

Affordable Child Care Benefit Procedures Manual

Draft Version

Last Update: February 28, 2019

Spouse – How to Determine Spousal Status

Definition of Spouse - Child Care Subsidy Regulation

Definitions

1 (1) In this regulation:

"**spouse**", in relation to a parent, means a person, including a person of the same gender, who resides with the parent and

- (a) who is married to the parent,
 - (b) who, together with the parent, acknowledges to the minister that he or she is residing with the parent in a marriage-like relationship, or
 - (c) who
 - (i) has been residing with the parent for at least
 - (A) the previous 3 consecutive months, or
 - (B) 9 of the previous 12 months, and
 - (ii) has a relationship with the parent that the minister is satisfied demonstrates
 - (A) financial dependence or interdependence, and
 - (B) social and familial interdependence,
- consistent with a marriage-like relationship;

Determining when persons residing together are spouses:

Persons, including persons of the same gender, are spouses if they reside together, and:

- they are married to each other, and/or
- they acknowledge they are residing together in a marriage-like relationship

Persons residing together who are not married and do not acknowledge they are in a marriage-like relationship, will need to be assessed for a marriage-like relationship using the following three factors:

1. Factor 1: The persons must have resided together for the last three consecutive months or at least nine out of the last 12 months, **and**
2. Factor 2: Financial dependence or inter-dependence consistent with a marriage-like relationship, **and**
3. Factor 3: Social and familial interdependence consistent with a marriage-like relationship

Guidelines for completing a Marriage-Like relationship Assessment:

For persons who are not married and do not acknowledge or know if they are living in a marriage-like relationship, assess the relationship as follows:

Factor 1: The persons must have resided together for at least the previous three consecutive months or at least nine of the previous 12 months

'Resides with' means sharing the same living space and includes a person who ordinarily resides with the client but is away from the home for periods of time for employment. A person living at the same address but in a separate living area (such as a self-contained suite) is not considered as residing with the client.

Evidence of "residing with":

- One person acknowledges the shared residence as their primary residence (place of contact, mailing address, place to store items while away at work, etc.) for three consecutive months (or nine out of 12 months), and it is reasonable to assume they will return.
- Landlord or tenancy agreement identifies both persons as tenants.
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Questions you could ask the client:

- I see you are sharing the household with another adult. How long have you lived together?
- Have you resided together before?

If factor 1 does not apply, the persons are not considered spouses.

If Factor 1 applies, continue to Factor 2.

Factor 2: Financial dependence or inter-dependence consistent with a marriage-like relationship

Financial dependence/inter-dependence refers to how the persons depend on each other for financial support.

Evidence of financial dependence/interdependence:

- Shared finances and/or financial products. Examples: joint bank account, mortgage, credit cards, loans, car ownership.
- One person supports the other or they share their income.
- Landlord or tenancy agreement verifies the persons as spouses.
- Spouse is declared on tax documents.
- The person is named as the client's beneficiary (life insurance, will, etc.)

Questions you could ask the client:

- How does the household work?
- How are the bills paid?
- Do you share credit cards or bank accounts?
- Who is your beneficiary?
- How would your situation change if this person moved away?
- How would you manage if you were in hospital, would they assume responsibilities for you?

If Factor 2 does not apply, the persons are not considered spouses.

If Factor 2 does apply, continue to Factor 3.

Factor 3: Social and familial interdependence consistent with a marriage-like relationship

Social and familial interdependence refers to how the persons depend on each other for social and familial support.

Evidence of social and familial interdependence:

- Landlord or tenancy agreement verifies the persons as spouses.
- The persons share household responsibilities on a consistent basis such as child care, meal preparation, laundry, shopping, housecleaning, etc.
- Joint credit or loans when used together for them and their children.
- School contact information lists other person as emergency contact.
- Persons present themselves to others as a couple, *spouses*, partners, common-law or husband/wife.
- Shared parenting (child's last name is same as other adult / or person is listed on child's birth certificate).
- Other documents express the two are or have been a couple (child support court order, will, etc.).

Questions you could ask the client:

- Would this person be considered your spouse or partner?
- How do you manage household duties?
- Children have same last name as the person, tell me about the relationship.
- Tell me how the children relate to other person?
- Is the manner in which you interact in the community consistent with a marriage?
- Who is your beneficiary?
- How would your situation change if this person moved away?

