Has been dishonest to receive assistance, or so that other applicants can receive assistance.
  - The Client Navigator must investigate situations where they believe there was intent to be dishonest and submit a request to the Director
  - A refusal for this reason can only be issued with authorization from the Director.
- Leaves their home community in the NWT or leaves the NWT
  - An applicant who leaves for treatment or medical care may continue to receive assistance for a period of up to three (3) months to maintain their home and care for their dependants if the home and dependants are in the NWT. An applicant must inform their Client Navigator prior to leaving, the Client Navigator will seek approval from their supervisor to issue benefits.
  - An applicant who leaves their home community for a period less than seven (7) days and for reasons outside of treatment or medical care may continue to receive assistance for the assessment period.
- Is incarcerated.
- Is deceased.

Temporary Travel Outside the NWT – Revised November 2026

Applicants must notify the Client Navigator of temporary travel outside of their home community or the NWT. If an applicant leaves the territory for the following reasons, they may continue to receive benefits:

- Medical care or treatment not available in the NWT, or
- Extraordinary circumstances (e.g. death of a family member).

If an applicant leaves for other reasons (such as visiting friends and family), benefits may be refused.

Applicants should apply prior to leaving the NWT, however if they are unable to do so they may still apply to the Income Assistance office in their home community via fax or email. Applicants are required to submit all required documentation and confirmation for the reason for temporary travel.

If the applicant is leaving the territory for medical care or treatment for a period less than three (3) months, the Client Navigator must seek approval from their supervisor.

If the applicant is leaving the territory for extraordinary circumstances, or for a period greater than three (3) months, the Client Navigator must seek approval from the Director, through their supervisor.

This only applies to applicants residing in a treatment facility and does not apply to applicants who elect to remain in sober living or outpatient programs following their treatment, even if participation requires attendance at meetings or counselling.

> ***Example:*** *An applicant living in sober housing who attends weekly recovery meetings but resides outside a treatment facility is not eligible for benefits.*

If an applicant is travelling within the NWT and is away from their home community for more than one (1) month, the Client Navigator must confirm the applicant's primary place of residence and request approval from their supervisor to determine whether benefit rates should be adjusted.

Formal Warning – Revised June 2025
In cases when an applicant will not or does not declare the personal or financial information required by the Client Navigator to carry out a monthly assessment, the Client Navigator through their supervisor, must consult with the Director to determine whether to issue a refusal or a formal warning.

If the applicant does not repeat the same offense within a 36-month period, the warning resets and the applicant would be eligible for another formal warning in the future.

False or Misleading Statements
Where the Director determines that an applicant has made a false or misleading statement for the purpose of obtaining assistance for themself or any other person, the applicant is not eligible to receive assistance.

Changing the Assistance
Changes to an applicant's Income Assistance may include, but are not limited to:

- Providing more or less assistance
- Delaying assistance
- Restoring assistance
- Stopping assistance

Before a Client Navigator can make changes to an applicant's Income Assistance, the Client Navigator, wherever possible, must inform an applicant they are investigating the possibilities of a change. The Client Navigator must explain the change and the reason(s) for the change to an applicant. The Client Navigator must inform the applicant within three (3) business days that their assistance may change.

> **Note:** If an applicant's assistance is refused, their co-applicant and dependant(s) are also disqualified from receiving assistance.

Termination Period

Where an applicant's assistance is terminated based on Sections 20. (1) (c) of the Regulations, they are not eligible to receive assistance for the assessment period on which their assistance was terminated or the date of discovery.

Where an applicant's assistance is terminated based on Section 4. (1) of the Regulations, they are not eligible to receive assistance for the month that is determined by the Director.

Where an applicant's assistance is terminated based on Sections 20. (1) (c) or 4. (1) of the Regulations, and it was previously terminated under the same section, they are not eligible to receive assistance for two months, unless the termination was 36 months prior. In this case, the termination period is reset.

> **Note:** If an applicant's assistance is terminated, their co-applicant and dependant(s) are also disqualified from receiving assistance.

Section 2.10: Financial Resources – What Income is Counted?

The Law

22. (1) In this section, "monthly income" means the total, for a reporting period, of the amount determined by the formula

A + B – C

where,

(a) A is all earned income of an applicant, as set out in subsection (4);
(b) B is all unearned income of an applicant, as set out in subsection (5); and
(c) C is any allowable income of an applicant, as set out in subsection (8).

(2) For greater certainty, a reference in this section to the income or assets of an applicant is a reference to the income or assets of an applicant and their spouse

(a) if the applicant and their spouse reside together; or
(b) if the Director, under subsection 1(2), recognizes a spouse who does not reside with an applicant as included in the definition of "applicant".

(3) In calculating the financial resources of an applicant, an Officer shall, in accordance with these regulations, ascertain the monthly income of the applicant and shall make such inquiries as are necessary for that purpose.

(4) Subject to subsection (6), the following are considered earned income for the purposes of subsection (1):

(a) salary and wages, including voluntary deductions but excluding mandatory deductions;
(b) net income, determined in accordance with the direction of the Director, from hunting, trapping and fishing;
(c) net income, determined in accordance with the direction of the Director, from business operations;
(d) honoraria received from benevolent or other organizations or agencies;
(e) income from employment insurance;
(f) payments made by the Workers' Safety and Compensation Commission that are considered, in accordance with the direction of the Director, to be paid or payable as compensation for loss of income.

(5) Subject to subsection (6), the following are considered unearned income for the purposes of subsection (1):

(a) net income, determined in accordance with the direction of the Director, from roomers, other than roomers referred to in paragraph (c);
(b) net income, determined in accordance with the direction of the Director, from boarders, other than boarders referred to in paragraph (c);
(c) gross income received from roomers or boarders who receive assistance under the Act;
(d) net income, determined in accordance with the direction of the Director, received from rented self-contained living quarters or property the applicant is allowed to retain;
(e) regular or periodic payments received under any annuity, pension plan, superannuation scheme or insurance benefit, except if the insurance payment is received as a result of fire, theft, or property damage and is used to replace or repair loss;
(f) benefits from benevolent organizations or other agencies;
(g) money received from a co-operative association by a member as a result of the member's patronage of the association;
(h) payments, whether on the principal or as interest, received on a mortgage or agreement for sale;
(i) money received as a loan, determined in accordance with the direction of the Director;
(j) any pension or payment received under the legislation of any other country;
(k) the goods and services tax credit under the *Income Tax Act* (Canada), paid by the Government of Canada;
(l) a gift or gratuity of cash, or of a

financial instrument that can be converted into cash, with a loss not exceeding 25% of reasonable market value;

(m) tax refunds, including payments for tax credits;

(n) income, benefits or money, other than income from employment insurance and not otherwise dealt with in this subsection, received from or paid by any provincial, territorial, federal or municipal government agency;

(o) payments, including grants and loans, that are received for training and education and that are considered, in accordance with the direction of the Director, to be provided for monthly living expenses;

(p) fellowships, bursaries, and scholarships;

(q) winnings, including but not limited to bingo or lottery winnings;

(r) subject to subsection (7), financial instruments or other assets including any of the following, unless the applicant proves, to the satisfaction of the Director, that such instruments or assets cannot be realized within 90 days or converted into cash at a loss not exceeding 25% of reasonable market value:

(i) real property and equity in real property,

(ii) personal property, including money in a bank or other financial institution,

(iii) a right to receive or recover a debt on demand,

(iv) the immediate realizable value of stocks, bonds or other securities,

(v) mortgages,

(vi) agreements for sale,

(vii) entitlements under life insurance or other insurance policies,

(viii) entitlements under wills, trusts or other settlements.

(8) For the purposes of subsection (1) and subject to subsection (9), the following is allowable income in each reporting period:

(a) $500 of earned income earned by each adult in the family;

(b) 25% of any earned income earned by each adult in the family in excess of the applicable amount under paragraph (a);

(c) $350 of unearned income.

(9) The following shall not be included as allowable income under subsection (8):

(a) money received as part of the Canada-NWT Housing Benefit;

(b) money received as student financial assistance received under the *Student Financial Assistance Regulations*;

(c) money received from a labour development program;

(c.1) payments granted by the Government of Canada under Jordan's Principle or the Inuit Child First Initiative;

(d) any other money received that the Director determines should not be included as allowable income.

What it Means

Section 22. (1) to (5), (8) and (9) of the Regulations describe what a Client Navigator should consider as earned and unearned income.

In order to determine an applicant's net monthly income, a Client Navigator must consider all of the resources the applicant received during the reporting period (money, net income, assets, gifts of money, gifts other than money, etc.). In order to complete an applicant's application for assistance, the Client Navigator may also investigate the family's personal and financial information.

> ***Example:*** *The Client Navigator may make bank enquiries, ask for the applicant to provide copies of documents, or request to see a record of employment.*

When Income is Counted
Income is counted when the applicant receives the money in hand.

> ***Example:*** *If an applicant receives a cheque on March 28th and does not cash/deposit it until April 10th, the income will count in the May assessment.*
>
> *If the applicant is unable to provide proof when the cheque was cashed, the Client Navigator will use the date the applicant received the cheque.*

Canada NWT Housing Benefit (CNHB)
Income received through assistance from Housing NWT is included in the calculation of benefits.

Income received through the CNHB is excluded from the unearned income exemption.

Earned Income
Each applicant with earned income is eligible to exempt $500 plus 25% per reporting period.

> ***Example:*** *An applicant earns $1,000 and their spouse earns $800 for a total of $1,800 in salary and wages. Both receive an exemption of $500 plus 25% of their monthly income above $500. The total amount exempted will be $1,200 ($500 + 25% of $500 and $500+25% of $300).*
>
> ***Example:*** *An applicant earns $1,800 and their spouse earns $0 for salary and wages, they can exempt $500 per adult plus 25% of their total monthly income above $500. The total amount exempted would be $825 ($500 +25% of $1,300).*

Income from hunting, fishing, trapping or business operations is considered self-employment. If an applicant does not have official financial statements showing net income, the Client Navigator will assist with completing **Form L – Monthly Statement of Self-Employment Business Income.**

(Gross Income Earned) minus (Business Operating Expenses)

Income from an Incarcerated Spouse
If an applicant receives income from their spouse who is incarcerated, that income is included in the calculation of benefits.

Income from Indigenous Governments
Income received from the Indigenous Governments for employment, wages or honorariums will be counted as earned income and included in the calculation of benefits.

Income received from Indigenous Governments for training allowances (e.g. Indigenous Skills and Employment Training Strategy), scholarships or bursaries will be counted as unearned income and included in the calculation of benefits.

Income Tax Notice of Assessment – Revised March 2025

All applicants are required to file their income tax each year and submit the following documents to the Client Navigator:

- Proof that they filed and paid for their taxes by the applicable CRA deadline (April 30th for individuals)
  - Applicants must provide proof of tax filing in order to be eligible for May benefits
  - If an applicant applies for the first time or returns from a break in service after the CRA deadline, they must provide proof that they filed their tax within 60 days of applying for Income Assistance
- Proof of the date the refund was received, if applicable
- Copy of the NOA by June 30th (60 days from the CRA deadline.) If the applicant does not receive their NOA within this time frame a request should be sent to ClientCheck
  - Applicants must submit a copy of the NOA for the most recent tax year in order to be eligible for July benefits
  - First time applicants or those who have had a break in service as per above, must provide the NOA within 60 days of submitting their application
- Applicants may redact the information that is not necessary for the Income Assistance program which include:
  - Line 44800
  - Line 45000
  - RRSP reduction limit

If applicants do not submit the above documentation by the required dates, their file will be considered to have missing information, and the assessment will not be completed until the information is received.

