



Legislative Summary

BILL C-22: AN ACT TO REDUCE POVERTY AND TO SUPPORT THE FINANCIAL SECURITY OF PERSONS WITH DISABILITIES BY ESTABLISHING THE CANADA DISABILITY BENEFIT AND MAKING A CONSEQUENTIAL AMENDMENT TO THE INCOME TAX ACT

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Legislative Summary of Bill C-22
(Legislative Summary)

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LEGISLATIVE SUMMARY OF BILL C-22: AN ACT TO REDUCE POVERTY AND TO SUPPORT THE FINANCIAL SECURITY OF PERSONS WITH DISABILITIES BY ESTABLISHING THE CANADA DISABILITY BENEFIT AND MAKING A CONSEQUENTIAL AMENDMENT TO THE INCOME TAX ACT

1 BACKGROUND

Bill C-22, An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act (short title: Canada Disability Benefit Act), was introduced in the House of Commons on 2 June 2022 by the Honourable Carla Qualtrough, Minister of Employment, Workforce Development and Disability Inclusion.¹ Bill C-22 received first reading on the same day.

Bill C-22 replicates the contents of Bill C-35,² an identically named bill which was introduced in the House of Commons on 22 June 2021. Bill C-35 did not progress beyond first reading; it died on the *Order Paper* when a federal election was called on 15 August 2021.

In the mandate letter of 16 December 2021 for the Minister of Employment, Workforce Development and Disability Inclusion, the minister was tasked with “[moving] forward with the design, introduction and implementation of a Canada Disability Benefit Act and Canada Disability Benefit for low-income working-age persons with disabilities.”³

On 10 May 2022, during Question Period in the House of Commons, Ms. Bonita Zarrillo (Port Moody—Coquitlam), called on the Government of Canada to bring in a disability benefit as soon as possible. She moved

[t]hat, given that the disability community has disproportionately been negatively impacted by the pandemic, the rising cost of goods and food, and the skyrocketing cost of housing, the House call on the government to put into place a Canada Disability Benefit without delay.⁴

The motion received unanimous consent.

Bill C-22 establishes the Canada Disability Benefit (CDB) with the stated purposes of reducing poverty and supporting the financial security of working-age persons with disabilities. It also sets out general provisions for administering the CDB and grants regulation-making powers to the Governor in Council with respect to most of the CDB’s design elements.

Lastly, Bill C-22 amends the *Income Tax Act*⁵ (ITA) to allow the disclosure of taxpayer information for the purpose of administering and enforcing the Canada Disability Benefit Act or for evaluating or formulating policy for that Act.

Bill C-22 was referred to the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) on 18 October 2022. HUMA reported the bill with amendments on 14 December 2022, and the House of Commons concurred in that report on 1 February 2023.⁶

Among other things, HUMA amended the bill to add a definition for the term “disability.” It amended the bill to allow the Governor in Council to make regulations that require the benefit to be indexed to inflation, and to require the Governor in Council to consider the official poverty line when making regulations about the amount of the benefit. HUMA also amended the bill to require the Minister of Employment and Social Development to make public any agreements entered into to carry out the purposes of the Canada Disability Benefit Act. The amendments also require this minister to provide persons with disabilities with “meaningful and barrier-free opportunities to collaborate in the development and design of the regulations” and to table progress reports before Parliament. Lastly, HUMA amended the bill to stipulate that an initial parliamentary review of the Canada Disability Benefit Act must be conducted earlier than originally provided (i.e., within one year of the relevant provision coming into force) and to indicate that the Act comes into force within one year after it receives Royal Assent.

Bill C-22 was referred to the Standing Senate Committee on Social Affairs, Science and Technology (SOCI) on 9 March 2023. SOCI reported the bill with amendments on 11 May 2023.⁷ The Senate concurred in that report on 16 May 2023 and sent a message to the House of Commons on 18 May 2023.

Among other changes, SOCI amended the bill to recognize the additional barriers persons with disabilities face because of their gender or other factors and to allow individuals to bring appeals with respect to certain CDB-related decisions. The committee also amended the bill to require the Governor in Council to consider other factors in addition to the official poverty line when making regulations about the amount of the benefit, and to make certain regulations within one year after the Canada Disability Benefit Act comes into force. Finally, SOCI amended the bill to stipulate that the Act comes into force on a day to be fixed by order of the Governor in Council, within one year after the date of Royal Assent.

