

Date: March 14, 2025

CIRCULAR NUMBER: EIA #2025-07

Alternate Programs:

To: Program Managers

Subject: **Defining Residence in Manitoba for the Purposes of Income Assistance Eligibility**

Reference: 2008-32 – Financial Assistance for Persons Without Proper Identification
2017-30 – Health Benefits for Refugee Claimants
2018-35 – Spouse Outside of Manitoba

Replaces: 2024-11 – Intake Process for Refugee Claimants/Asylum Seekers

Type: ☒ Policy ☐ For Internal Reference Only
☒ Procedure
☐ Rate
☐ Information Only

Effective Date: Immediately

This Circular is to reinforce that income assistance programs (Employment and Income Assistance (EIA) and Manitoba Supports for Persons with Disabilities (MSPD)) are available for residents of Manitoba only. Applicants may be determined to be entitled to ongoing program benefits when they are found financially and categorically eligible.

In accordance with Section 2 of The Manitoba Assistance Act and The Disability Support Act, which govern EIA and MSPD, these programs are intended for residents of Manitoba. Below clarifies how to determine residency based on an individual’s legal status in Canada.

Citizens

Canadian citizens have permanent and unrestricted residency status in Canada. Eligible Manitobans, who are Canadian citizens can be enrolled on income assistance.

Permanent Residents

Permanent Residents have long term residency status in Canada. Eligible Manitobans, who are Permanent Residents can be enrolled on income assistance.

Asylum Seekers

Asylum seekers are individuals who arrive in Canada seeking legal status and protection, often from persecution and serious human rights violations in their home country. Asylum seekers do not have recognized legal status as residents of Canada and therefore are not eligible for income assistance.

The first step for an asylum seeker arriving in Canada is to make initial contact with the federal government, so that a refugee claim can be made. This is done through Immigration, Refugees and Citizenship Canada (IRCC) or the Canada Border Services Agency (CBSA). Once a claim is made, they become refugee claimants.

Refugee Claimants

After an asylum seeker submits a claim for refugee protection, they are called a refugee claimant. Since refugee claimants have notified the Federal government that they are in Canada, they can be enrolled on income assistance. A refugee claimant will have documentation from the federal government confirming they have submitted a refugee claim. The following are two examples of documents that confirm that the individual has made contact with the Federal government:

- Acknowledgement of Claim letter (AOC)
- Refugee Protection Claimant Document (RPCD)

A deportation order does not prevent the enrollment of a refugee claimant on income assistance, as this is not always the final step in the process (e.g.: they may be entitled to

appeal). Manitoba will support these individuals while the federal government works through their deportation process. The same applies for individuals with departure or exclusion orders.

Refugee Claimant with a Spouse Outside of Manitoba

- The process of determining financial eligibility is outlined in Circular 2018-35.

Convention Refugees

Refugee claimants are different than conventional resettled refugees (Privately Sponsored Refugees (PSRs) and Government Assisted Refugees (GARs)). PSRs and GARs were identified as refugees and sponsored/supported in Canada by Canadian citizens/private groups or by the Canadian government, respectively. When resettled refugees arrive in Canada, they do not claim asylum and instead arrive with Permanent Resident status, including housing and settlement support available to them for the first year. Convention refugees are eligible on the basis of residency, but as most already receive the aforementioned support, many do not meet financial eligibility for income assistance.

Visitor Visa

A Visitor Visa allows an individual to enter Canada temporarily for reasons like visiting family or friends, tourism, or other short stays. A Visitor Visa doesn't allow the individual to work, and to obtain a Visitor Visa individuals may need to prove they can financially support themselves during their stay.

A person with an active Visitor Visa cannot be enrolled on income assistance, as they are not considered a resident of Manitoba due to the temporary nature of their stay. However, if a person with a visitor visa has submitted a refugee claim and their status has changed, they could be enrolled on income assistance, provided they have their AOC or RPCD and meet financial eligibility.

Student Visa (Study Permit)

A Student Visa, or study permit, allows an individual to study in Canada at a designated learning institution. Students with valid study permits are considered eligible on the basis of residency. However, to obtain a Student Visa, individuals have typically made a financial declaration under the terms of their visa that they have sufficient resources to support themselves financially, and therefore it is expected most will be financially ineligible.

Intake Process

All applicants must take reasonable steps to establish their identity, as outlined by existing EIA policy Section 6.4.10.

- Applicants must present at their intake appointment with evidence of their status in Canada or residency in order to confirm eligibility for income assistance.
- Where applicants indicate they have property, business, or bank accounts/assets outside of Canada, all reasonable efforts must be made **by the applicant** to produce verification of their worth. The client action plan should detail a reasonable timeline to provide this information.
- Applicants should be informed that overpayments may be applied if it is later determined they had no eligibility or reduced eligibility.

If a **resident** without sufficient identification has an immediate need and otherwise meets eligibility, they can be provided with non-continuous benefits, e.g., through a purchase voucher. These cases can be transferred to community area offices, with next steps outlined in the action plan. Enrollment on the program for ongoing benefits is contingent on proof of identity.

Please note, as of **December 30, 2024**, documentation from Immigration, Refugees and Citizenship Canada (IRCC) or Canada Border Services Agency (CBSA) is required for refugee claimants to enrol on income assistance. This approach is consistent with all other provincial jurisdictions across Canada.

Case Management – Asylum Seekers

Existing income assistance recipients who were previously enrolled without documentation from the federal government will be required to submit appropriate paperwork to the department by **January 30, 2025**. After this date, cases with missing documentation will be closed.