Inheritance or Gift from a Beneficiary of the Grollier Hall MOU, CEP or IRS Agreement

In the event that an applicant receives an inheritance or a gift from monies received under sections 22. (6) (p) and (q) of the Regulations, those monies are included in the calculation of benefits as unearned income as per section 22. (5) (l) respectively.

Loans

Any payments received as a result of a loan agreement, either written or verbal, must be considered income in the month that it is received.

Types of loan agreements include the following:

- Payday loans
- Bank loans
- Canada post loans
- Loans received through family/friends
- Non-NWT student loans, etc.

The Client Navigator may, on a case, request additional information from the applicant regarding the purpose of the loan if they wish to seek approval from the Director to exempt the income.

> ***Example:*** *An applicant receives a loan of $3,000 from a family member to pay arrears to NWT Housing. A paid invoice from the Local Housing Office confirms the reported intent of the loan. The Client Navigator can request the Director to exempt this income based on this circumstance.*

Lump Sum

Lump sum payments must be considered income in the month that it is received. Any payments held in a financial institution may also be considered as income unless they are items listed in Sections 22. (6) or 22. (7) of the Regulations.

Net and Gross Income

Net income is the amount of money after mandatory deductions. Gross income is the amount of money before mandatory deductions.

Net Monthly Income

An applicant's net monthly income is determined by reviewing the earned income, unearned income and income-in-kind.

Mandatory Deductions

An applicant's income is subject to the following deductions:

- Federal/Provincial/Territorial Income Tax
- Canada Pension Plan (CPP)
- Workers Safety Compensation Commission WSCC)
- Employment Insurance (EI)
- NWT Payroll Tax, and
- Union dues

An applicant can opt out of all other deductions with the exception of some superannuation and pension deductions. Employers should be contacted to verify whether an applicant may opt out of these deductions.

Patronage Refunds
Income received as a result of patronage refunds will be included in the calculation of benefits as unearned income as per Section 22. (5) (g) of the Regulations.

Unearned Income
Unearned income is exempt up to a maximum amount of $350 per household, per reporting period. If the full exemption is not used in the reporting period, the remaining exemption amount will not be carried over to future assessments.

> ***Example:*** *An applicant received $250 as a gift from their aunt during their reporting period and had no other unearned income. The applicant's unearned income exemption will exempt the full $250. The remaining $100 of the unearned income exemption cannot be used in the next assessment period.*

Student Financial Assistance (SFA)/ Labour Market Development (LMD) Benefits
Similar to Income Assistance benefits, the purpose of the Remissible Loan and Supplementary Grant benefits through the SFA program and the LMD living allowance benefits are to assist with an applicant's current month expenses. These benefits are included in the calculation of benefits as income in the month they are intended for.

> ***Example:*** *A student who receives a Supplementary Grant payment for the month of September must declare the income in the September Income Assistance assessment.*

An applicant who is receiving SFA and/or LMD benefits must notify the Client Navigator.

The living allowance benefits will be counted as income and included in the calculation of benefits. SFA and LMD benefits intended to assist with tuition, book, training, and travel expenses are not included in the calculation of benefits as income.

Applicants may receive Income Assistance benefits while waiting for their SFA application to be processed. In these cases, the applicant must sign the **Recovery of Duplicate Payment Form.**

> **Note:** A Client Navigator should speak to their supervisor if they are unsure if the financial resource should be considered income or if the deduction is considered mandatory.

Section 2.11: Financial Resources – What Income is Not Counted?

The Law

22. (6) The following shall not be included as earned income under subsection (4) or unearned income under subsection (5):

(a) the Canada Child Benefit paid by the Government of Canada and the NWT Child Benefit paid by the Government of the Northwest Territories;

(b) survivor's benefits payable to a child under the Canada Pension Plan;

(c) the Child Disability Benefit, paid by the Government of Canada;

(d) money, other than child support payments, that is determined in accordance with the direction of the Director to be paid or payable to an applicant who requires special care or to members of the family of the applicant who require special care;

(e) the value of any benefits received under the Government of the Northwest Territories Medical Travel Policy 49.06, including any meals provided by a health facility;

(f) money paid or payable as a per diem that is of the same type that would be approved by the Government of the Northwest Territories for duty travel by its employees and which does not exceed the rates approved by the Government of the Northwest Territories for expenses respecting duty travel by its employees;

(g) a cost of living offset payment received from the Government of Canada in accordance with the Income Tax Act;

(h) a carbon tax rebate paid under subsection 2.2(1) of the Petroleum Products and Carbon Tax Act;

(i) payments, determined in accordance with the direction of the Director, paid or payable for the maintenance of a dependent adult;

(j) funds accumulated in or received from a registered disability savings plan as defined in subsection 146.4(1) of the Income Tax Act (Canada), and as referred to in paragraph 2(2)(b) of the Canada Disability Savings Act;

(j.1) the Canada Disability Benefit, paid by the Government of Canada;

(k) money paid or payable that, in the opinion of the Director, having regard to the social and economic circumstances of the applicant, it would be unreasonable to include in the calculation of monthly income;

(l) payments made by the Director of Child and Family Services on behalf of a foster child;

(m) payments granted by the Government of Canada under Jordan's Principle or the Inuit Child First Initiative, other than payments referred to in subsection (6.1);

(n) money paid or payable or the value of goods received under the terms of any treaty, self-government agreement or land claims agreement within the meaning of section 35 of the Constitution Act, 1982;

(o) money paid or payable under the terms of an impact benefits agreement;

(p) compensation paid in respect of attendance at or abuse sustained while attending an Indian residential or day school;

(q) compensation paid that is related to a claim for the loss of culture and identity with respect to the practice of removing Aboriginal children from their families and placing them for adoption in non-Aboriginal homes, commonly known as the Sixties Scoop;

(r) money paid or payable by the Workers' Safety and Compensation Commission, other than payments referred to in paragraph (4)(f);

(s) payments granted by the Government of Canada or an Indigenous government in relation to agricultural benefits programs for Indigenous governments and individuals;

(t) other money paid by an Indigenous Government which should, in the

opinion of the Director, not be included in the calculation of monthly income under subsection (1);

(u) any other money that is considered, in accordance with the direction of the Director, to be paid or payable as compensation for pain and suffering.

(6.1) Payments granted by the Government of Canada under Jordan's Principle or the Inuit Child First Initiative shall be included as unearned income referred to in subsection (5), if the payments are granted for expenses referred to in sections 3 through 12 of the Schedule.

(7) The following shall not be included as unearned income referred to in paragraph (5)(r):

(a) the value of real property used as a residence of the applicant unless the property is, in the opinion of the Director, in excess of the reasonable needs of the applicant;

(b) the value of real property and equipment necessary for the operation of a viable business of the applicant as determined by an economic development agency or the Director;

(c) the value of materials or vehicles that are, in the opinion of the Director, reasonably required by the applicant for the purposes of hunting, trapping or fishing;

(d) the value of household furnishings, appliances, clothing, electronics and personal items belonging to the applicant that, in the opinion of the Director, it is unreasonable to include as unearned income;

(e) the value of a motor vehicle that is specially adapted to accommodate a physical disability of the applicant or their dependant;

(f) the value of a motor vehicle, as determined in accordance with the direction of the Director, other than a motor vehicle to which paragraph (c) or (e) applies;

(g) the value of an asset purchased using money that is traceable to

(i) an item not included as earned or unearned income under subsection (6), or

(ii) allowable income referred to in subsection (8);

(h) money held by the applicant in a bank or other financial institution, up to a maximum of twice the amount that would be required for the applicant to adequately provide for their family for one month;

(i) money that is held in a bank or other financial institution and that is traceable to an item not included as earned or unearned income under subsection (6);

(j) money held in trust for a child;

(k) money held in a Registered Education Savings Plan as defined in section 146.1 of the *Income Tax Act* (Canada);

(l) money that is held in a bank or other institution in a savings plan of a type approved by the Director;

(m) the value of an asset that, in the opinion of the Director, having regard to the social and economic circumstances of the applicant, it would be unreasonable to expect the applicant to convert into cash

.

What it Means

Section 22. (6) and (7) of the Regulations describes types of income that are not included in the calculation of Income Assistance benefits (money, income, assets and gifts).

The Regulations list all income and assets that are not to be included in the calculation of benefits.

Investigation

When determining the family's net monthly income, a Client Navigator **must** consider all of the applicant's resources (money, net income, assets, gifts of money to determine what to include.

The Client Navigator may also investigate a family's personal or financial information to complete the applicant's application for assistance.

> ***Example:*** *The Client Navigator can ask the applicant to provide copies of any documents or make a bank inquiry.*

Airline Tickets
The cost of airline tickets are excluded from the calculation of benefits under Section 22. (6) (k) of the Regulations.

Canada Disability Benefit – Revised June 2025
Income received from the Canada Disability Benefit is excluded from the calculation of benefits under Section 22. (6) (k) of the Regulations.

Evacuee Income Disruption Support Program
The value of any income received under the Evacuee Income Disruption program is excluded from the calculation of benefits under Section 22. (6) (k) of the Regulations.

Exemption of Unearned Indigenous Income
The full amount of Impact Benefit Agreement, Treaty, Land Claim, Agricultural Benefits and Per Capita Distribution payments received are excluded from the calculation of benefits.

In addition, income received as a result of settlement for Residential Schools, Day School and Sixties Scoop will be excluded from the calculation of benefits.

The Client Navigator may seek approval from the Director to exclude other unearned income received from an Indigenous Government, with the exception of training allowances (e.g., Indigenous Skills and Employment Training Program) and scholarships or bursaries.

Food Bank
The value of goods received from food banks and hampers is excluded from the calculation of benefits under Section 22. (6) (k) of the Regulations.

Fostering Dollars
The income obtained for fostering children will not be included as unearned income. Income received for foster child(ren) will be excluded from the calculation of benefits.

Homelessness Assistance Fund (HAF)
The value of any assistance issued by Housing NWT that is directly related to the HAF is excluded from the calculation of benefits under Section 22. (6) (k) of the Regulations.

Household Income – 18 Years of Age or Under
When a dependant is under the age of 19, any income will be excluded from the calculation of benefits.

Household Income – Mature Dependant
When a person between 19 and 21 years of age, decides to remain as a mature dependant under their parent/guardian's application, any income they receive will be excluded from the calculation of benefits.

Maintenance Orders/Child Support
Applicants are encouraged to apply for maintenance/child support. For reference, the child support table is located at: http://www.justice.gc.ca/eng/fl-df/child-enfant/look-rech.asp.

Maintenance orders for child support will be excluded from the calculation of benefits.

Medical Travel
The value of airline tickets and any assistance related to Medical Travel benefits, as well as food received while travelling or hospitalized, issued by Government of the Northwest Territories Medical Travel will be excluded from the calculation of benefits under Section 22. (6) (e) of the Regulations.

Nova Scotia Deaf Schools Class Action Settlement
Income received from the settlement of the Nova Scotia Deaf Schools Class Action will be exempt from the calculation of benefits under Section 22. (6) (u) of the Regulations.

