

Legislation <i>Social Assistance Act Reg. 9, 29(1)(b); Supports for Persons with Disabilities</i>	Division	Social Programs	
	Program	AccessAbility Supports/Social Assistance	
	Policy Name	Minors Living Apart	Policy # 2.2.13/3.4
Effective Date: August 15, 1996	Authorized by:		
Revised Date: August 31, 2025	Deputy Minister Doriann Macmillan		

1.0 PURPOSE

- 1.1 To define the eligibility requirements for AccessAbility Supports (AAS) and Social Assistance (SA) of a minor who has been assessed as unable to live with their parents.

2.0 DEFINITIONS

- 2.1 **Agent:** an adult person who applies for, or has applied for, assistance on behalf of an applicant.
- 2.2 **Applicant:** a person who applies for or who receives Social Assistance (SA) or AccessAbility Supports (AAS).
- 2.3 **AccessAbility Supports (AAS):** a program established under the *Supports for Persons with Disabilities Act* that provides supports to eligible persons with physical, intellectual, neurological, sensory and/or mental disabilities who experience substantial impairments in their activities of daily living.
- 2.4 **Assured Income:** a component of AccessAbility Supports (AAS) that provides monthly financial supports to eligible applicants with disabilities to use towards securing basic needs.
- 2.5 **Department:** the Department of Social Development and Seniors.
- 2.6 **Established rates:** the rates of financial assistance established by the Lieutenant Governor in Council.
- 2.7 **Minor:** a person under the age of 18.
- 2.8 **Parent:** means, in relation to a child,
(i) a person who is: (A) presumed or declared to be a parent of the child in accordance with the *Children's Law Act* or an adoptive parent under the *Adoption Act*, or similar

legislation in another jurisdiction, and is entitled to decision-making responsibility or parenting time in relation to the child in accordance with the *Children's Law Act* or the *Divorce Act* (Canada);

(ii) A person who has permanent custody or guardianship of the child by agreement or the order of a court of competent jurisdiction; or

(iii) A person with whom the child resides and who stands in place of a person referred to subclause (i).

2.9 **Social Assistance (SA):** assistance provided in accordance with the *Social Assistance Act* to persons in need and other persons and includes financial assistance and social services.

3.0 POLICY STATEMENTS

3.1 The provision of AI or SA to a minor applicant is determined by the Department based on the individual circumstances of the case and is aimed at protecting these applicants while respecting the integrity of the family unit. It is recognized that this age group of applicants may require special services.

3.2 In exceptional circumstances, where the Department has determined a minor requires alternative living arrangements apart from their parents, AI or SA may be granted to the minor where the minor:

- is at least 16 years of age;
- is not in temporary or permanent custody of the Director of Child Protection;
- is not eligible for or receiving supports from the Director of Child Protection's Grandparent and Alternative Care Program;
- is enrolled in and attending an education or training program on a full-time basis;
- is willing to participate in a case plan that includes participation in approved life skills, educational or employment focused program, unless excused by the Department;
- meets all other conditions of eligibility for SA; and
- is exposed to an alleged unsafe home environment; or
- has an irreconcilable difference with their parent(s) and is unable to remain in the parental home; or
- is residing in circumstances where it has been established that the parent(s) is unwilling and/or unable to provide an appropriate home environment.

3.3 Exceptions to eligibility will be considered for a minor applicant under the age of 16 with a dependent(s) who does not reside with their parents.

- 3.4 Where a minor applicant is determined to be eligible for AI or SA, the applicant is eligible for financial benefits at the established rates for adults to be paid to a qualified agent, usually the adult with whom the minor resides. Where the minor resides independently, financial benefits must be paid to a qualified agent approved by the Department.
- 3.5 Where possible, the minor applicant will be encouraged to live in a family or adult-supervised environment where emotional support and guidance is readily available (e.g., boarding with a relative or friend).
- 3.6 A minor applicant in receipt of AI or SA does not relieve parents of the responsibility for the financial support and maintenance of a minor. Where it appears that the parents may have the means to contribute to the financial support of the minor, the applicant is expected to pursue child support, unless excused by the Department.
- 3.7 Where a minor is in receipt of AI or SA reaches 18 years of age, the applicant continues to be eligible for AAS or SA, subject to the *Supports for Persons with Disabilities Act* and *Social Assistance Act*, regulations, and policies, for up to four years as long as the applicant is enrolled full-time in an educational program.
- 3.8 Employment income earned by a minor living apart is exempt for the purpose of determining a minor applicant's eligibility for AI or SA when the applicant attends an education or training program on a full-time basis. This exemption applies only to employment income and does not apply to other sources of income, such as pension benefits, etc.
- 3.9 Where the minor applicant attains the age of majority, the earned income exemption is extended up to four years, provided the applicant continuously attends an educational or training program on a full-time basis.
- 3.10 Where a primary applicant is over the age of 18, and the co-applicant is a minor, the co-applicant must meet the eligibility requirements for a minor living apart. A qualified agent is not required in this situation.

4.0 REFERENCES

- 4.1 *Social Assistance Act*

Supports for Persons with Disabilities Act



Department of Social Development and Seniors

- 4.2 August 31, 2025 - Policy updated to new format; definitions have been added for clarity; policy has been adapted for minors aged 16-18 as this age group may require special services; the following policy statements have been added: 3.1-3.5 inclusive and 3.10.