In its report, SOCI also made observations for further action with respect to the CDB. It recommended that:

- once the CDB is implemented, the Government of Canada conduct research to determine the extent to which the benefit achieves the goal of reducing poverty among persons with disabilities and that it make adjustments if the benefit proves to be inadequate;
- the disability community be represented in all its diversity, thereby allowing the most marginalized voices to take part in all stages of the decision-making process;
- in addition to the official poverty line, the Governor in Council consider the costs associated with living with a disability when making regulations about the amount of a CDB or the method for determining this amount;
- within five years of the Canada Disability Benefit Act coming into force, the Government of Canada evaluate the impact that limiting the benefit to working-age persons with disabilities may have on seniors with disabilities;
- the Government of Canada ensure that seniors with disabilities have an income that lifts them out of poverty, either through the CDB or a disability supplement to Old Age Security;
- organizations that represent persons who live with a mental illness be involved in drafting the regulations, thereby ensuring that episodic disability due to mental illness is considered; and
- the Government of Canada base benefit eligibility on an individual's income rather than on family or household income.⁸

The House of Commons considered the Senate amendments and sent a message to the Senate on 14 June 2023. In her message to the Senate, Minister Qualtrough indicated that, among other aspects, the House of Commons disagreed with a Senate amendment that sought to protect CDB payments from being “recovered or retained, in whole or in part, under the terms of any contract, insurance plan or similar instrument.” In this regard, she indicated as follows:

[T]he House ... respectfully disagrees with amendment 2 because it raises significant constitutional concerns by seeking to regulate the insurance industry specifically or contracting generally, both of which fall within provincial jurisdiction.⁹

The Senate concurred in the motion respecting the House of Commons amendments on 20 June 2023. Bill C-22 received Royal Assent on 22 June 2023.

1.1 ABOUT THE CANADA DISABILITY BENEFIT

The CDB is one of the three components of the Disability Inclusion Action Plan to which the Government of Canada committed in the Speech from the Throne of 23 September 2020. The Speech from the Throne explained that the COVID-19 pandemic disproportionately impacted persons with disabilities and highlighted long-standing challenges.¹⁰ According to the commitment set out in the Speech from the Throne, once in place, the Disability Inclusion Action Plan would include:

- A new Canadian Disability Benefit modelled after the Guaranteed Income Supplement for seniors;
- A robust employment strategy for Canadians with disabilities;
- And a better process to determine eligibility for Government disability programs and benefits.¹¹

Funding for the Disability Inclusion Action Plan was announced in Budget 2021. In particular, the Government of Canada committed \$11.9 million over three years starting in 2021–2022 to Employment and Social Development Canada (ESDC) to hold consultations on how to reform the eligibility process for federal disability programs and benefits.¹² The outcome of these consultations is expected to “feed directly into the design of a new disability benefit.”¹³ In Budget 2021, the government indicated that, in preparation for legislation to bring forward a new disability benefit, ESDC would also “establish a steering committee to oversee the development of this work, alongside the Canada Revenue Agency, the Department of Finance Canada and Veterans Affairs Canada.”¹⁴ In its departmental plan for 2022–2023, ESDC stated that it will “continue to engage Canadians in the development and implementation of the Disability Inclusion Action Plan” and “work toward the *Accessible Canada Act* goal of a barrier-free Canada by 2040.”¹⁵

On 7 October 2022, Minister Qualtrough released Canada’s first Disability Inclusion Action Plan.¹⁶ This action plan is built upon four initial pillars identified by the disability community as key priorities:

- Pillar 1, Financial Security: actions to improve the immediate and long-term financial security of persons with disabilities, for example, creating a new Canada Disability Benefit.
- Pillar 2, Employment: actions to address long-standing barriers that persons with disabilities face in the labour market and in the workplace, for example, providing supports both to persons with disabilities and to employers.

- Pillar 3, Accessible and Inclusive Communities: actions to address the physical, communication and attitudinal barriers that prevent persons with disabilities from fully participating in their communities and in the economy.
- Pillar 4, A Modern Approach to Disability: actions to address the challenges that persons with disabilities face in accessing federal programs and benefits, as well as ensuring the needs of persons with disabilities are reflected in government policies and programs.¹⁷

In Budget 2023, the Government of Canada reiterated its commitment to launching the CDB as part of the Disability Inclusion Action Plan and announced an investment of \$21.5 million. This investment is meant to support ESDC’s continued work in 2023–2024 regarding the future delivery of the CDB, which includes engaging with the disability community and the provinces and territories on the regulatory process.¹⁸ In its departmental plan for 2023–2024, ESDC has indicated that the stakeholders who will be engaged for the design of the CDB include “Canadians with disabilities, National Disability organizations, Provincial and Territorial governments, First Nations, Metis and Inuit representatives, and Modern Treaty holders.”¹⁹