Registered Disability Savings Plans (RDSP)
A RDSP is a savings plan to help parents or legal guardians and others save for the long-term financial security of a person who is eligible for the disability tax credit.

The funds accumulated in or received from a registered disability savings plan will not be considered as income under the Income Assistance program. Applicants must report these funds.

For further information regarding RDSPs, refer to Canada Revenue Agency's website at: http://www.cra-arc.gc.ca/tx/rgstrd/rdsp/menu-eng.html

Tuition, Books, Travel and Fees Issued Under SFA and LMA
The value of any benefit issued for tuition, books, travel and fees received from the SFA program or LMA will be excluded from the calculation of benefits so long as the Client Navigator has obtained a confirmation by way of an email from the Student Case Officer or Career Development Officer.

Note: Living allowance benefits issued from SFA or LMA must be included in the calculation of benefits.

Victims of Crime Emergency Fund

All financial assistance received through the Victims of Crime Emergency Fund delivered by the GNWT Department of Justice is excluded from the calculation of benefits under Section 22. (6) (k) of the Regulations.

Section 2.12: Recovery of Assistance – Taking Money Back

The Law

23. The Director may recover from a recipient or the estate of a recipient the amount of assistance

(a) in excess of that authorized by the Act, these regulations or any other regulations made under the Act; or

(b) to which the recipient was not entitled, but which was granted because of the recipient's failure to disclose income or assets.

What it Means

Section 23. of the Regulations indicates that the Director may recover Income Assistance given to an applicant if the assistance was more than they were eligible to receive, or if the assistance was given because an applicant made false statements or failed to provide correct information.

Director's Discretion

The Regulations give the Director the right to choose whether to recover monies from applicants on a case-by-case basis. The Director has issued a blanket policy that allows the Client Navigator to recover assistance on amounts under $2,500 without Director approval. Any amount exceeding $2,500 must be presented to the Director for approval.

What is a Debt?

A debt is money an applicant received above the amount they were entitled to receive.

Security deposits are considered debts; therefore, an applicant must immediately begin repayment of their security deposit. For more information, refer to Section 3.07 of this manual.

Collection of the Debt

The minimum amount the Client Navigator can collect from an applicant who has an overpayment with the Income Assistance program as a result of a debt is $25 per month, regardless of the amount outstanding. If an applicant requests that more than $25 be deducted from their Income Assistance benefits per month, they must provide a written and signed request, including the amount they wish to have deducted per month.

If an applicant has an outstanding overpayment and a recoverable need, $25 per debt shall be deducted from their Income Assistance benefits, totalling a $50 minimum deduction per month.

Effective August 1, 2016, Income Assistance assessments with co-applicants will have the debt split 50/50 between each applicant.

If either applicant wishes to incur 100% of the overpayment debt, that person must provide a written and signed request; including the amount they wish to have deducted per month.

> ***Example:*** *An applicant cannot assign 100% of the debt to the co-applicant. The co-applicant must agree and sign to that effect. If the two (2) applicants do not agree, the default split is 50/50.*

Time Limit on Recovering a Government Debt

If a debt was proven to be a result of fraud, there is no time limit for collection of the debt.

> ***Example:*** *In 2018 an applicant living with their common-law partner did not claim their partner when applying for Income Assistance. This fraud was not discovered until five (5) years later, in 2023. The debt is still recoverable.*

A debt invoiced to an applicant that has remained inactive for seven (7) or more years with no effort at collection is barred by Legislation and is not collectable.

> **Note:** The Client Navigator must be careful not to collect money twice when considering recoveries.
>
> ***Example:*** *An applicant received Employment Insurance from the Federal Government that they should not have received and did not report. The Federal Government realized the error and began to recover the funds. The Client Navigator must not consider the unreported benefit as an overpayment.*

Section 2.13: Voluntary Repayment of Assistance

The Law

24. Any person who has received assistance may repay such assistance and the money so received shall be deposited in the Consolidated Revenue Fund.

What it Means

Section 24. of the Regulations explains how applicants, if they choose to, may repay assistance they received.

Repayment

This section refers to applicants who have been receiving assistance for a period-of-time and because that applicant's circumstances have changed; they no longer need assistance. This Regulation allows applicant's to pay back some, or all the assistance they received. The Client Navigator can receive the payment but must forward it to their supervisor.

> ***Example:*** *An applicant receives assistance from May to September and then finds employment in October. The applicant can pay back any portion of the assistance they have received during May to September.*

Section 2.14: Alienation or Transfer of Assistance – Applicant Owes Money to a Third Party

The Law

25. Assistance granted under these regulations is not subject to alienation or transfer by the recipient, or to attachment or seizure in satisfaction of a claim.

What it Means

Section 25. of the Regulations explains that assistance given to an applicant is for their use only and not something that can be transferred, sold, etc. to a third person. It also states that any assistance received cannot be seized or taken by a third party having a claim against an applicant.

Income Assistance benefits are intended to for the applicant's use for basic needs. If the applicant owes money to a third party, this money cannot be used to repay that debt.

> ***Example**: A bank cannot take an applicant's assistance to pay an overdraft or other debt. A collection agency cannot take an applicant's assistance to pay an outstanding invoice.*

Notes

1. When advising applicants about direct deposits as a payment option, the Client Navigator shall always ensure the applicant understands that if they have an outstanding debt with the bank, a maintenance enforcement attachment or a loan/debt that has been sent to a collection agency, the payment may be seized by the bank.

2. Although the Regulations state that Income Assistance cannot be seized, the bank will attempt to recover any deposit made to the account to satisfy the terms of the debt and it can be a lengthy process to get the money back.

3. If this type of situation occurs, the supervisor shall contact the bank in the first instance and explain our Regulations. If this does not result in the applicant receiving their Income Assistance back, the supervisor shall contact the Director.

SECTION 3: THE SCHEDULE

The Schedule of the Regulations lists the types of benefits that applicants may receive.

The following are some general instructions when administering the benefits.

Declining Benefits
If an applicant does not want a benefit that they are entitled to, the Client Navigator must receive written confirmation from the applicant that they decline the benefit.

> ***Example:*** *An applicant chooses not to receive a basic benefit allowance. The applicant must indicate in writing that they do not wish to receive it.*

Reduction of Benefits
If an applicant only wants a portion of the benefit that they are entitled to, the Client Navigator must receive written confirmation from the applicant that they only want a portion of the benefit.

Section 3.01: Interpretation

For the purposes of this section, NWT communities are categorized under the following zones:

"Zone 1"
- (a) Colville Lake
- (b) Délînê
- (c) Fort Good Hope
- (d) Norman Wells
- (e) Tulita

"Zone 2"
- (a) Aklavik
- (b) Inuvik
- (c) Paulatuk
- (d) Sachs Harbour
- (e) Tsiigehtchic
- (f) Tuktoyaktuk
- (g) Ulukhaktok
- (h) Fort McPherson

"Zone 3"
- (a) Fort Liard
- (b) Fort Providence
- (c) Fort Simpson
- (d) Wrigley
- (e) Jean Marie River
- (f) Kakisa
- (g) Nahanni Butte
- (h) Sambaa K'e

"Zone 4"
- (a) Behchokö
- (b) Gamètì
- (c) Łutselk'e
- (d) Wekweètì
- (e) Whatì

"Zone 5"
- (a) Enterprise
- (b) Fort Resolution
- (c) Fort Smith
- (d) Hay River
- (e) Kátå'odeeche First Nation

"Zone 6"
- (a) Dettah
- (b) Ndilô
- (c) Yellowknife

Section 3.02: Basic Benefit Allowance

The Law

2. (1) Base assistance may be provided to an eligible person in need, in accordance with the direction of the Director, in the form of

(a) a basic benefit, not exceeding the amount prescribed in the Maximum Basic Benefit Table set out in this Schedule and corresponding to

(i) the zone in which the recipient resides, and

(ii) the number of adults in the family; or

(2) No base assistance shall be provided to an eligible person in need who is provided an out-of-territory benefit.

What it Means

Section 2. (1)(a) of the Schedule sets the rates of the basic benefit allowance available to applicants depending on the number of adults residing in the home, and their home community. Applicants who reside in room and board accommodations receive the basic benefit allowance under Section 3.03: Room and Board Basic Benefit Allowance.

Benefit Table

The following is the breakdown of zones and benefit levels:

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Community	Colville Lake Délı̨ne Fort Good Hope Norman Wells Tulita	Aklavik Inuvik Paulatuk Sachs Harbour Tsiigehtchic Tuktoyaktuk Ulukhaktok Fort McPherson	Fort Liard Fort Providence Fort Simpson Wrigley Jean Marie River Kakisa Nahanni Butte Sambaa K'e	Behchoko Gamètì Łutsel K'e Wekweètì Whatì	Enterprise Fort Resolution Fort Smith Hay River K’atl’odeeche	Dettah Ndilǫ Yellowknife
1 Adult	946	885	764	721	706	573
2 Adults	1,337	1,251	1,081	1,020	998	810

Section 3.03: Room and Board Basic Benefit Allowance

The Law

2. (1) Base assistance may be provided to an eligible person in need, in accordance with the direction of the Director, in the form of

(b) a room and board benefit, not exceeding the amount prescribed in the Maximum Room and Board Benefit Table set out in this Schedule and corresponding to

(i) the zone in which the person in need resides, and

(ii) the number of adults in the family.

(2) No base assistance shall be provided to an eligible person in need who is provided an out-of-territory benefit.

What it Means

Section 2. (1)(b) of the Schedule sets out the rates of the basic benefit allowance available to applicants residing in Room and Board and is dependant on the number of applicants, and where the applicant reside.

Single Applicant

An amount to cover the cost of Room and Board may be provided to, or on behalf of an applicant as outlined by the Canada Mortgage Housing Corporation (CMHC). In order to qualify for Room and Board, the applicant must be on the Low-Cost Housing waitlist.

Care Facilities

Applicants who reside in assisted living accommodations, such as special care homes or long-term care facilities, may be eligible for Room and Board. Applicants in these situations are **not** required to be on the waitlist for low-cost/social housing.

The Department of Health and Social Services sets annual Room and Board rates in April of each year. The Client Navigator will confirm the rates each year through their supervisor.

Respite Care Costs

Applicants who are temporarily accessing respite care may be eligible for Room and Board. The Department of Health and Social Services set these Room and Board rates. The Client Navigator will confirm the rates each year through their supervisor.

Case-by-Case Basis

The Director can decide on a case-by-case basis what assistance, if any, an applicant will receive for Room and Board and for how long the assistance will be provided.

Benefit Table

The home community in which an applicant resides determines the benefit amount they are eligible for Room and Board. The following is the breakdown of the NWT community zones and benefit amounts.

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Community	Colville Lake Délı̨ne Fort Good Hope Norman Wells Tulita	Aklavik Inuvik Paulatuk Sachs Harbour Tsiigehtchic Tuktoyaktuk Ulukhaktok Fort McPherson	Fort Liard Fort Providence Fort Simpson Wrigley Jean Marie River Kakisa Nahanni Butte Sambaa K'e	Behchoko Gamètì Łutsel K'e Wekweètì Whatì	Enterprise Fort Resolution Fort Smith Hay River K’atl’odeeche	Dettah Ndilǫ Yellowknife
1 Adult	143	151	142	128	133	122
2 Adults	201	214	201	182	189	172

Section 3.04: Out of Territory Patient Benefit Allowance

New – November 2026

The Law

13. (1) An out-of-territory patient benefit may be provided to an eligible person in need if the person is required to leave the Northwest Territories to receive treatment or medical care.