If Factor 3 does not apply, the persons are not considered spouses.

If all three factors are met and the relationship is consistent with 'marriage-like', the persons are considered spouses.

Note: When assessing for a marriage-like relationship, the sexual nature of the relationship is not considered. A client stating they do not have an intimate relationship is not an indication that a marriage-like relationship does not exist. A marriage-like relationship assessment is only based on the 3 factors listed above.

Also, staff also must consider the whole picture once each factor has been demonstrated. If the picture you are left with is that the parties are roommates sharing expenses and some household responsibilities, it is not appropriate to determine the relationship is marriage-like.

Potential Scenarios and how to apply the definition of spouse

If you are still uncertain after reviewing the factors and the potential scenarios, raise with your Team Lead for further direction. When speaking to the client, remind them of their responsibility to contact the CCSC to report any changes affecting their eligibility.

Scenario	Application of the definition of spouse	Recommended Action
Client advises spouse is no longer residing in the home. Example: separation or divorce.	A person who is no longer residing with the client would not be considered a spouse.	End date the spouse record in the case.
If persons are married for one month, do they also need to reside together for 3 consecutive months before the spouse is added to the file?	No; they reside together and are married.	Add the spouse to the case.
What is the start date of the	The start date is when they reach 3 months	Add spouse to the case when

spouse in a case when they have resided in a marriage-like relationship for 3 consecutive months?	<p>of residing together in a marriage-like relationship.</p> <p>Example: Clients began residing together in a marriage-like relationship on Sept. 1, 2018. The spouse would be added to the case Dec. 1, 2018.</p>	they have been residing together in a marriage-like relationship for 3 consecutive months.
What is the start date of the spouse in a case when they have resided in a marriage-like relationship for nine of the previous 12 months?	<p>The start date is when they reach 9 months of residing together out of the last 12 months.</p> <p>Example: Client applied for ACCB effective December 1, 2018.</p> <p>They started residing with their spouse in a marriage-like relationship on Dec. 1, 2017, but separated July 1, 2018. They resumed residing together on October 1, 2018. The spouse would be added to the case on December 1, 2018.</p> <ul style="list-style-type: none"> • Dec. 1, 2017 to Jul. 1, 2018 = 7 mo. • Oct. 1, 2018 to Dec. 1, 2018= 2 mo. • Total = 9 mo. out of the last 12 mo. 	<p>Add spouse to the case when they have resided together in a marriage-like relationship for 9 out of the last 12 months.</p> <p>Issue a short-term benefit plan in cases where they have not yet met the residency requirement, but will in the future.</p>
<p>Client states they do not have a spouse but the Adjudicator has reason to believe there is.</p> <p>Examples:</p> <p>Documents show persons residing together were spouses in the past (e.g. child support court order).</p> <p>Current roommate was formerly declared as a spouse.</p> <p>A history of repeated separation and reconciliation or contradictory information provided by client.</p>	<p>Issue the benefit without a spouse on the case and raise the issue with your Team Leader for further direction.</p>	<p>Team Leader will review and raise with V&A if there is sufficient reason to believe there is a spouse.</p>
Client is temporarily sharing accommodation with a former spouse, biological parent etc. and the client states they are not in a spousal, marriage-like relationship.	<p>The three factors for determining if the persons are living together in a marriage-like relationship would continue to apply.</p>	<p>Issue a three-month benefit plan and reassess the relationship when the client renews.</p>

