***Ontario Works Act, 1997*, S.O. 1997, c. 25, Sched. A**

**Purpose of the Act:**

1. The purpose of this Act is to establish a program that,

(a) recognizes individual responsibility and promotes self reliance through employment;

(b) provides temporary financial assistance to those most in need while they satisfy obligations to become and stay employed;

(c) effectively serves people needing assistance; and

(d) is accountable to the taxpayers of Ontario.

**Definitions of Assistance:**

4. Employment assistance is assistance to help a person to become and stay employed and includes,

(a) community participation; and

(b) other employment measures, as prescribed.

5. Basic financial assistance includes,

(a) income assistance provided for purposes of basic needs and shelter;

(b) benefits; and

(c) emergency assistance.

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| ***Decision*** | ***Provisions: Ontario Works Act*** | ***Relevant International Human Rights/Principles*** |
| **Conditions for eligibility for assistance** | 7. (1) Income assistance shall be provided in accordance with the regulations to persons who satisfy all conditions of eligibility under this Act and the regulations.  (3)No person is eligible for income assistance unless,  (a) the person is resident in Ontario;  (b) the budgetary requirements of the person and any dependants exceed their income and their assets do not exceed the prescribed limits, as provided for in the regulations;  (c) the person and the prescribed dependants provide the information and the verification of information required to determine eligibility including,  (i) personal identification information, as prescribed,  (ii) financial information, as prescribed, and  (iii) any other prescribed information; and  (d) the person and the person’s dependants meet any other prescribed conditions relating to eligibility.  (4)A recipient and any prescribed dependants may be required as a condition of eligibility for basic financial assistance to,  (a) satisfy community participation requirements;  (b) participate in employment measures;  (c) accept and undertake basic education and job specific skills training; and  (d) accept and maintain employment.  8. Benefits may be provided for,  (a) a recipient or a dependant;  (b) a person eligible to receive income support under the Ontario Disability Support Program Act, 1997 or a dependant; and  (c) members of the prescribed classes of persons. | Rights: social security; an adequate standard of living, including adequate housing and food.  Principles: inherent dignity of the human person; non-discrimination; equal rights of men and women; progressive realization; minimum core obligations. |
| **Determination of amount of assistance** | 16. (1) The amount of basic financial assistance to be provided and the time and manner of providing that assistance shall be determined in accordance with the regulations.  [**For formula, see O. Reg. 134/98, ss. 40-54.**](http://www.canlii.org/en/on/laws/regu/o-reg-134-98/latest/o-reg-134-98.html) | Rights: social security; an adequate standard of living, including adequate housing and food.  Principles: inherent dignity of the human person; non-discrimination; equal rights of men and women; progressive realization; minimum core obligations. |
| **Power to make regulations** | 74.  (1)  The Lieutenant Governor in Council may make regulations,  2. respecting the determination of budgetary requirements, income and assets and the maximum value of assets permitted;  3. respecting the determination of the amount of assistance to be provided and the time and manner of providing it, including who is eligible to receive the assistance and how to determine what portion of assistance is provided with respect to each person;  6. respecting income assistance and determining who may be eligible for income assistance;  7. respecting the items, services and payments that may be included as benefits and determining who may be eligible for benefits;  8. respecting emergency assistance and determining who may be eligible for emergency assistance;  9. respecting the conditions of eligibility for assistance including, without limiting the generality of the foregoing,  (i) additional conditions relating to eligibility for assistance,  (ii) information to be provided, including the time and manner of providing that information, verification of that information and home visits,  (iii) changes in circumstances,  (iv) the disposition of property,  (v) the obligation to satisfy participation requirements related to employment measures and community participation,  (vi) the obligation to obtain compensation or to realize a financial resource,  (vii) requirements to agree to reimburse delivery agents and to give assignments to delivery agents, and  (viii) a person’s status in the country;  11. prescribing classes of persons who are not eligible for assistance; | Rights: social security; an adequate standard of living, including adequate housing and food.  Principles: inherent dignity of the human person; non-discrimination; equal rights of men and women; progressive realization; minimum core obligations; effectiveness. |