(2) An eligible person in need who is receiving in-patient treatment or medical care outside the Northwest Territories may be provided, in accordance with the direction of the Director, with

(a) $76, if there is one adult in the family; or

(b) $108, if there is more than one adult in the family.

(3) An eligible person in need who is receiving out-patient treatment or medical care outside the Northwest Territories may be provided, in accordance with the direction of the Director, with

(a) $507, if there is one adult in the family; or

(b) $716, if there is more than one adult in the family.

(4) No out-of-territory patient benefit shall be provided to an eligible person in need who is provided base assistance.

What it Means

Section 13. of the Schedule sets out the rates of the out of territory patient benefit allowance available to in-patient and out-patient applicants who are temporarily travelling outside the Territory for medical care or treatment for more than one (1) month. The rates are available depending on the number of adults residing in the applicant's household.

In-Patient

An applicant who is receiving medical care or treatment outside the territory for one (1) month or more may receive the in-patient basic benefit when admitted to and staying in a treatment, hospital or medical facility and includes meals.

Out-Patient

An applicant who requires medical care or treatment outside the territory may receive the out-patient basic benefit when receiving care or treatment at a hospital or medical facility without being admitted.

Benefit Table

The Out of Territory Patient Benefit will be provided to applicants in lieu of the basic benefit allowance while the applicant is out of territory for treatment or medical care. The following is a breakdown of the benefit amounts.

	In-Patient	Out-Patient
1 Adult	76	507
2 Adults	108	716

Section 3.05: Accommodation – Rent or Mortgage

The Law

3. (1) A rental accommodation allowance up to a maximum amount equal to the actual cost of rental accommodation may, subject to subsections (2) and (3), be provided to an eligible person in need in accordance with the direction of the Director.

(2) No allowance shall be provided under subsection (1) in respect of accommodation in a hotel, motel, hostel or other similar tourist establishment unless

(c) the person in need has entered into a lease agreement with the establishment for a self-contained suite; and

(d) the Director considers it appropriate in the circumstances.

(3) If an eligible person in need resides in accommodation for which a subsidy is normally available, the allowance must not exceed the minimum rental rate for the unit.

(4) If an eligible person in need owns their own home, a monthly allowance may be provided which is sufficient to cover current taxes, home insurance and other assessments, but the total allowance must not exceed the rental accommodation allowance that would otherwise be provided.

(5) If an eligible person in need is making mortgage payments on their own home, a monthly allowance may be provided which is sufficient to cover current taxes, mortgage payments, home insurance and other assessments, but

(a) the total allowance must not exceed the rental accommodation allowance which would otherwise be provided; and

(b) no monthly allowance shall be provided to a person in need under this section more than four times in a 36-month period.

What it Means

Section 3. of the Schedule explains what an applicant can receive as assistance for accommodation. Accommodation includes rent (building and land), mortgage (building and land), taxes and insurance.

Accommodation Allowance – **Revised November 2026**

To be eligible for accommodation allowance an applicant must reside in a standard residential structure. An applicant who rents must provide proof that their name(s) are on the waitlist for low-cost/social housing. If their name(s) are on the list, an accommodation allowance can be issued.

In situations where the accommodation allowance is not paid directly to the landlord, the applicant must provide proof of payment before the accommodation allowance can be issued for the following assessment period.

CNOS assesses the bedroom requirements for any given household and provides criteria that determines suitable housing standards. Accommodation allowance will be granted in accordance with the suitable housing standards as determined by CNOS.

***Example**:*
A couple with one (1) dependant will require a maximum of a two (2) bedroom unit.

A single applicant will qualify for a room rental or one (1) bedroom unit.

Case-by-Case Basis
The Director can decide on a case-by-case basis what assistance, if any, an applicant will receive for rent and for how long the assistance will be provided.

Custody of Child
An accommodation allowance is not affected by an applicant's arrangement to share custody of a child with another parent or legal guardian.

Housing NWT HELP Unit
Housing NWT's Homeownership Entry Level Program (HELP) involves tenants leasing units at affordable standardized rental amounts. The tenants are responsible for paying utilities. Within the first four (4) years of leasing, the tenant may purchase the unit, or their rental lease may be extended, however, the rent amount will increase.

If an Income Assistance applicant is a HELP tenant, the rental amount may only be paid if the applicant is on the low-cost/social housing waitlist.

Social Housing: Waitlist
If an applicant's name is not on the waitlist for the following reasons, the Client Navigator must contact the Director to determine the accommodation allowance on a case-by-case basis:

1. **Residency**
   Often Local Housing Organizations or Authorities (LHOs) have a residency requirement and applicants who have just moved to the community are not able to be put on the waitlist until they meet these requirements. In these situations, the Client Navigator may issue an accommodation allowance to the applicant until they meet the residency requirements. The Client Navigator must monitor the social housing application process.

2. **Arrears to LHOs**
   Any outstanding debt or arrears an applicant has are not a need under the Income Assistance Program.
   An applicant is eligible to be on the social housing waitlist if they have arrears with an LHO and have an approved repayment plan. The Client Navigator will work with the applicant to sign the Payment Authorization to a Third-Party form,

allowing the Client Navigator to make payment from the applicant's Income Assistance benefits, directly to the LHO for arrears.

3. **Utility Arrears**
   Any outstanding debt or arrears an applicant has are not a need under the Income Assistance Program.

   In order to be considered for the social housing waitlist, the applicant must be able to set up an account with a utility provider. If the applicant is unable to set up an account due to arrears, the applicant will not be eligible for social housing. The Client Navigator will encourage the applicant to enter into a repayment agreement with the utility provider, and to allow for payments to be made from the applicant's Income Assistance benefits directly to the utility provider for arrears.

4. **Family Violence**
   In order to be considered for the social housing waitlist, applicants cannot own their own home. In order to consider payment of accommodation allowance, applicants who own their own home with the estranged partner but are not residing in that home due to family violence must be informed that they are required to notify their Client Navigator should their assets be realized.

Social Housing
Housing NWT considers all income in the household of household members 19 years of age and over, including Income Assistance, when calculating rent. Housing NWT determines rent based on the applicant's income as per line 15000 on the NOA from the previous calendar year.

Housing NWT's social housing rent amounts can be found on their website at: https://www.nwthc.gov.nt.ca/en/services/public-housing-program

Applicants are required to bring their Rent Calculation Sheet to their Client Navigator. In the event that an applicant does not have the Rent Calculation Sheet, the Client Navigator must not issue the accommodation allowance until the Rent Calculation is submitted. The Client Navigator must not withhold issuing Income Assistance for the other benefits.

Social Housing - Reassessment of Rent Calculation
If an applicant's income decreased from the previous calendar year, the Client Navigator will refer the applicant back to the LHO to reassess their rent. This may require a reimbursement from the LHO to the Income Assistance Program.

Social Housing - Shared Accommodation
In cases where applicants share social housing units with adults other than a co-applicant, Income Assistance will pay the applicable accommodation allowance as determined by the applicant's household annual income identified on their NOA from the previous calendar year.

If the total monthly rent is assessed at the minimum rent for the zone the applicant resides, rent must be divided between the number of adults in the home.

Removal from the Low-Cost/Social Housing Waitlist
Once an applicant's name is on the low-cost/social housing waitlist, it is their responsibility to ensure their name remains on the list. Applicants whose names are removed from the waitlist will not qualify for accommodation allowance to cover market rent until their name(s) are back on the waitlist. This is in accordance with Section 2. (2) of the Regulations, which states that applicants must utilize all the financial resources available to them. The subsidized rent available in low-cost/social housing units is considered a financial resource.

Voluntarily Vacating/Declining Low-Cost/Social Housing Units
Applicants who voluntarily vacate or decline a social housing or Low-Cost Housing unit anytime within the previous six (6) months of the current assessment, are not eligible for accommodation allowance above the minimum monthly rent they would be charged if they resided in the low-cost/social housing unit. This is in accordance with Section 2. (2) of the Regulations, which states that applicants must utilize all the financial resources available to them. The subsidized rent available in low-cost/social housing units is considered a financial resource.

If there is a valid reason why an applicant vacated or declined a low-cost/social housing unit, the Client Navigator can request the Director decide, on a case-by-case basis, what assistance the applicant may receive to assist with their rent.

Market Rent for Families in a Plan of Care
The accommodation allowance will not be immediately reduced when a child(ren) is apprehended if they are involved in a plan of care with the Department of Health and Social Services if the plan indicates the child(ren) will be returned to the parents or legal guardians.

In cases where the child(ren) will not be returned to the parental home, one (1) full calendar month notice will be given to the applicant before a reduction in accommodation allowance is made. The applicant may be eligible for an accommodation allowance in accordance with the CNOS.

When the applicant resides in low-cost/social housing, they will be placed on a transfer list for an appropriate unit according to CNOS. While waiting for a transfer to the appropriate unit, the applicant would continue to be housed and accommodation allowance will be paid in the larger unit.

Mortgage
A Client Navigator may issue mortgage assistance for up to four (4) months within a period of 36 months.

Where an applicant is making mortgage payments on their own home, a monthly allowance may be paid which is sufficient to cover current taxes, interest on a mortgage, principle, insurance and other assessments, but the total allowance for these items must not exceed the accommodation allowance which would otherwise be provided.

Before an applicant receives assistance to pay monthly mortgage payments, they must provide proof that they have negotiated with the bank to either reduce or suspend mortgage payments.

Payment of Taxes, Insurance and Other Assessments
An allowance may be paid for taxes, insurance and other assessments. Applicants will receive payment for these types of costs on a monthly basis, regardless of the service provider's payment schedule.

Before an applicant receives assistance to pay current taxes, insurance and other assessments, they must negotiate a monthly payment plan with the service provider. Documentation outlining the payment plan from the service provider must be on file.

Proof – Home Ownership and Landlords
Applicants must provide proof that they own their home. A Certificate of Title is the common document to show proof of home ownership.

Applicants who rent a home or apartment must provide proof that their landlord is the owner or rental agency of the unit. This can be a copy of the rental or lease agreement the landlord provides to an applicant.

Applicants who are subletting, as defined in Section 22. (1) of the *Residential Tenancies Act*, must provide proof that they have entered into a subletting agreement with the lessee, along with a copy of the rental or lease agreement the landlord provides to the lessee. The total monthly rental allowance shall not exceed the cost of rent as stated in the rental or lease agreement between the landlord and the lessee.

Rent Increases
The *Residential Tenancy Act* only allows for landlords to increase rent in respect of a rental premises after 12 months of the date in which the original lease became effective, or when the landlord has provided the tenant with three months written notice before the rent increase is to be effective. The applicant must provide a copy of the written notice to the Client Navigator before an increase in rent will be approved by the Income Assistance program.

For further information regarding the *Residential Tenancy Act,* refer to the Department of Justice website at: https://www.justice.gov.nt.ca/en/rental-agreements/

Rent to Adult Child – Revised March 2025
Rent can be paid to an adult child on behalf of the applicant if the dwelling is a separate living quarter approved as a secondary suite in accordance with the local municipality. The adult child must have a lease signed with the applicant and they must be on the waitlist for low-cost/social housing. If an applicant is unable to provide confirmation of an approved secondary suite, the Client Navigator must seek approval from the Director to provide an accommodation allowance.