	If you have reason to believe there may be spouse, raise the issue with your Team Leader for direction.	Team Leader will review and raise with V&A if there is sufficient reason to believe there is a spouse.
Client advises their spouse is away from home for periods of time for employment reasons or on vacation.	The spouse's primary residence is still with the client; therefore, they are still considered to be the client's spouse.	Include the spouse on the case.
Client advises spouse does not reside with them because they are separated or not living in a marriage-like relationship, but on a temporary basis. Examples could include: incarceration, long-term hospitalization, resides in another country and does not have status in Canada, moved out of country to indefinitely care for a relative.	If the spouse does not reside with the client they are not considered their spouse. When the persons resume residing together and are married or living in a marriage-like relationship (see factor's 1, 2 and 3), the persons will be considered spouses. If you have reason to believe there may be a spouse, raise the issue with your Team Leader for direction.	Do not include a spouse on the case. Issue short term benefit plan to the date the spouse is expected to return. Remind the client of their responsibility to contact the CCSSC to report any changes to their circumstances.
Does a spouse have to be a BC resident to be considered part of the case?	No. Under the regulations, the applicant must be a BC resident; there is no requirement for the applicant's spouse to be a resident of BC.	Include the spouse on the case.
Two parents living in the same home but have separate living spaces and keep their living costs separate.	The parents are not considered as residing together. If you have reason to believe there may be a spouse, raise the issue with your Team Leader for direction.	Issue the benefit without a spouse. Team Leader will review and raise with V&A if there is sufficient reason to believe there is a spouse.
Client advises that they have not yet resided with the person in a marriage-like relationship for 3 consecutive months (or 9 out of the last 12 months). Example: recently residing with a boyfriend/girlfriend.	The persons are not considered to be residing together in a marriage-like relationship until all of the factors are met.	Issue a short-term benefit without a spouse up to the date they are expected to be considered spouses. When client renews, assess for a marriage-like relationship.

Definitions used in the CCSC

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Spouse	<p>In relation to a parent, means a person, including a person of the same gender, who resides with the parent and</p> <ul style="list-style-type: none">(a) who is married to the parent,(b) who, together with the parent, acknowledges to the minister that he or she is residing with the parent in a marriage-like relationship, or(c) who<ul style="list-style-type: none">(i) has been residing with the parent for at least<ul style="list-style-type: none">(A) the previous 3 consecutive months, or(B) 9 of the previous 12 months, and(ii) has a relationship with the parent that the minister is satisfied demonstrates<ul style="list-style-type: none">(A) financial dependence or interdependence, and(B) social and familial interdependence, consistent with a marriage-like relationship; <p>Refer to General Adjudication section – Spouses – How to Determine Spousal Status</p>
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Spouse - Away from Home for Extended Periods **Under Review

The spouse is still considered a resident if they are away for an extended period of time, for example, nine months military service, and are included as the spouse on the case.

Spouse - Living in a Location Other Than the Family Home **Under Review – refer case to your TL

If an applicant has declared a spouse but the spouse does not reside in the country and they have no status in Canada, they are not included on the case for the applicant's ACCB. (Note: the applicant may have income that is included in their CRA assessment). There is no need for the applicant to submit a new application. Document changes in ICM.

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Spouse - More than One

If a client declares they are in a “polyamorous relationship” (more than one spouse) and they are all supporting and living with each other, all spouses would be included on the case and they would need to meet all eligibility criteria.

More than one spouse can be added to ICM but only one spouse can submit consent through MyFS. Other consents will need to be submitted manually for the application and CRA.

OPA however can not process more than one spouse so total family income and the eligible benefit amount will need to be calculated manually. Further testing for this situation is ongoing and updates will be provided.

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Spouse - More than One

If a client declares they are in a “polyamorous relationship” (more than one spouse) and they are all supporting and living with each other, all spouses would be included on the case and they would need to meet all eligibility criteria.

More than one spouse can be added to ICM but only one spouse can submit consent through MyFS. Other consents will need to be submitted manually for the application and CRA.

OPA however can not process more than one spouse so total family income and the eligible benefit amount will need to be calculated manually. Further testing for this situation is ongoing and updates will be provided.

Spouse – How to Determine Spousal Status

Overview

To determine whether an applicant is in a spousal relationship, consider the first 2 factors below and if further clarification is required, refer to a 3 Step Assessment below which provides guidelines, questions and examples to determine the spousal status.

- 1) Persons, including persons of the same gender, are spouses if they reside together, and:
 - they are married to each other, and/or
 - they acknowledge they are residing together in a marriage-like relationship
- 2) Persons residing together who are not married and do not acknowledge they are in a marriage-like relationship, will need to be assessed using the following three criteria. If the answer to all 3 questions is yes, this qualifies the person as a spouse; otherwise they are not considered a spouse.
 - a. Have the persons resided together for the last three consecutive months or at least nine out of the last 12 months? **and,**
 - b. Is there a financial dependence or inter-dependence consistent with a marriage-like relationship between the two persons? **and,**
 - c. Is there a social and familial interdependence consistent with a marriage-like relationship?

