

APPEAL NUMBER  
2020-00093

**PART C – DECISION UNDER APPEAL**

The decision under appeal is the Ministry of Social Development and Poverty Reduction (ministry) reconsideration decision dated March 11, 2020 which denied the appellant's request for a supplement to obtain proof of identity. The ministry found the appellant's request did not meet the requirements for approval set out in s.60.11 of the Employment and Assistance for Persons with Disability Regulation, specifically that the proof of identity is not required for the family unit to be eligible for disability assistance or for a person in the family unit or the family unit to access services in British Columbia or for a similar purpose in British Columbia.

**PART D – RELEVANT LEGISLATION**

Employment and Assistance for Persons with Disabilities Act (EAPWDA) section 5

Employment and Assistance for Persons with Disabilities Regulation (EAPWDR) section 60.11

**PART E – SUMMARY OF FACTS**

Information before the minister at reconsideration included:

- A receipt from Passport Canada in the appellant's name in the amount of \$160.00.
- The appellant's Request for Reconsideration signed Feb. 25, 2020 with a note stating that the appellant wanted to have enough photo ID, that a supervisor at a ministry office [said] there was a supplement for ID, that the appellant was previously reimbursed for a driver's licence and that this expense has caused a hardship for the appellant.

The appellant included a statement with the Notice of Appeal to the Tribunal that outlined the timeline for the request for reimbursement, that the passport was expiring, that the ministry previously reimbursed the cost of a driver's licence and that a passport would be a more useful form of identification. The appellant wrote that, following 3 visits to the [REDACTED] office to enquire about a supplement prior to applying for a passport, the ministry representatives did not make it clear that there would be no reimbursement for a passport. The appellant added that it is difficult to find out what supplements are available.

The panel admitted- the appellant's written statement under section 22(4) of the *Employment and Assistance Act*.

## **PART F – REASONS FOR PANEL DECISION**

The issue in this appeal is the reasonableness of the ministry decision to deny the appellant's request for a supplement to obtain proof of identity. The ministry found the appellant's request did not meet the requirements for approval set out in s.60.11 of the Employment and Assistance for Persons with Disability Regulation, specifically that the proof of identity is not required for the family unit to be eligible for disability assistance or for a person in the family unit or the family unit to access services in British Columbia or for a similar purpose in British Columbia.

### **Legislation**

#### ***EAPWDA***

#### **Disability assistance and supplements**

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

#### ***EAPWDR***

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

**60.11** The minister may provide a supplement to or for a family unit that is eligible for disability assistance or for hardship assistance to cover the cost of obtaining proof of the identity of a person in the family unit that

- (a) is required for the family unit to be eligible for disability assistance, or
- (b) in the minister's opinion, is required for a person in the family unit, or the family unit, to access services in British Columbia or for a similar purpose in British Columbia.

The appellant's position is that there was a need to obtain identity documentation as the current passport was expiring, BCID was to expire in 2022 and secondary ID would be beneficial. When the appellant inquired from the Ministry, the appellant states that they were told "just bring in the receipt".

The ministry's position is that the appellant's request does not meet the criteria set out in s.60.11 EAPWDR for a supplement to cover the cost of obtaining proof of identity in order to be eligible for disability assistance or to access services because the ministry paid for an enhanced driver's licence for the appellant and there is a copy on file.

The panel notes that the appellant wrote in their Request for Reconsideration that they wanted to be sure they had enough ID and in their Notice of Appeal that they had current identification and that this request was for secondary ID. The panel acknowledges that the appellant may have received incomplete information from the ministry. As the Regulation states that a supplement may be provided to cover the cost of obtaining proof of identity for specified purposes, namely to be eligible for disability assistance or to access services in British Columbia or for a similar purpose, it is clear that the appellant's request does not meet the criteria set out in section 60.11, EAPWDR because the appellant's stated purpose was that it was beneficial to have secondary ID and the Panel finds that the ministry's decision that the purpose was not to become eligible for disability assistance or to access services or a similar purpose was reasonably supported by the evidence.

The panel therefore confirms the ministry decision. The appeal is not successful.

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**PART G – ORDER**

THE PANEL DECISION IS: (Check one)       UNANIMOUS       BY MAJORITY

THE PANEL       CONFIRMS THE MINISTRY DECISION       RESCINDS THE MINISTRY DECISION

If the ministry decision is rescinded, is the panel decision referred back to the Minister  
for a decision as to amount?       Yes       No

**LEGISLATIVE AUTHORITY FOR THE DECISION:**

*Employment and Assistance Act*

Section 24(1)(a)  or Section 24(1)(b)

and

Section 24(2)(a)  or Section 24(2)(b)

**PART H – SIGNATURES**

PRINT NAME

Reece Wrightman

SIGNATURE OF CHAIR

DATE (YEAR/MONTH/DAY)

2020 May 5

PRINT NAME

Anil Aggarwal

SIGNATURE OF MEMBER

DATE (YEAR/MONTH/DAY)

2020 May 5

PRINT NAME

Shirley Heafey

SIGNATURE OF MEMBER

DATE (YEAR/MONTH/DAY)

2020 May 5