Rent will not be paid to the adult child on behalf of an applicant when they are living within the same living quarters, owned by the adult child. However, in these cases, the applicant's portion of utilities may be paid on their behalf.

If the adult child is in low-cost/social housing or a market rental accommodation the applicant must be added to the lease before an accommodation allowance is provided and utilities are paid by the Income Assistance program.

Rent to Parent
Rent will not be paid to parents on behalf of an applicant. However, in these cases the applicant's portion of the utilities can be paid on their behalf.

If an applicant has a disability that requires living with a caregiver, rent can be paid to a parent/legal guardian on behalf of the applicant. The parent/legal guardian must complete a Form G- Rent Report. If the parent/legal guardian is in low-cost/social housing or a market rental accommodation, the applicant must be added to the lease before an accommodation allowance is provided and utilities are paid by the Income Assistance program.

Transient Living Accommodation
Accommodation allowance may be provided to an applicant who resides in self-contained unit within a hotel, motel, hostel or other tourist establishment, if a lease agreement is provided to the Client Navigator.

Accommodation allowance will not be provided to an applicant who resides in an emergency shelter.

Unreasonable Accommodation Costs

Unreasonable Accommodation Costs are defined as 25% more than the published Canada Mortgage Housing Corporation (CMHC) Rental Market Report. The Market Report is published annually and provides information on monthly average rental amounts.

The Client Navigator must seek approval, through their supervisor, from the Director for all cases of unreasonable costs.

Section 3.06: Fuel Allowance – Wood, Wood Pellets, Oil, Gas or Propane

The Law

4. (1) An allowance may be provided to an eligible person in need for the actual cost of fuel required for a standard residential structure for heating and cooking purposes.
(2) For the purposes of subsection (1), the Director may determine whether an eligible person in need resides in a standard residential structure.

(3) No allowance shall be provided under subsection (1) if the Director has determined that the person in need does not reside in a standard residential structure.

What it Means

Section 4. of the Schedule explains when a fuel allowance may be provided.

In order to be eligible for the fuel allowance an applicant must be residing in a standard residential structure.

Issuing the Fuel/Wood Allowance – Renter

The Client Navigator pays for the actual cost of an applicant's fuel, if the applicant resides in a shared accommodation the Client Navigator pays their portion. The applicant must provide confirmation of rental accommodation requiring payment of additional heating costs, which consists of the following:

- Lease/Rental agreement of a self-contained unit in the Applicant's name and
- Verification that heating costs are not included in the rent

Issuing the Fuel/Wood Allowance – Homeowner

The Client Navigator pays for the actual cost of an applicant's fuel, if the applicant resides in a shared accommodation the Client Navigator pays their portion. An applicant who owns their own home must provide proof of home ownership, which consists of one of the following:

- Certificate of Title
- Mortgage documents
- Notice of Assessment Municipal Taxation Area
- Confirmation of homeownership from First Nation Band
- Confirmation of homeownership from the NWT Housing Corporation
- Recreational or Residential Lease documents for Territorial or Commissioner's land from the Department of Lands.

If an applicant is unable to provide proof of homeownership for reasons that are beyond their control, the Client Navigator, through their supervisor, must contact the Director to determine eligibility on a case-by-case basis.

Method of Payment – Revised March 2025

The applicant provides their fuel invoice to the Client Navigator, or the fuel agency issues the invoice directly to the Client Navigator, and the Client Navigator issues the payment.

As the Regulations refer to paying for the actual cost of fuel, a payment other than for the actual cost of fuel can only be considered if the applicant agrees in writing. The actual cost of fuel does not include arrears and/or interest.

Prior to approving a wood benefit, the Client Navigator must confirm the wood supplier has a Commercial Cutting Permit or License on an annual basis. Applicants will be responsible for covering the cost associated with wood supplier delivery fees.

A Timber Export/Transport Permit must be submitted each year to the Client Navigator.

> **Note:** Documentation is not required for wood cut or sold with Tłı̨chǫ territory; however, a valid transport permit is required to deliver wood outside of the Tłı̨chǫ territory. The transport permit must be submitted each year.

For further information, refer to the *Forest Management Regulations* at: https://www.justice.gov.nt.ca/en/files/legislation/forest-management/forest-management.r2.pdf?t1569860414956

If an applicant requires more than one (1) tank of fuel, or two (2) cords of wood, or one (1) skid of wood pellets per month, the Client Navigator must seek approval from the Director to issue additional fuel, wood or wood pellets.

Payment of Fuel/Propane/Wood/Wood Pellets for Shared Accommodations – Revised November 2026

Applicants who reside in a shared living accommodation, (e.g., renting a room or has roommates), applicants may be eligible to receive their portion of heating costs as part of a heating benefits. In situations where two (2) or more applicants in the same household are receiving Income Assistance and/or Senior Home Heating Subsidy, each applicant is eligible to receive their portion of heating benefits.

Applicants may choose to receive a monthly fuel allowance in litres, one (1) cord of wood, one (1) skid of wood pellets or a portion of the total monthly amount of propane or heating oil required for the household divided by the number of adults residing in a household.

Unreasonable Costs

If unreasonable costs occur periodically, the Client Navigator must investigate. Unreasonable is defined as 25% more than the monthly average in a community, over a period of three (3) continuous months, or any five (5) month period within a year.

The Client Navigator may also provide less than the actual heating or cooking fuel allowance if the actual cost is higher than the average for the community. Before the Client Navigator provides benefits for less than the actual cost, the Client Navigator must request that an applicant have a fuel efficiency study done on the house to determine the cause of high fuel costs. Applicants can arrange through Arctic Energy Alliance for a fuel efficiency study to be conducted. The cost to the applicant is $150.

For further information regarding Arctic Energy Alliance, refer to their web site at: http://aea.nt.ca/

The Client Navigator must consult with their supervisor before an applicant's fuel allowance is reduced from the average for the applicant's home community.

Section 3.07: Utilities Allowance – Power, Water and Sewer

The Law

5. (1) An allowance may be provided to an eligible person in need for the actual cost of power, water, and sewage services required for a standard residential structure.
(2) For the purposes of subsection (1), the Director may determine whether an eligible person in need resides in a standard residential structure.
(3) No allowance shall be provided under subsection (1) if the Director has determined that the person in need does not reside in a standard residential structure.

What it Means

Section 5. of the Schedule states that an applicant can receive assistance to pay for power, water and sewage.

Issuing the Utilities Allowance

The Client Navigator pays for the actual cost of an applicant's power, water, and sewage services. The need is based on the due date of the utility invoice.

> ***Example:*** *If the utility invoice has a payment due date of January 3, 2023, it is included as a need in the January 2023 assessment.*

Once utility invoices have been received, payments must be issued within two (2) business days.

Method of Payment

The applicant shall:

- Provide a copy of their utility invoice(s) to the Client Navigator
- Request that the utility agency automatically submit their invoice(s) to the Client Navigator

Issuing Payment

Once the utility invoice is received, payment must be made in the month that the utility bill is due.

Payment will be made to the supplier, unless the applicant provides proof of payment, at which time they will be reimbursed.

As the Regulations refer to paying for the actual cost of utilities (power, water and/or sewage), a payment other than the actual cost of utilities can only be considered if the applicant agrees in writing.

The actual cost does not include arrears or interest on those arrears.

Unreasonable Costs – Revised June 2025
If unreasonable costs occur, the Client Navigator must investigate. Unreasonable is defined as 25% more than the monthly average in a community, over a period of three (3) continuous months, or any five (5) month period within a year. The Client Navigator must consult with their supervisor to determine the monthly average in the applicant's home community.

If the supervisor determines that unreasonable costs have occurred, the Director must be consulted for further direction.

Utility Payments in Homes with Home-Based Businesses
When an applicant operates a business out of their residence or resides in a home with a business, only the applicant's portion of utility costs that relate to personal residential use may be considered a need under Income Assistance. The business portion of utility expenses is not considered a need.

Payment Plan
A payment other than for the actual cost, such as a payment plan, can only be considered if the applicant agrees in writing.

Name on Utility Invoice
The name on the utility invoice must be the applicant, the registered landlord or the homeowner for the Client Navigator to pay the utility costs.

If the applicant's name is on the lease and they are sharing an accommodation with other leaseholders, so long as the utility bill is in one (1) of the leaseholders' names, the applicant's portion can be paid.

> ***Example:*** *If there are two (2) people living in the accommodation, the cost of utilities is divided by two (2), and the Client Navigator pays for the applicant's portion.*

Section 3.08: Bridge Benefit

The Law

6. If an eligible person in need has had a child and is not yet in receipt of a Canada child benefit within the meaning of the *Income Tax Act* (Canada), a monthly allowance may be provided
   (a) for a period of no more than two months; and
   (b) in an amount determined by the Director.

6.1. If an eligible person in need has a mature child and is no longer in receipt of a Canada child benefit within the meaning of the Income Tax Act (Canada) for that child, a monthly allowance may be provided
   (a) until the mature child is an adult; and
   (b) in an amount determined by the Director.

What it Means – Revised November 2026

Section 6. of the Schedule allows an applicant to receive assistance for a newborn child or for an 18-year-old child who is not receiving the Canada Child Benefit.

Newborns

The bridge benefit is intended to assist parents or legal guardians of newborns. The bridge benefit will be approved for one (1) month only, within two (2) months from the newborns date of birth. To be eligible for the bridge benefit, the applicant must:

- Provide confirmation they have applied for Canada Child Benefit
- Provide proof of birth documentation

Mature Children– Revised November 2026

The bridge benefit is intended to assist parents or legal guardians of 18-year-olds who are no longer in receipt of the Canada Child Benefit for that child.

Benefit Table

The following is the amount of bridge benefit an applicant is eligible for depending on their home community:

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Community	Colville Lake Délı̨ne Fort Good Hope Norman Wells Tulita	Aklavik Inuvik Paulatuk Sachs Harbour Tsiigehtchic Tuktoyaktuk Ulukhaktok Fort McPherson	Fort Liard Fort Providence Fort Simpson Wrigley Jean Marie River Kakisa Nahanni Butte Sambaa K'e	Behchoko Gamètì Łutsel K'e Wekweètì Whatì	Enterprise Fort Resolution Fort Smith Hay River K’atl’odeeche	Dettah Ndilǫ Yellowknife
1 Adult	143	151	142	128	133	122
2 Adults	201	214	201	182	189	172

Section 3.09: Expenses for Primary, Secondary and Post-Secondary Education and Other Training

The Law

7. An allowance may be provided, in accordance with the direction of the Director, for the following expenses incidental to the primary or secondary education or other training of a child or a mature child who is a dependant of an eligible person in need:

(a) transportation;
(b) textbooks and supplies;
(c) annual school fees;
(d) tuition.

8. (1) In this item,

"approved institution" means an approved institution as defined in subsection 1(1) of the *Student Financial Assistance Regulations*;

"full-time student" means a full-time student as defined in subsection 1(1) of the *Student Financial Assistance Regulations*;

"program of studies" means a program of studies as defined in subsection 1(1) of the *Student Financial Assistance Regulations*;

"semester" means a semester as defined in subsection 1(1) of the *Student Financial Assistance Regulations*;

"*Student Financial Assistance Regulations*" means the *Student Financial Assistance Regulations* made under the *Student Financial Assistance Act*.