Marriage-Like Relationship Assessment

For persons who are not married and do not acknowledge or know if they are living in a marriage-like relationship, assess the relationship using steps 1 through 3 below: if all 3 circumstances apply to the person in question, they are considered a spouse. Otherwise, the person is not considered a spouse.

- 1) The persons must have resided together for at least the previous three consecutive months or at least nine of the previous 12 months**

'Resides with' means sharing the same living space and includes a person who ordinarily resides with the client but is away from the home for periods of time for employment. A person living at the same address but in a separate living area (such as a self-contained suite) is not considered as residing with the client.

Evidence of "residing with":

- One person acknowledges the shared residence as their primary residence (place of contact, mailing address, place to store items while away at work, etc.) for three consecutive months (or nine out of 12 months), and it is reasonable to assume they will return.
- Landlord or tenancy agreement identifies both persons as tenants.

Questions you could ask the client:

- I see you are sharing the household with another adult. How long have you lived together?
- Have you resided together before?

If #1 does not apply, the persons are not considered spouses.

If #1 does apply, continue to # 2.

2) Factor 2: Financial dependence or inter-dependence consistent with a marriage-like relationship

Financial dependence/inter-dependence refers to how the persons depend on each other for financial support.

Evidence of financial dependence/interdependence:

- Shared finances and/or financial products. Examples: joint bank account, mortgage, credit cards, loans, car ownership.
- One person supports the other or they share their income.
- Landlord or tenancy agreement verifies the persons as spouses.
- Spouse is declared on tax documents.
- The person is named as the client's beneficiary (life insurance, will, etc.)

Questions you could ask the client:

- How does the household work?
- How are the bills paid?
- Do you share credit cards or bank accounts?
- Who is your beneficiary?
- How would your situation change if this person moved away?
- How would you manage if you were in hospital, would they assume responsibilities for you?

If #2 does not apply, the persons are not considered spouses.

If #2 does apply, continue to # 3.

3) Factor 3: Social and familial interdependence consistent with a marriage-like relationship

Social and familial interdependence refers to how the persons depend on each other for social and familial support.

Evidence of social and familial interdependence:

- Landlord or tenancy agreement verifies the persons as spouses.
- The persons share household responsibilities on a consistent basis such as child care, meal preparation, laundry, shopping, housecleaning, etc.
- Joint credit or loans when used together for them and their children.
- School contact information lists other person as emergency contact.
- Persons present themselves to others as a couple, spouses, partners, common-law or husband/wife.
- Shared parenting (child's last name is same as other adult / or person is listed on child's birth certificate).
- Other documents express the two are or have been a couple (child support court order, will, etc.).

Questions you could ask the client:

- Would this person be considered your spouse or partner?
- How do you manage household duties?
- Children have same last name as the person, tell me about the relationship.
- Tell me how the children relate to other person?
- Is the manner in which you interact in the community consistent with a marriage?

- Who is your beneficiary?
- How would your situation change if this person moved away?

If #3 does not apply, the persons are not considered spouses.

If all three factors are met and the relationship is consistent with 'marriage-like', the persons are considered spouses.

Note: When assessing for a marriage-like relationship, the sexual nature of the relationship is not considered. A client stating they do not have an intimate relationship is not an indication that a marriage-like relationship does not exist. A marriage-like relationship assessment is only based on the 3 factors listed above.

Also, staff must consider the whole picture once each factor has been demonstrated. If the picture you are left with is that the parties are roommates sharing expenses and some household responsibilities, it is not appropriate to determine the relationship is marriage-like.

Example Scenarios and Actions

If you are still uncertain after reviewing the factors and the potential scenarios, raise with your Team Lead for further direction. When speaking to the client, remind them of their responsibility to contact the CCSC to report any changes affecting their eligibility.

Scenario	Application of the definition of spouse	Recommended Action
Client advises spouse is no longer residing in the home. Example: separation or divorce.	A person who is no longer residing with the client would not be considered a spouse.	End date the spouse record in the case.
If persons are married for one month, do they also need to reside together for 3 consecutive months before the spouse is added to the file?	No; they reside together and are married.	Add the spouse to the case.
What is the start date of the spouse in a case when they have resided in a marriage-like relationship for 3 consecutive months when they do not acknowledge they are residing together in a marriage-like relationship?	<p>The start date is when they reach 3 months of residing together in a marriage-like relationship.</p> <p>Example: Clients began residing together in a marriage-like relationship on Sept. 1, 2018. The spouse would be added to the case Dec. 1, 2018.</p>	Add spouse to the case when they have been residing together in a marriage-like relationship for 3 consecutive months.

