

Part C – Decision Under Appeal

The decision under appeal is the Ministry of Social Development and Poverty Reduction ("Ministry") Reconsideration Decision dated August 14, 2025, which held that the Appellant was not eligible for a bus pass supplement pursuant to Section 66(1) of the Employment and Assistance Regulation.

The Ministry found the Appellant was not eligible for a bus pass supplement as he did not meet the criteria set out in Section 66(1) of the Employment and Assistance Regulation, specifically, the Ministry found subsections 66(1)(b) and (c) of the Regulation do not apply as the Appellant is not 60 years old and receive income assistance, and he is not at least 65 years of age and meet all the federal GIS eligibility requirements except the 10-year residency requirement. Further, the Appellant does not meet subsection 66(1)(a) of the Regulation because he does not receive the federal spouse's allowance or federal guaranteed income supplement (GIS).

Part D – Relevant Legislation

Employment and Assistance Act ("Act"), section 4

Employment and Assistance Regulation ("Regulation"), section 66(1)

Full text of the relevant legislation is attached in Appendix A at the end of the Reasons.

Part E – Summary of Facts

The hearing of this appeal took place October 1, 2025, in writing.

Background and Summary of Relevant Information

- The Appellant is a sole applicant of the bus pass program and is 74 years of age.
- On July 9, 2025, the Ministry advised him that his request for the bus pass supplement was denied because he did not meet any of the criteria to be eligible for it. Specifically, the Appellant was not in receipt of the Guaranteed Income Supplement (GIS).
- On July 31, 2025, the Ministry received the Appellant's Request for Reconsideration, in which he noted:
 - He is a senior and he does not drive.
 - He takes public transportation to volunteer several times per week.
 - He also does work for the [REDACTED] Churc [REDACTED].
 - He enjoys public transit and would appreciate a compass card.

Additional Evidence Submitted After Reconsideration

Notice of Appeal

- In the Notice of Appeal dated August 31, 2025, under "Reason for Appeal", the Appellant stated "I am a senior, can't drive. I am a pensioner. I have to go volunteer work a couple of days weekly."
- No further submissions of evidence were made by the Appellant.
- The Ministry made a written submission on September 25, 2025, indicating that it was relying on the record of the Ministry's decision for this written appeal.

Admissibility of New Evidence

A Panel may consider evidence that is not part of the record and which it considers is reasonably required for a full and fair disclosure of all matters related to the decision under appeal.

The Panel found that the Notice of Appeal provided additional evidence that provides a full and fair disclosure of all matters related to the decision under appeal. The Panel found the Ministry provided no new evidence. The Panel has admitted this new evidence in accordance with s. 22(4) of the *Employment and Assistance Act*.

Part F – Reasons for Panel Decision

The purpose of the Panel is to review and assess whether the Ministry's Reconsideration Decision satisfied a standard of reasonableness. The standard applied is whether the applicable laws were reasonably applied and whether the evidence was also reasonably applied in the circumstances.

The issue at appeal is whether the Ministry's Reconsideration Decision which held that the Appellant was not eligible for a bus pass supplement pursuant to Section 66(1) of the Regulation was reasonably supported by the evidence or was a reasonable application of the applicable enactment in the circumstances of the Appellant.

The Applicant's Position

The Appellant argued that his only income is OAS and CPP and with a rent increase, having to pay for bus passes monthly will be a financial hardship.

The Ministry's Position

The Ministry found the Appellant was not eligible for a bus pass supplement as he did not meet the criteria set out in Section 66(1) of the Employment and Assistance Regulation, specifically, the Ministry found subsections 66(1)(b) and (c) of the Regulation do not apply as the Appellant is not 60 years old and receive income assistance, and he is not at least 65 years of age and meet all the federal GIS eligibility requirements except the 10-year residency requirement. Further, the Appellant does not meet subsection 66(1)(a) of the Regulation because he does not receive the federal spouse's allowance or federal guaranteed income supplement (GIS).

The Panel's Decision

Section 66(1) of the Regulation prescribes that to be eligible for a bus pass supplement, the recipient must meet one of three requirements. Section 66(1)(a) of the Regulation sets out that to receive a bus pass supplement, one must either receive the federal spouse's allowance or the federal guaranteed income supplement (GIS). There is no evidence that the Appellant receives the spouse's allowance. The Ministry indicated that a data match with Service Canada indicated that the Appellant is not in receipt of GIS. Therefore, the Appellant does not meet the requirements of section 66(1)(a). The Appellant indicated that due to receiving a lump sum from Registered Retirement Savings Plans, he no longer receives GIS. Therefore, I find on the basis of the evidence, that the Appellant does not meet the requirements of section 66(1)(a) of the Regulation.

Section 66(1)(b) of the Regulation sets out that to receive a bus pass supplement, one must be 60 or more years of age and receive income assistance under section 2 [monthly support allowance], 4 [monthly shelter allowance], 6 [people receiving room and board] or 9 [people in emergency shelters and transition houses] of Schedule A. The Ministry's evidence established that the Appellant is not 60 years old or more and receive income assistance. Therefore, I find based on the evidence, that the Appellant does not meet the requirements of section 66(1)(b) of the Regulation.

Section 66(1)(c) of the Regulation prescribes that to be eligible for a bus pass supplement, one must be at least 65 years old and meet all the federal GIS eligibility requirements except the 10-year residency requirement. The Appellant's evidence established that the Appellant is at least 65 years of age, and that his income exceeds the maximum income permitted to be eligible for GIS. The Appellant also indicated that due to receiving a lump sum from Registered Retirement Savings Plans, he no longer receives GIS. Therefore, I find that the Appellant does not meet the requirements of section 66(1)(c) of the Regulation.

In summary, since the Appellant does not meet any of the eligibility requirements for section 66(1) of the Regulation, I find that the Ministry was reasonable in its decision to deny the Appellant a bus pass supplement.

Conclusion

I find that the Ministry reasonably concluded that the evidence establishes the criteria set out in Section 66(1) of the Regulation have not been met. I therefore find that the Ministry's decision to deny the Appellant's request for a bus pass supplement was a reasonable application of the legislation and was supported by the evidence. I confirm the Ministry's Reconsideration Decision. The Appellant is not successful at appeal.

Appendix A

Employment and Assistance Act

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.

Employment and Assistance Regulation

Bus pass supplement

66 (1) The minister may provide a supplement to or for a family unit, other than the family unit of a recipient of disability assistance, that contributes \$45 to the cost, to provide an annual pass for the personal use of a person in the family unit who

- (a) receives the federal spouse's allowance or federal guaranteed income supplement,
- (b) is 60 or more years of age and receives income assistance under section 2 [monthly support allowance], 4 [monthly shelter allowance], 6 [people receiving room and board] or 9 [people in emergency shelters and transition houses] of Schedule A, or
- (c) is 65 years of age or more and meets all of the eligibility requirements for the federal guaranteed income supplement except the 10-year residency requirement.

(2) In this section, "annual pass" means an annual pass to use a public passenger transportation system in a transit service area established under section 25 of the British Columbia Transit Act or in a transportation service region, as defined in the South Coast British Columbia Transportation Authority Act.

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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)

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

Part H – Signatures

Print Name

Bill Farr

Signature of Chair

Date (Year/Month/Day)

2025/10/01

Print Name

N/A

Signature of Member

Date (Year/Month/Day)

Print Name

N/A

Signature of Member

Date (Year/Month/Day)