(2) Assistance in the form of a tuition allowance may be provided to an eligible person in need, for the payment of tuition for the person or their dependant, to a maximum amount described in subitem (3) for a semester, if

(a) the person in need or their dependant is enrolled as a full-time student at an approved institution in a program of studies approved by the Director;
(b) the person who is enrolled as a full-time student is not eligible for student financial assistance under the Student Financial Assistance Regulations and the ineligibility is not the result of the application of section 35.2 of those regulations; and
(c) the person who is enrolled as a full-time student has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins.

(3) The maximum amount of an allowance under subitem (2) is equivalent to the maximum amount of a grant approved by the Deputy Minister in respect of tuition and fees under subparagraph 7(a)(i) of the *Student Financial Assistance Regulations*.

(4) Assistance in the form of a book allowance may be provided to an eligible person in need, for the purchase of books for the person or their dependant, to a maximum amount described in subitem (5) for a semester, if the person in need receives a tuition allowance for themselves or their dependant under subitem (2).

(5) The maximum amount of an allowance under subitem (4) is equivalent to the maximum amount of a grant approved by the Deputy Minister for books under subparagraph 7(a)(ii) of the *Student Financial Assistance Regulations*.

What it Means

Sections 7. and 8. of the Schedule explain what type of assistance an applicant can receive for primary, secondary, or training education or for post-secondary expenses.

Custody of a Child

Educational allowance is affected by an applicant's arrangement to share custody of a child(ren) with another parent or legal guardian. Educational expenses should be

shared with the other parent or legal guardian depending on the custody arrangement. (always round up when dividing).

Determination of Education Expenses
The Client Navigator should contact the school(s) at the end of the academic year and obtain the school supply list for each grade. The Client Navigator will price the list at the least expensive store within each community. The school supply lists will be used to determine the amount of assistance that may be provided to applicants for their dependant(s).

Applicants requesting education benefits for their dependants must provide a valid school registration letter confirming the dependant(s) enrolment. Eligible applicants will receive a lump sum payment based on their needs, which may be issued in September or in the month of enrolment.

> ***Example:*** *An applicant that has applied for education assistance in January will not be eligible to receive education allowance if their dependant was enrolled in September.*

Note: If an applicant relocates to another community in January and the dependant is enrolled in school, they will be eligible for the education allowance.

Exempt from Expenses
The Income Assistance program does not pay for expenses that have already been paid for by another organization.

> ***Example:*** *A First Nations group may provide money for a child(ren)'s bus pass.*

Primary, Secondary and Training Education Expenses for Children
An applicant may receive benefits for their dependant(s) in Junior Kindergarten to Grade 12 to assist with the following education expenses:

- Backpack
- Transportation (bus pass only)
- Textbooks
- School supplies (pencils and pens, paper, binders, rulers, markers, erasers, geometry sets, etc.)
- Annual school fees (locker fees, etc.)
- Tuition (Client Navigator should speak with their supervisor)
- Running shoes, required musical instruments or special clothing
- Training (fees associated with special courses or if the dependant is in post-secondary training)

Tuition and Book Allowances for Post-Secondary Education
The applicant and/or one of their dependants must meet the requirements of the following definitions under the SFA Regulations: approved Institution, full-time student, program of studies and semester.

If the applicant or their dependant is not eligible for assistance through the SFA program, they may be eligible for an allowance for tuition and books through the Income Assistance program if they are attending a post-secondary program at an approved post-secondary institution, as defined by the SFA Regulations. The allowance cannot exceed the level of benefits they would receive through the SFA program. The Client Navigator, through their supervisor, must contact the Director for approval for tuition and book allowance.

Resident of the NWT
An applicant who has not been a permanent resident of the NWT for 12 continuous months may be eligible for post-secondary assistance from another province or territory in Canada or from their home country. If the applicant is denied, they must provide the denial letter to the Client Navigator before the Client Navigator can issue benefits through the Income Assistance program. If an applicant is eligible for post-secondary assistance from another jurisdiction, that assistance must be taken into consideration when a financial review is completed.

Other Financial Resources
Applicants may be eligible for funding through Employment Insurance, LMD, Non-Government Organizations or other sources. Indigenous applicants may also be eligible to receive post-secondary assistance through the Indigenous Skills and Employment Training Strategy (ISETS).

Applicants must first apply to the other agencies responsible for funding and provide the amount of approved funding or a denial letter before the Client Navigator can issue benefits through the Income Assistance program.

How the Expense is Paid
Book allowance will be provided upon receipt of book expenses. The maximum allowance for a book allowance is $700 for non-Indigenous residents and $875 for Northern Indigenous residents.

Book allowance is only provided if the applicant is receiving tuition allowance through the Income Assistance program.

Section 3.10: Security Deposits – Rent or Utilities

The Law

9. (1) Assistance may be provided to an eligible person in need for the payment of a security deposit if one is required for the provision of accommodations or utilities to the recipient.

(2) The Director may recover from a recipient, in monthly instalments in amounts determined by the Director, the amount of assistance provided to the recipient under subitem (1).

What it Means

Section 9. of the Schedule explains when an applicant can receive assistance for a security deposit for accommodations or utilities and how a Client Navigator will recover the funds.

Payment of a Security Deposit

- Accommodation: The Residential Tenancy Act allows the payment of a security deposit to take place over a three (3) month period as follows:
  - 50% of the deposit is due with the first month's rent,
  - 25% of the deposit is due with the second month's rent, and
  - 25% of the deposit is due with the third month's rent.

  Example: *An applicant moves into a rental unit on September 1st and requires a $1,000 security deposit:*
  1. *$500 (50%) is paid in September*
  2. *$250 (25%) is paid in October*
  3. *The remaining $250 (25%) is paid in November*

  The amounts will be reflected within the signed ***Security Deposit Refund Agreement Form****.*

- Utilities: Security deposits must be provided to applicants as required by the utility provider. The name on the security deposit request must be the applicant/co-applicant in order for the Client Navigator to pay the deposit. 100% of the applicant's portion of the utility security deposit will be paid in the month the account is opened.

Repayment of the Security Deposit

Applicants must begin repaying their security deposit (utilities and accommodation) the month after the security deposit is paid to the supplier and/or landlord. The applicant must repay a minimum of $25 per month until the total amount of security deposit paid by the Income Assistance is repaid to the Government of Northwest Territories.

In the event an applicant has repaid the full amount of the security deposit, the Client Navigator will not count the refund that is issued to the applicant for the previously collected upon security deposit(s).

In the event an applicant has not repaid the full amount of the security deposit, the Client Navigator must count the refund amount as income.

More than One Security Deposit

If an applicant requires a second or subsequent security deposit for rent or utilities, the Client Navigator can issue the benefit with approval from the supervisor.

The Client Navigator, through their supervisor, must seek approval from the Director prior to issuing a second or subsequent security deposit if the applicant is making the request within a year of the previous deposit and there is no confirmation of the following:

- The applicant receiving their current security deposit back
- The landlord keeping the security deposit for tenant damage

Section 3.11: Emergency Allowance

The Law

10. (1) Emergency assistance may be provided, in accordance with the direction of the Director, to a recipient if they are unable to sustain their family or any member of their family due to an emergency.
(2) For the purposes of subsection (1), the following circumstances constitute an emergency:

(a) where a recipient has lost or is unable to reside in their home due to a disaster, including a flood, fire, landslide or earthquake;
(b) where a recipient has left their residence to escape family violence, as defined in section 1 of the Protection Against Family Violence Act;
(c) any other circumstances that the Director determines constitute an emergency.

(3) For greater certainty, the following circumstances do not constitute an emergency:

(a) where a recipient has failed to meet their obligations to continue to be eligible for assistance under these regulations or the *Income Assistance for Seniors and Persons with Disabilities Regulations*, regardless of the reason;
(b) where a recipient has a budget deficit or a budget surplus that is inadequate, due to the recipient
(i) being ineligible to receive assistance under these regulations or the *Income Assistance for Seniors and Persons with Disabilities Regulations*, or
(ii) having their assistance terminated under these regulations or the *Income Assistance for Seniors and Persons with Disabilities Regulations*.

What it Means

Section 10. of the Schedule states that an applicant may receive an emergency allowance if the need exists.

The emergency allowance is provided to applicants who are eligible for Income Assistance.

The current rates for the emergency allowance are:

- Single: Up to $500
- Family: Up to $1,000
- Case-by-case as approved by the Director

Director Approval

The Client Navigator must seek approval, through their supervisor, from the Director before issuing emergency assistance. Emergency allowance may be provided for the following reasons:

- Loss of a home due to a disaster (flood, fire, landslide or earthquake)
- Family violence
- Other potential emergencies, as determined by the Director

Section 3.12: Child Care Allowance

The Law

11. A child care benefit may be provided to an eligible person in need in accordance with the direction of the Director.

What it Means

Section 11. of the Schedule allows an applicant to receive assistance for child care expenses.

Eligibility

In order to receive a child care benefit, the applicant must have the child(ren) enrolled in an Early Learning and Child Care Facility as defined in the Child Care Act.

The cost of camps during school breaks is an eligible expense for the child care benefit.

In situations where an applicant is requesting a child care benefit for a casual or occasional babysitting arrangement, the applicant must provide supporting information that supports the need. The Client Navigator must seek approval from the Director.

In order to be eligible for the child care benefit, applicants must:

- Require assistance with child care for children under the age of 13
- Provide invoices from the child care provider
- Provide receipts showing child care services have been paid, if the provider is not paid directly, for continued eligibility

For further information regarding the *Early Learning and Child Care Act*, refer to their web site at:
https://www.justice.gov.nt.ca/en/files/legislation/early-learning-and-childcare/early-learning-and-childcare.a.pdf

Custody of a Child

Child care benefits are affected by an applicant's arrangement to share custody of a child with another parent or legal guardian. Child care benefits should only be issued for the time an applicant has custody of the dependant(s).

Non-Attendance

There will be no deduction from the child care payment for non-attendance by the child if the provider charges for the days missed.

Payment of Child Care
Applicants are responsible for providing all supporting documentation, paying their child care provider (or opt for direct payments to applicant or provider) and providing monthly payment receipts

Child care providers may be paid in advance; however, receipt of payment must be provided the following month before additional benefits will be issued

Daily Rates
The daily rates must not exceed the following:

- $50 per day, per child for child care
- $15 per day, per child for afterschool care

The Client Navigator must seek approval from the Director, through their supervisor, to pay for rates above the approved daily rate.

> **Note:** The Child Care Fee Reduction Subsidy provides funding to licensed early learning and child care programs to reduce fees charged to families. Applicants should be encouraged to seek a licensed child care operator. Payments to licensed child care operators cannot exceed the subsidized amount.

Child Care Providers – Under 16
In accordance with *Employment Standards*, child care providers may be under 16 years of age if the care is provided after school hours, evenings not between the hours of 11:00 pm to 7:00 am, weekends and school holidays. Child care providers under 16 years of age cannot be paid at any other time.

Preschool Programs
Preschool/Pre-Kindergarten programs with extended care are licensed child care based out of a school. The applicant's invoice may be broken down in to two (2) parts:

- one (1) fee for the hours during Junior Kindergarten to Grade12
- an additional fee for extended care, outside school hours

Section 3.13: Record Suspension Application Fees

The Law

12. (1) In this item, "application for a record suspension" means an application, by an individual convicted of an offence under an Act of Parliament, for a record suspension in respect of that offence, under the *Criminal Records Act* (Canada).