What is the start date of the spouse in a case when they have resided in a marriage-like relationship for nine of the previous 12 months when they do not acknowledge they are residing together in a marriage-like relationship?	<p>The start date is when they reach 9 months of residing together out of the last 12 months.</p> <p>Example: Client applied for ACCB effective December 1, 2018. They started residing with their spouse in a marriage-like relationship on Dec. 1, 2017, but separated July 1, 2018. They resumed residing together on October 1, 2018. The spouse would be added to the case on December 1, 2018. Dec. 1, 2017 to Jul. 1, 2018 = 7 mo. Oct. 1, 2018 to Dec. 1, 2018 = 2 mo. Total = 9 mo. out of the last 12 mo.</p>	<p>Add spouse to the case when they have resided together in a marriage-like relationship for 9 out of the last 12 months.</p> <p>Issue a short-term benefit plan in cases where they have not yet met the residency requirement, but will in the future.</p>
<p>Client states they do not have a spouse but the Adjudicator has reason to believe there is.</p> <p>Examples: Documents show persons residing together were spouses in the past (e.g. child support court order).</p> <p>Current roommate was formerly declared as a spouse.</p> <p>A history of repeated separation and reconciliation or contradictory information provided by client.</p>	<p>Issue the benefit without a spouse on the case and raise the issue with your Team Leader for further direction.</p>	<p>Team Leader will review and raise with V&A if there is sufficient reason to believe there is a spouse.</p>
Client is temporarily sharing accommodation with a former spouse, biological parent etc. and the client states they are not in a spousal, marriage-like relationship.	<p>The three criteria for determining if the persons are living together in a marriage-like relationship would continue to apply.</p> <p>If you have reason to believe there may be spouse, raise the issue with your Team Leader for direction.</p>	<p>Issue a three-month benefit plan and reassess the relationship when the client renews.</p> <p>Team Leader will review and raise with V&A if there is sufficient reason to believe there is a spouse.</p>
Client advises their spouse is away from home for periods of time for employment reasons or on vacation.	<p>The spouse's primary residence is still with the client; therefore, they are still considered to be the client's spouse.</p>	<p>Include the spouse on the case.</p>

<p>Client advises spouse does not reside with them because they are separated or not living in a marriage-like relationship, but on a temporary basis.</p> <p>Examples could include: incarceration, long-term hospitalization, resides in another country and does not have status in Canada, moved out of country to indefinitely care for a relative.</p>	<p>If the spouse does not reside with the client they are not considered their spouse.</p> <p>When the persons resume residing together and are married or living in a marriage-like relationship (see factor's 1, 2 and 3), the persons will be considered spouses.</p> <p>If you have reason to believe there may be a spouse, raise the issue with your Team Leader for direction.</p>	<p>Do not include a spouse on the case.</p> <p>Issue short term benefit plan to the date the spouse is expected to return.</p> <p>Remind the client of their responsibility to contact the CCSSC to report any changes to their circumstances.</p>
<p>Does a spouse have to be a BC resident to be considered part of the case?</p>	<p>No. Under the regulations, the applicant must be a BC resident; there is no requirement for the applicant's spouse to be a resident of BC.</p>	<p>Include the spouse on the case.</p>
<p>Two parents living in the same home but have separate living spaces and keep their living costs separate.</p>	<p>The parents are not considered as residing together.</p> <p>If you have reason to believe there may be a spouse, raise the issue with your Team Leader for direction.</p>	<p>Issue the benefit without a spouse.</p> <p>Team Leader will review and raise with V&A if there is sufficient reason to believe there is a spouse.</p>
<p>Client advises that they have not yet resided with the person in a marriage-like relationship for 3 consecutive months (or 9 out of the last 12 months).</p> <p>Example: recently residing with a boyfriend/girlfriend.</p>	<p>The persons are not considered to be residing together in a marriage-like relationship until all of the factors are met.</p>	<p>Issue a short-term benefit without a spouse up to the date they are expected to be considered spouses.</p> <p>When client renews, assess for a marriage-like relationship.</p>