A news release from ESDC on 22 June 2021 explained that the CDB will “supplement, not replace, existing federal and provincial-territorial supports with a goal of lifting hundreds of thousands of persons with disabilities out of poverty.”²⁰ A number of federal disability benefits and programs exist, including disability pensions, children’s benefits and savings plans.²¹ However, the department noted that despite these existing supports at the federal, provincial and territorial levels, Canadians living with disabilities are twice as likely to live in poverty as are Canadians without disabilities.²²

Bill C-22 is one of the latest initiatives by the Government of Canada for the benefit of people with disabilities. In 2019, the government enacted the *Accessible Canada Act*,²³ which came into force on 11 July 2019. The *Accessible Canada Act* seeks to transform Canada and make it barrier free in areas under federal jurisdiction (including employment) before 1 January 2040 by identifying, removing and preventing barriers.²⁴ On 13 December 2021, the *Accessible Canada Regulations* came into force.²⁵ These regulations focus on accessibility planning and reporting.

2 DESCRIPTION AND ANALYSIS

2.1 GENERAL MATTERS RELATING TO THE BILL

2.1.1 Preamble

The preamble to the bill sets out the rationale for the legislation. It highlights the impact that economic and social exclusion can have on working-age persons with disabilities, who are more likely to live in poverty as a result. The barriers to employment that persons with disabilities face are examples of this type of exclusion.

These barriers can include work disincentives caused by the loss of income and other benefits when a person gains employment. Persons with disabilities may face additional barriers because of their gender, racialized or Indigenous status or other intersecting statuses.²⁶

According to the preamble, the legislation is designed to improve social and economic inclusion as well as enhance the existing protection of the rights of persons with disabilities under the *Canadian Charter of Rights and Freedoms*.²⁷ The Canada Disability Benefit Act also aims to help reduce poverty, as set out in the *Poverty Reduction Act*.²⁸ The preamble indicates that reducing poverty contributes to the progressive realization of Canada's international obligations under the United Nations *Convention on the Rights of Persons with Disabilities*²⁹ and to meeting the United Nations Sustainable Development Goals.³⁰

In addition, the preamble recognizes the importance of engaging with people who have disabilities and with the provinces and territories to design the CDB.

2.1.2 Short Title and Purposes of the Bill (Clauses 1 to 3)

Clause 1 of Bill C-22 sets out the short title of the bill, namely, the Canada Disability Benefit Act.

Clause 2 defines the terms “disability” (which has the same meaning as in section 2 of the *Accessible Canada Act*) and “Minister” (the Minister of Employment and Social Development)³¹ in the Canada Disability Benefit Act.

Clause 3 states that the purposes of the bill are “to reduce poverty and to support the financial security of working-age persons with disabilities.”

2.2 CANADA DISABILITY BENEFIT

2.2.1 General Matters Relating to the Canada Disability Benefit (Clauses 4 to 10)

Clause 4 of Bill C-22 provides that a person is eligible to receive the CDB if they meet the regulatory criteria for eligibility. Clause 5 of the bill requires the minister to pay the CDB to eligible persons who apply for it or for whom applications are made, in accordance with the regulations.

Clauses 6 and 7 of the bill make provisions for collecting information. Specifically, an applicant or their representative must provide to the minister any information required with respect to the application for a CDB (clause 6). In addition, the minister is authorized to collect and use the social insurance number of an applicant to administer and enforce the Canada Disability Benefit Act (clause 7).

Clause 8(1) stipulates that the minister may enter into agreements with any federal department or agency and, upon approval by the Governor in Council, with any provincial department or agency, to carry out the purposes of the Canada Disability Benefit Act set out in clause 3. Clause 8(2) indicates that the minister must make these agreements public.³²

Clause 9 protects CDB payments from being subject to bankruptcy or insolvency laws. It prevents the payments from being assigned, charged, attached or used as a security or retained by way of deduction, set-off or compensation under any federal legislation other than the Canada Disability Benefit Act.³³ However, benefit payments are garnishable under the *Family Orders and Agreements Enforcement Assistance Act*.³⁴

Clause 10 provides that all benefits paid under the Canada Disability Benefit Act are to be paid out of the Consolidated Revenue Fund.