(2) Assistance may be provided to an eligible person in need for the payment of any fees required for an application for a record suspension.

What it Means

Section 12. of the Schedule means that applicants are eligible to receive assistance towards the payment of any fees for application for a Record Suspension.

Persons with a criminal record may apply to the Parole Board of Canada to obtain a record of suspension (formally known as a Pardon). A record of suspension allows people with a criminal record to have it set aside. This helps them access employment and educational opportunities.

Eligibility

In order to be eligible for a Record Suspension Application Fee, an applicant must have:

- Demonstrated that they are eligible for assistance and received payment for benefits prior to including the Record Suspension Application Fee in their assessment
- Completed their sentence (including parole) and have paid any fine or financial penalty
- Completed any probationary period
- Have served a required waiting period
- Demonstrated that they are a law-abiding citizen

Payment of Record Suspension Fees

The benefit includes:

- $25.00 cost of obtaining a Certified Copy of a Criminal Record from the RCMP
- $644.88 Application Processing Fee charged by the Parole Board of Canada
- Applicants requesting reimbursement for additional fees related to their application for record suspension are responsible for providing supporting documentation and paid invoices and/or receipts

Notes

1. The $50.00 fee charged by the RCMP is for fingerprinting purposes. There are currently no additional fees charged for further court or police checks in the NWT.
2. As per the Income Assistance Regulations, assistance may be provided for the payment of any fees required for an application for a record suspension.

3. Inquiries for applicant information on how to apply to the Canada Parole Board should be referred to the website: https://www.canada.ca/en/parole-board/services/record-suspensions/official-pbc-application-guide-and-forms.html

SECTION 4: SOCIAL ASSISTANCE APPEALS REGULATIONS

Section 4.01: Interpretations and Application

The Law

1. (1) In these Regulations,
"appeal panel" means a panel of an appeal committee or of the Appeal Board, as the case may be, constituted under the Act to hear an appeal;
"appellant" means the party that files an application to appeal with the Registrar under section 6 ;
"Officer" means a Social Welfare Officer appointed under section 4 of the Act;
"Registrar" means the person designated to act as a registrar under section 3;
"respondent" means the responding party named in an application to appeal.

(2) In these regulations, the parties to an appeal are,

(a) in respect of an appeal to an appeal committee under subsection 6(2),
(i) the applicant for or recipient of assistance entitled to appeal the decision of an Officer or of the Director; and
(ii) the respondent; and

(b) in respect of an appeal to the Appeal Board under subsection 6(3),
(i) the applicant for or recipient of assistance or the Director, as the case may be, entitled to appeal the finding of an appeal committee, and
(ii) the respondent.

What it Means

Section 1. of the Regulations provides the exact meaning of some of the words that are used for appeals.

Definitions
For the purpose of this section, the meanings of some additional words are:

Appellant
The person applying for a reversal of a decision.

Days
Taken from the Interpretation Act, days are calendar days except those that are defined as holidays, which are New Year's Day, Good Friday, Easter Monday, Victoria Day, National Aboriginal Day, Canada Day, National Day for Truth and Reconciliation, the first Monday in August, Labour Day, Remembrance Day, Christmas Day, Boxing Day and any day appointed as a general holiday. Thanksgiving Day is a general holiday as per the Interpretation Act.

Appeal Package
Includes a cover letter prepared by the Registrar, an appeal summary, **Form O - Application to Appeal**, notice of refusal, all documents that apply to the appeal, the applicable legislation.

Representative
Any person that the appellant has chosen to assist and/or represent them during the appeal process**.**

Respondent
The responding party named in an appeal.

Quorum
Three members of an appeal panel constitute a quorum**.**

Natural Justice
Allowing an applicant the right to a fair and unbiased hearing with reasonable opportunity to present their case.

Section 4.02: The Players in an Appeal

The Law

2. These regulations apply to the proceedings of an appeal panel.

3. (1) The Minister shall designate a senior officer of the Department of Education, Culture and Employment to serve as Registrar for the appeal committees and the Appeal Board.
(2) The Registrar shall perform the duties as set out in these regulations.

25. (1) Subject to subsection (2), a majority of appeal panel members participating in the hearing of an appeal panel must agree before a finding or decision, as the case may be, is issued.
(2) The chairperson of an appeal panel is only entitled to a vote if majority agreement cannot be reached by the other panel members.

29. A municipal council, a housing authority or other local body may make recommendations to the Minster respecting appointments to an appeal committee.

30. Three members constitute a quorum of an appeal committee.

What it Means

Sections 2. 3. 25. 29. and 30. of the Regulations provides information on who is responsible for conducting the appeals.

Registrar

The Minister assigns a senior officer within ECE to act as Registrar to the Social Assistance Appeal Committee and the Social Assistance Appeal Board.

The Registrar assists Social Assistance Appeal Committee and Social Assistance Appeal Board in the setting up and operation of appeals and is responsible for a number of other duties as set out in the Regulations but should not attend the hearings and cannot vote.

Social Assistance Appeal Committee (SAAC)

The Minister is required to create regional SAACs to hear Income Assistance appeals.

A municipal council, LHO and/or other local body or organization can make recommendations as to who should be on the SAAC to the Minister. The Minister may consider these recommendations when making a decision regarding appointments to the SAAC. No official from ECE is eligible for appointment to the SAAC.

The SAAC must be composed of not fewer than three (3) and not more than eight (8) members. When hearing an appeal, a quorum of three (3) members must be present. If a quorum is not reached, the hearing is rescheduled.

The Chairperson of the SAAC only votes when a majority decision cannot be reached by the other members.
SAAC members are appointed for a term, or any length, that is decided upon by the Minister.

Social Assistance Appeal Board (SAAB)
The SAAB is established to hear appeals from decisions made by the SAAC.

A municipal council, LHO and/or other local body or organization can make recommendations as to who should be on the SAAB to the Minister. The Minister may consider the recommendations when making a decision to appoint a person to the SAAB. No official from ECE is eligible for appointment to the SAAB.

The SAAB must be composed of a chairperson, a vice-chairperson and not fewer than three (3) other members appointed by the Minister. A SAAB member is appointed for two (2) years.

When hearing an appeal, a quorum of three (3) members must be present. If a quorum is not reached, the hearing is rescheduled.

Section 4.03: Commencing an Appeal

The Law

4. (1) A person entitled under subsection 8(1) of the Act to appeal a decision of an Officer or the Director, must,

(a) be notified in writing of the entitlement to appeal; and

(b) on request, be provided with clear instructions respecting appeal procedures.

(2) A person entitled to appeal a decision of an Officer or the Director may appeal the decision within seven days after receiving it to the appeal committee established or continued for the community in which the person resides.

(3) A person entitled under subsection 8(3) of the Act to appeal the finding of an appeal committee may appeal the finding to the Appeal Board within seven days after receiving it.

(4) A person is deemed to have received a decision of an Officer or the Director, or a finding of an appeal committee

(a) on the second day after the document is sent by fax or email; or

(b) on the sixth day after the document is mailed.

5. (1) A party to an appeal may be unrepresented or may be represented by legal counsel, an agent, a dependant or any other person.

(2) The representative of a party may act on behalf of the party in exercising any rights and performing any duties provided for in these regulations

6. (1) An appeal shall be commenced by filing with the Registrar an application to appeal, in a form approved by the Director

(2) An application to appeal may be filed by the appellant or the appellant's representative, in person, by courier, by fax or by email.

(2.1) An applicant to appeal is deemed to be filed

(a) on the day of personal delivery or delivery by courier;

(b) on the day the email or fax is sent; or

(c) on the day that a document sent by

8. (1) For each appeal, the Registrar shall prepare an appeal package including an application to appeal and the response.

(2) The Registrar shall ensure that the appeal package is provided to the parties and to the appeal panel as soon as is practicable.

mail is postmarked by the Canada Post Corporation.

(3) An application to appeal filed by a representative must be accompanied by a signed statement of the appellant attesting to the authority of the representative to act on the appellant's behalf.

(4) An application to appeal must include the following information:

(a) the name, address and phone number of the appellant;

(b) if the appellant has a representative, the name, address, and phone number of the representative;

(c) an address for service;

(d) the decision of the Officer or Director or the finding of an appeal committee, as the case may be, that is being appealed;

(e) the grounds for the appeal;

(f) all information necessary for the appeal panel hearing the appeal to understand the issues raised in the appeal.

(5) If an appellant is unable to make the application to appeal in writing, an Officer shall assist the appellant or refer them to a person who may assist in the preparation of the application to appeal.

7. (1) The Registrar shall provide the respondent with the application to appeal, and shall indicate the deadline by which the respondent may provide a response to the application to appeal.

(2) A response may be filed by the respondent or the respondent's representative, in person, by mail, by courier, by fax, or by email.

(2.1) A response is deemed to be filed

(a) on the day of personal delivery or delivery by courier;

(b) on the day the email or fax is sent; or

(c) on the day that a document sent by mail is postmarked by the Canada Post Corporation

(3) A response filed by a representative must be accompanied by a signed statement of the respondent attesting to the authority of the representative to act on the respondent's behalf.

9. An appellant may withdraw an appeal at any time before the hearing of an appeal by notifying the Registrar in writing.

(3) The appeal panel may, prior to the hearing of an appeal and through the auspices of the Registrar, request additional information from the parties respecting the information contained in the appeal package.

What it Means

Sections 4. through 9. of the Regulations ensure that applicants are entitled to a fair and reasonable assessment of their needs and appropriate assistance. If an applicant does not agree with a Client Navigators and/or Director's decision, they can appeal the decision. It is the Client Navigators responsibility to notify the applicant, in writing, of their right to appeal.

Applicants must file their appeal with the appeal committee established for the community in which the person resides within seven (7) days of receiving the Client Navigators decision.

Notes

- You do not count the date the Notice of Refusal was issued
- You do not count statutory holidays
  - If the statutory holiday falls on a Saturday – you do not count that Saturday
  - If the statutory holiday falls on a Sunday – you do not count that Sunday

Example: *A Notice of Refusal was sent on December 14 by:*

- *Mail - applicants have until December 29 to submit an appeal*
- *Email or Fax - applicants have until December 23 to submit an appeal*

Deemed Receipt of Decision

A decision of a Client Navigator, the Director, or an appeal committee is deemed to have been received after:

- Six (6) calendar days if the decision was sent by mail
- Two (2) calendar days if sent my e-mail or fax

In practice, the applicant may submit the appeal to the local ECE Service Centre who will forward the application to the Registrar.

The applicant, someone on behalf of the applicant, the Client Navigator or someone the Client Navigator has referred the applicant to, may appeal on behalf of the applicant.
The Client Navigator will prepare an appeal package that will be forwarded to the Registrar. Once the SAAC and applicant have agreed on a date, a copy of the appeal package will be provided to all attending.

If an applicant chooses to withdraw their appeal, they must do so in writing.

