

### PART C – Decision under Appeal

The decision under appeal is the Ministry of Social Development and Social Innovation (the “ministry”) reconsideration decision of October 29, 2014 which held that the appellant was not eligible for a supplement under section 55 of the Employment and Assistance Regulation (EAR) to pay the cost for identification (birth certificate) because the appellant was not eligible for hardship assistance and the ministry already had copies of all necessary identification required to determine the appellant’s eligibility for income assistance.

### PART D – Relevant Legislation

Employment and Assistance Act, Section 4

Employment and Assistance Regulation, Section 55

## PART E – Summary of Facts

The appellant was not in attendance at the hearing. Notification of the hearing time and date was confirmed delivered to the appellant. The hearing proceeded under Section 86(b) of the EAR without the appellant in attendance.

The evidence before the ministry at the time of reconsideration included the following:

- A letter from a regional correction centre in which the appellant consented to release of information dated November 4, 2008.
- Copies of documents included the appellant's birth certificate, a social insurance card with number, provincial care card and a provincial identification card.
- Letters with the appellant's photo, addressed to the ministry from a regional corrections centre dated November 4, 2008 and 2009.
- The appellant reapplied for income assistance on September 11, 2014 and was determined eligible on September 15, 2014 based on documentation on file that was sufficient to confirm his identity.
- A request by the appellant on October 7, 2014 for assistance to pay the cost of replacing his birth certificate.
- Request for reconsideration dated October 21, 2014 and denied by the ministry on October 29, 2014.

The appellant completed his notice of appeal on November 13, 2014, stating that he disagrees with the reconsideration decision because the ministry has not paid for his ID yet and that he had paid \$32.05 out of his support money.

At the hearing, the ministry relied on its reconsideration decision that there was sufficient evidence to confirm appellant's identity and submitted no new information.

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## PART F – Reasons for Panel Decision

The issue on appeal is whether the reconsideration decision of the ministry which denied the Appellant's request for funds to replace his identification because the request did not meet the legislated criteria set out in the EAR, section 55 that proof of identity is required to be eligible for income assistance, is reasonably supported by the evidence or is a reasonable application of the applicable legislation in the circumstances of the appellant.

### APPLICABLE LEGISLATION

The eligibility requirements are set out in the Employment and Assistance Act (EAA) under Section 4 which provides:

#### **Income assistance and supplements**

4. Subject to the regulations, the minister may provide income assistance or a supplement to or for a family unit that is eligible for it.

The eligibility requirements for the requested supplement are set out in EAR under section 55 which provides:

#### **Supplement to obtain proof of identity**

55. The minister may provide a supplement to or for a family unit that is eligible for hardship assistance to cover the cost of obtaining proof of the identity of a person in the family unit that is required for the family unit to be eligible for income assistance.

The appellant's position, based on his notice of appeal, appears to be that he requires the supplement because he had to use his support money to obtain his birth certificate.

The ministry stated there was sufficient information in their files to confirm the appellant's identity including a birth certificate, care card, social insurance number card, provincial identification card and letter to the ministry from a correctional centre with photo. Based on this information the appellant's income assistance was renewed on September 15, 2014.

The panel finds the ministry's determination that the appellant was not eligible for a supplement under Section 55 of the EAR was reasonably supported by the evidence since adequate identity information was in the ministry files to support the appellant's application for renewal of income assistance.

The panel confirms the Ministry's denial of the Appellant's request to pay the cost of replacing his birth certificate as reasonable based on the evidence and a reasonable application of the legislation in the circumstances of the Appellant.