

Act/Regulations Reg. 6(10), 8(7), 29(1)(c), 31	Section	Social Programs	7
	Program	Social Assistance	13
	Instructions	SEPARATIONS	3-3
Effective: November 2, 1995	Authorized by:		Page:
Revised: November 1, 2007	Director of Social Assistance		1 of 2

PURPOSE

1. To ensure that the decision of a couple to separate is not related to the availability of Social Assistance.

PRINCIPLE

2. Separation is often a very traumatic experience. Persons with emotional and other support needs should be treated with sensitivity and empathy. Where appropriate, they should be referred to other helping resources.

3. When applying for assistance, persons who have entered into and terminated a relationship with little sense of responsibility should review their obligations to be self-supporting with their worker.

4. The applicant's first means of support shall continue to be the spouse and/or family resources, unless the health or well-being of the applicant would be adversely affected.

POLICY

5. Where information obtained in reviewing the circumstances of the applicant results in the opinion that the separation was for the purpose of qualifying for assistance, such assistance shall be refused.

6. Where assistance is requested following a separation, the workers shall first assess the possibility of reconciliation. Where such possibility seems remote, workers should discuss longer-term plans for self-support on the part of the person making application. The timing of such discussions should be in the context of Paragraph 2.

7. Applicants are expected to avail themselves of family resources, at least temporarily, until they are able to work out a longer-term plan. Assistance may be provided "in the short term" pending contact with the partner, where appropriate.(eg. Where the applicant consents to the contact, or where the applicant and the partner are already receiving assistance jointly.)

8. Applicants, as a condition of eligibility for long-term assistance, shall initiate legal action to seek financial support or enforcement of an existing order or agreement. Supervisors may waive this provision where compliance with this requirement would adversely affect the applicant or prove futile or unreasonable. A lack of motivation or lack of immediate financial resources on the part of the estranged partner is not reason to waive this requirement.

<i>Act/Regulations</i> Reg. 6(10), 8(7), 29(1)(c), 31	Section	Social Programs	7
	Program	Social Assistance	13
	Instructions	SEPARATIONS	3-3
Effective: November 2, 1995	Authorized by:		Page:
Revised: November 1, 2007	Director of Social Assistance		2 of 2

9. Where applicants are not receiving maintenance payments on a regular basis, the worker may take an assignment of support and/or refer the order or agreement to the Director of Maintenance Enforcement for the Province of PEI for enforcement and collection from the payor. Workers should note that the appropriate termination form and any necessary accompanying documents must be completed upon the client leaving financial assistance.

10. Payments received from property settlements and the division of assets shall be exempted as per the limits set out in Regulations for financial resources.

CROSS REFERENCE

- 4-1 Parental/Family Support
- 4-4 Income Exemptions