Affordable Child Care Benefit Procedures Manual

Draft Version

Last Update: January 10, 2019

Spouse	<p>in relation to a parent, means a person, including a person of the same gender, who resides with the parent and</p> <ul style="list-style-type: none">(a) who is married to the parent,(b) who, together with the parent, acknowledges to the minister that he or she is residing with the parent in a marriage-like relationship, or(c) who<ul style="list-style-type: none">(i) has been residing with the parent for at least<ul style="list-style-type: none">(A) the previous 3 consecutive months, or(B) 9 of the previous 12 months, and(ii) has a relationship with the parent that the minister is satisfied demonstrates<ul style="list-style-type: none">(A) financial dependence or interdependence, and(B) social and familial interdependence, <p>consistent with a marriage-like relationship;</p>
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Spouse - Away from Home for Extended Periods **Under Review

The spouse is still considered a resident if they are away for an extended period of time, for example, nine months military service, and are included as the spouse on the case.

Spouse - Living in a Location Other Than the Family Home **Under Review – refer case to your TL

If an applicant has declared a spouse but the spouse does not reside in the country and they have no status in Canada, they are not included on the case for the applicant's ACCB. (Note: the applicant may have income that is included in their CRA assessment). There is no need for the applicant to submit a new application. Document changes in ICM.

Spouse - More than One

If a client declares they are in a "polyamorous relationship" (more than one spouse) and they are all supporting and living with each other, all spouses would be included on the case and they would need to meet all eligibility criteria.

More than one spouse can be added to ICM but only one spouse can submit consent through MyFS. Other consents will need to be submitted manually for the application and CRA.

OPA however can not process more than one spouse so total family income and the eligible benefit amount will need to be calculated manually. Further testing for this situation is ongoing and updates will be provided.

Spouse Living Away

The parent should be indicating the amount of child care required when neither parent is available. The spouse's reason for care will be captured so it shouldn't matter if they're away from home as 'they're not available to care for the children'.

Child Care Subsidy Procedures Manual

Last Update: February 9, 2018

Spouse	<p>In relation to a parent, means anyone who (a) is married to the parent, or (b) is living with the parent in a marriage-like relationship. <i>[Child Care Subsidy Regulation, section 1]</i></p> <p>Evidence that the ex-spouse both resides with the child and stands in the place of the parent is needed to find that the ex-spouse is also considered a parent of the child. If the ex-spouse does reside with the child, you may want to consider the following to determine whether the ex-spouse should be considered the parent:</p> <ul style="list-style-type: none">• Whether the person treats the child as a member of their family• whether the child participates in the extended family in the same way as would a biological child• whether the person provides financially for the child (depending on ability to pay)• whether the person represents to the child, the family, the world, either explicitly or implicitly, that he or she is responsible as a parent to the child• the nature or existence of the child's relationship with the absent biological parent
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3.3.8 Spouse Living in a Location Other Than the Family Home

If an application indicates a spouse living in another location (in or out of province), and the spouse does not plan on returning to the family home within the time frame to be authorized, do not include the spouse in the family unit size. Any funds provided by the spouse to the applicant should be entered on the calculator using the "spousal support" option from the drop down menu. End date the spouse on the file.

If the spouse is planning to return to the family home before the Benefit Plan end date, authorize up until the end of the month in which the spouse is planning to return. If speaking to the client, remind them of their responsibility to contact the CCSSC to advise of any changes affecting their eligibility.

Child Care Subsidy Procedures Manual

Last Update: January 27, 2017

Spouse	<p>In relation to a parent, means anyone who (a) is married to the parent, or (b) is living with the parent in a marriage-like relationship. <i>[Child Care Subsidy Regulation, section 1]</i></p> <p>Evidence that the ex-spouse both resides with the child and stands in the place of the parent is needed to find that the ex-spouse is also considered a parent of the child. If the ex-spouse does reside with the child, you may want to consider the following to determine whether the ex-spouse should be considered the parent:</p> <ul style="list-style-type: none">• Whether the person treats the child as a member of their family• whether the child participates in the extended family in the same way as would a biological child• whether the person provides financially for the child (depending on ability to pay)• whether the person represents to the child, the family, the world, either explicitly or implicitly, that he or she is responsible as a parent to the child• the nature or existence of the child's relationship with the absent biological parent
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If the spouse is planning to return to the family home before the Benefit Plan end date, authorize up until the end of the month in which the spouse is planning to return. If speaking to the client, remind them of their responsibility to contact the CCSSC to advise of any changes affecting their eligibility.