Section 4.04: Location, Time and Manner of the Appeal

The Law

10. (1) Subject to subsection (3), within 30 days after the filing of an application to appeal a decision of an Officer or the Director, the appeal committee hearing the appeal shall hold an appeal hearing.
(2) Subject to subsection (3), within 45 days after the filing of an application to appeal a finding of an appeal committee, the Appeal Board shall hold an appeal hearing.
(3) The time for the hearing of an appeal may be extended by an appeal panel to the extent required to account for any extensions or adjournments granted under the authority of these regulations, provided that
(a) the party to the appeal who is the applicant for or the recipient of assistance consents to the extension; and
(b) the time for hearing the appeal and issuing a finding or decision does not exceed
(i) in the case of an appeal to an appeal committee, 60 days after the day the application to appeal is filed, or
(ii) in the case of the Appeal Board, 90 days after the day the application to appeal is filed
(4) Written findings of an appeal panel with reasons must be issued within 10 days of the conclusion of the hearing.
11. An appeal conducted under these regulations must be conducted
(a) to the extent possible, in an informal and non-adversarial manner; and
(b) fairly and impartially and in accordance with the rules of natural justice.

12. (1) An appeal may proceed by oral hearing, or by written submission, if so requested by the applicant or recipient of assistance.
(2) An appeal or oral hearing may be conducted in person or by video, electronic or telephone conference.
(3) An appeal panel shall hear an appeal using the most practical, cost-effective and expeditious method available.

13. (1) Subject to subsection (2), the Registrar shall ensure that the parties are notified at least five days before the hearing as to
(a) the method by which the appeal will be heard;
(b) the time, date, and location of the hearing;
(c) deadlines respecting the filing of submissions and evidence; and
(d) any other preliminary information the appeal panel may direct the Registrar to provide.
(2) If the parties and the appeal panel hearing the appeal agree to expedite the hearing of an appeal, the time requirement set out in subsection (1) may be abridged.

What it Means

Sections 10. through 13. of the Regulations explains when an appeal must take place and the different methods of holding a hearing.

The SAAC must hold a hearing within 30 days after a notice of appeal is filed.

The SAAB must hold a hearing within 45 days after the filing of an application to appeal a finding of the SAAC.

This period may only be extended by an appeal panel if the following stipulations are met:

- The party who is the applicant for or recipient of assistance consents
- The time for hearing the appeal and issuing a decision does not exceed
  - 60 days in the case of an appeal to the SAAC
  - 90 days in the case of an appeal to the SAAB

Appeals may proceed by either an oral hearing, or by written submission if requested by the appellant. Oral hearings can be conducted in person or by video, electronic or telephone conference.

An appeal must take place by using the most practical, cost-effective method available.

> ***Example:*** *If all parties in the appeal are not in the same location, a teleconference will be the most economical method.*

The Registrar will ensure that all parties of an appeal are notified at least five (5) days before a hearing with the following:

- How the appeal will be heard (oral or written)
- The time, date and location of the hearing
- Any other information the SAAC or SAAB have directed the Registrar to provide.

Section 4.05: Procedural Matters

The Law

14. (1) Subject to subsection 11, an appeal panel may, in respect of a particular appeal, issue directions on procedure to the parties to supplement these regulations.
(2) a party may, at any time, apply to the appeal panel for a direction on procedure.
(3) When there is a conflict between these regulations and the direction on a procedure, the regulations prevail.

15. An appeal panel is not bound by the laws of evidence applicable to judicial proceedings and may, at the hearing of an appeal, receive evidence in such manner as it considers appropriate.

16. (1) Subject to section 10, during the course of an appeal, an appeal panel may, in its discretion, adjourn or reschedule the hearing of an appeal.
(2) A party may, at any time, apply to the appeal panel for an adjournment.
(3) Subsections (1) and (2) are not applicable to any hearing that has already been rescheduled or adjourned under this section.

17. An appeal panel may issue such interim orders preceding or during the appeal as may be necessary to resolve the appeal.

18. (1) Subject to this section, an oral hearing shall be conducted in private and only the parties and their representatives, if any, may be present.
(2) Subject to the appeal panel's discretion, a party may bring such family members, friends and other persons they wish to a hearing, but these persons may not participate in the hearing.
(3) A party shall identify to the appeal panel any persons accompanying the party before the hearing begins.
(4) A person, including a party, who is disruptive during a hearing may be removed from the hearing room or disconnected from the video, electronic or telephone conference.
(5) A person, including a party, who is abusive to the appeal panel or staff, may have their access to the members or staff restricted.

19. (1) Each party shall be given an opportunity to present their case at an oral hearing, including the opportunity to

i. make an opening statement at the beginning of the hearing;
ii. present evidence and examine witnesses relevant to the appeal;
iii. cross-examine witnesses of another party; and
iv. make a closing statement summarizing their case.

(2) An appeal panel member may ask questions during the hearing that they consider necessary to ensure that the facts, and the case of each party, are fully before the appeal panel.
(3) The appeal panel may, during the hearing, require a party to provide any documents and other information relevant to the appeal.

20. (1) Subject to the appeal panel's discretion, a party is deemed to have waived the right to receive and respond to submissions or evidence presented during an oral hearing if the party receives notice of the hearing and fails to attend.
(2) Subject to subsection (2.1), if a party is absent from a hearing, the appeal panel may
(i) proceed without the party; or
(ii) reschedule the hearing.
(2.1) If a party is absent from a hearing that was previously rescheduled under subsection (2), the appeal panel shall proceed without the party.
(3) The appeal panel may take such steps or make such decisions as it considers just and reasonable if a party is absent from a hearing.
(4) The appeal panel may request post-hearing submissions from a party who did not attend the hearing, if the appeal panel requires such submissions to resolve the appeal.
(5) The appeal panel may request a response from any other party to post-hearing submissions referred to in subsection (4).

21. (1) If an appeal is proceeding by written submission, the appellant shall file submissions and evidence with the Registrar before the deadline provided by the Registrar.
(2) The Registrar shall provide the respondent with copies of the appellant's submissions and evidence.
(3) The respondent shall file a response and evidence with the Registrar before the deadline provided by the Registrar.
(4) The Registrar shall provide the appellant with a copy of any filed response and evidence.

22. (1) Subject to the appeal panel's discretion, a party is deemed to have waived the right to participate in a hearing by written submission if the party receives notice of the hearing and fails to file submissions and evidence with the Registrar within the deadline provided.
(2) Subject to subsection (2.1), if a party fails to meet a deadline for filing written submissions and evidence, the appeal panel may
(a) proceed without the party's submissions and evidence; or
(b) subject to section 10, allow the party an extension of the filing deadline.
(2.1) If a party fails to meet a deadline for filing written submissions and evidence that was previously extended under subsection (2), the appeal panel shall proceed without the party's submissions and evidence.
(3) The appeal panel may take such steps as it considers just and reasonable if a party receives notice of a hearing by written submission and notice of deadlines for the filing of submissions and evidence with the Registrar, and fails to file within the deadline provided.

23. The appeal panel may, during a hearing by written submission and through the auspices of the Registrar, require a party to provide any documents and other information relevant to the appeal.

24. (1) The appeal panel may request post-hearing submissions from a party who failed to file submissions under subsection 21(1), if the appeal panel requires such submissions to resolve the appeal.
(2) The appeal panel may request a response from any other party to the post-hearing submissions referred to in subsection (1).

25. (1) Subject to subsection (2), a majority of appeal panel members participating in the hearing of an appeal panel must agree before a finding or decision, as the case may be, is issued.
(2) The chairperson of an appeal panel is only entitled to vote if majority agreement cannot be reached by the other panel members.

26. (1) The appeal panel shall, after considering the submissions and evidence submitted on an appeal, dismiss the appeal if the appeal panel is satisfied that the finding or decision that is the subject of the appeal
(a) had been made in accordance with the Act; or
(b) does not pertain to eligibility for or the amount of assistance under the Act.
(2) The appeal panel shall, after considering the submissions and evidence submitted on an appeal, vary or reverse the finding or decision that is the subject of the appeal if the appeal panel is not satisfied that the finding or decision had been made in accordance with the Act.
(3) The Registrar shall forward to the parties and the Director, if he or she is not a party, copies of a finding or decision, as the case may be, made by the appeal panel under subsection (1) or (2).

27. (1) Subject to subsection (2), if an appeal committee finds that assistance should be provided to the party who is the applicant for or recipient of assistance, the Director shall ensure that assistance is provided in accordance with that finding within seven days after the finding, to continue until financial or other circumstances of the party materially change or, if an appeal to the Appeal Board is filed, until the Appeal Board varies the ruling.
(2) The appeal of a finding of an appeal committee to the Appeal Board operates as a stay of the finding, and the stay remains in effect until a decision is issued by the Appeal Board.

28. If the Appeal Board decides that assistance should be provided to the party who is the applicant for or recipient of assistance, the Director shall ensure that assistance is provided in accordance with the decision within seven days after the decision, to continue until the financial or other circumstances of the party materially change.

What it Means

Sections 14. through 28. of the Regulations explains how an appeal is conducted and when a decision must be provided.

Appeal Procedures
A party to the appeal may request direction from the appeal panel on procedures, however, if there is a conflict between the direction and the regulations, the regulations will prevail.

Presenting Evidence
The SAAC and SAAB are not bound by the complicated laws of evidence and can receive evidence in whatever way is considered to be fair and appropriate to the SAAC or SAAB.

Adjourning or Rescheduling
The SAAC and the SAAB have discretion to adjourn or reschedule an appeal hearing to a maximum of one (1) time.

Oral Hearing
The following is the process for an oral hearing:

- It must be conducted in private with only the parties of the appeal and their representatives present
- All parties of the appeal and their representatives must be respectful to one another
  - A person who is disruptive may be removed from the hearing
  - A person who is abusive may have their access to the members or staff restricted
- Each party will be given an opportunity to present their case
- SAAC or SAAB members may ask questions they feel necessary to the hearing
- The SAAC or SAAB may request documents relevant to the appeal
- If a party is absent from the oral hearing, the panel may proceed without the party and the absent party waives the right to receive and respond to evidence presented during the hearing
- The SAAC or SAAB decision will be based on the evidence provided at the time of the hearing not on the fact that a party was absent from the hearing
- The appeal panel may request post-hearing submissions, including submissions from absent parties

Written Hearing
The following is the process for a written hearing:

- Submission of evidence and responses shall be filed with the Registrar five (5) days prior to the hearing
- The Registrar will provide copies of the evidence and responses to the parties of an appeal
- A party who receives notice of the appeal and fails to file submissions with the Registrar is considered to have waived the right to participate in the hearing
- If a party fails to meet a deadline for filing submissions, the appeal panel may proceed without the submission or allow the party an extension to a maximum of one (1) time
- The appeal panel may request post-hearing submissions, including submissions from absent parties

Issuing a Decision
The SAAC or SAAB can dismiss an appeal if they are satisfied that the decision has been made in accordance with the Act or does not pertain to eligibility for or the amount of assistance under the Act.

After considering all evidence of an appeal, the SAAC or SAAB may vary or reverse the decision that is subject to the appeal.

The SAAC or SAAB must issue their decision, along with reasons, within 10 calendar days of the date of the hearing.

The Registrar must forward copies of the finding or decision to all parties and to the Director.

Issuing of Assistance
If the SAAC finds that assistance should be provided to the applicant, the Director shall ensure such assistance is provided within seven (7) days of the finding or, if an appeal to the SAAB is filed, until the SAAB varies the ruling.

If the SAAB finds that assistance should be provided to the applicant, the Director shall ensure such assistance is provided within seven (7) days of the finding.

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