Messaging Quick Parts

Job Aid MX02
Updated June 24, 2019

This Job Aid is Useful For:

Staff using MyFS Messaging and responding to messages assigned to them.

Overview

This job aid contains approved standard phrases which can be used to cut and paste into MyFS messaging.

Turn on the Navigation pane for ease of use. (Select View from the menu and select Navigation to turn it on.)

Ensure highlighted text is appropriately updated.

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Spouse Definition

Thank you for contacting the Child Care Service Centre.

Your question relates to the definition of a spouse which is as follows;

“spouse”, in relation to a parent, means a person, including a person of the same gender, who resides with the parent and

- (a) who is married to the parent,
- (b) who, together with the parent, acknowledges to the minister that he or she is residing with the parent in a marriage-like relationship, or
- (c) who
 - (i) has been residing with the parent for at least
 - (A) the previous 3 consecutive months, or
 - (B) 9 of the previous 12 months, and
 - (ii) has a relationship with the parent that the minister is satisfied demonstrates
 - (A) financial dependence or interdependence, and
 - (B) social and familial interdependence, consistent with a marriage-like relationship.

If you have any further questions please message again or call the Child Care Service Centre at **1-888-338-6622**.

For further information please visit the ACCB Website: www2.gov.bc.ca/affordablechildcarebenefit

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ACCB FAQ's for Staff

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Reminder: The definition of spouse has changed for ACCB.

"Spouse", in relation to a parent, means a person, including a person of the same gender, who resides with the parent and has been residing with the parent for at least the previous 3 consecutive months, or 9 of the previous 12 months.

ACCB FAQ's for Staff updated October 3, 2018

Spouse definition has changed for ACCB.

"spouse", in relation to a parent, means a person, including a person of the same gender, who resides with the parent and

- (a) who is married to the parent,
- (b) who, together with the parent, acknowledges to the minister that he or she is residing with the parent in a marriage-like relationship, or
- (c) who
 - (i) has been residing with the parent for at least
 - (A) the previous 3 consecutive months, or
 - (B) 9 of the previous 12 months, and
 - (ii) has a relationship with the parent that the minister is satisfied demonstrates
 - (A) financial dependence or interdependence, and
 - (B) social and familial interdependence,consistent with a marriage-like relationship;

Spouse is not a Resident

If an applicant has declared a spouse but the spouse does not reside in the country and they have no status in Canada, they are not included on the case for the applicant's subsidy. (Note: the applicant may have income that is included in their CRA assessment). There is no need for the applicant to submit a new application. Document changes in ICM.

The spouse is still considered a resident if they are away for an extended period of time, for example, nine months military service, and are included as the spouse on the case.

More than One Spouse

If a client declares they are in a 'polyamorous relationship' (more than one spouse) and they are all supporting and living with each other, all spouses would be included on the case and they would need to meet all eligibility criteria.

More than one spouse can be added to ICM but only one spouse can submit consent through MyFS. Other consents will need to be submitted manually for the application and CRA.

OPA however can not process more than one spouse so total family income and the eligible benefit amount will need to be calculated manually. Further testing for this situation is ongoing and updates will be provided.

Spouse definition has changed for ACCB.

"spouse", in relation to a parent, means a person, including a person of the same gender, who resides with the parent and

(a) who is married to the parent,

(b) who, together with the parent, acknowledges to the minister that he or she is residing with the parent in a marriage-like relationship, or

(c) who

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Withheld pursuant to/removed as

s.13

ACCB FAQ's for Staff updated October 24, 2018

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PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. , Approved and Ordered

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Child Care Subsidy Regulation, B.C. Reg. 74/97, is amended

(a) effective September 1, 2018, as set out in the attached Appendix 1, and

(b) effective on deposit, as set out in the attached Appendix 2.

Minister of Children and Family Development Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Child Care Subsidy Act*, R.S.B.C. 1996, c. 26, s. 13

Other: OIC 271/97

R10214606

Paraphrased summaries included in boxed text preceding each section.

...

New definition of spouse – essentially the same as current except the time requirement of the previous 3 months or 9 of the previous 12.
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