Clause 10.1 stipulates that, subject to the regulations, a person or someone acting on their behalf may appeal a decision concerning a person's ineligibility for a CDB, the amount of a CDB a person has received or will receive or as prescribed by regulations. The appeal may be made to a body identified in the regulations made under clause 11(1)(i) of the bill.³⁵

2.2.2 Regulations (Clauses 11 and 11.1)

Clause 11(1) of Bill C-22 gives the Governor in Council the power to make regulations regarding most CDB design elements, including:

- the eligibility criteria (clause 11(1)(a));
- the conditions to be met to receive or continue receiving a benefit (clause 11(1)(b));
- the amount of a benefit or the method for determining that amount (clause 11(1)(c));
- the requirement to index a benefit to inflation and the manner in which a benefit is to be indexed to inflation (clause 11(1)(d));³⁶
- the payment periods and the amount to be paid in each period (clause 11(1)(e));
- applications for a benefit, including providing for an application process that is without “barriers” (as the term is defined in section 2 of the *Accessible Canada Act*) (clause 11(1)(f));³⁷
- the amendment or revocation of decisions made by the minister (clause 11(1)(g));
- reviews or reconsiderations of decisions made under the Canada Disability Benefit Act (clause 11(1)(h));
- appeals (clause 11(1)(i));
- retroactive payments to persons who do not apply for a benefit within a specified time but who are otherwise eligible (clause 11(1)(j));

- applications and payments involving persons who are incapable of managing their own affairs, as well as reviews, reconsiderations or appeals commenced on their behalf (clause 11(1)(k));
- the circumstances in which the minister may deem an applicant or beneficiary to be dead, and the application of the Canada Disability Benefit Act when an applicant or beneficiary dies (clauses 11(1)(l) and 11(1)(m));
- the minister's correction of administrative errors (clause 11(1)(n)); and
- the identification of debts and the recovery of overpayments and debts owed to the Crown (clauses 11(1)(o) and 11(1)(p)).

Clause 11(1)(q) of the bill also authorizes the Governor in Council to make regulations that establish summary conviction offences and set fines or terms of imprisonment, or both, for any of the following offences:

- knowingly using false identity information or another person's identity information to obtain a benefit (clause 11(1)(q)(i));
- counselling someone to apply for a benefit in order to steal all or a substantial part of it (clause 11(1)(q)(ii)); and
- knowingly making false or misleading representations concerning an application for a benefit (clause 11(1)(q)(iii)).

The Governor in Council may also make regulations under clause 11(1)(r) to establish a system of administrative monetary penalties and set the amounts of those penalties, for either or both of the following:

- knowingly making false or misleading representations concerning an application for a benefit (clause 11(1)(r)(i)); and
- applying for and receiving a benefit while knowingly not being eligible to receive it (clause 11(1)(r)(ii)).

Further, clause 11(1) authorizes the Governor in Council to make regulations to ensure compliance with the Canada Disability Benefit Act. Specifically, the Governor in Council may make regulations to adapt section 44.2 of the *Old Age Security Act*³⁸ (which makes provisions for the administration and enforcement of seniors' benefits under that Act) and apply it to the verification of compliance or the prevention of non-compliance with the Canada Disability Benefit Act (clause 11(1)(s)).

The Governor in Council may also make regulations authorizing the minister to ask an applicant, a beneficiary or their representative to provide any information or document needed for their application in order to verify compliance or prevent non-compliance with the Canada Disability Benefit Act (clause 11(1)(t)).

Lastly, clause 11(1)(u) allows the Governor in Council to make regulations to carry out the purposes and provisions of the Canada Disability Benefit Act.

Clause 11(1.1) requires the Governor in Council to take into consideration the following when making regulations under clause 11(1)(c) with respect to the amount of a benefit:

- the official poverty line (as defined in section 2 of the *Poverty Reduction Act*);
- the additional costs associated with living with a disability;
- the challenges that persons living with a disability face in earning employment income;
- the intersectional needs of disadvantaged individuals and groups; and
- Canada's international human rights obligations.³⁹

Clause 11(1.2) requires the Governor in Council to make some of the regulations outlined in clause 11(1) within one year of the coming into force of the Canada Disability Benefit Act. These regulations, which are meant to enable CDB payments, relate to:

- the eligibility criteria for the benefit (clause 11(1)(a));
- the conditions to be met to receive or to continue receiving the benefit (clause 11(1)(b));
- the amount of the benefit or the method for determining that amount (clause 11(1)(c));
- the indexation of the benefit to inflation (clause 11(1)(d));
- the payment periods and the amount to be paid in each period (clause 11(1)(e));
- applications (clause 11(1)(f));
- reviews or reconsiderations of decisions made under the Canada Disability Benefit Act (clause 11(1)(h));
- appeals (clause 11(1)(i));
- applications, payments, reviews, reconsiderations or appeals involving persons incapable of managing their own affairs (clause 11(1)(k)); and
- the minister's correction of administrative errors (clause 11(1)(n)).⁴⁰

Clause 11(2) stipulates that regulations made by the Governor in Council may make distinctions between different classes of applicants and beneficiaries.

Clause 11.1 requires the minister to provide persons with disabilities from different backgrounds with “meaningful and barrier-free opportunities to collaborate in the development and design of the regulations.” The regulations in respect of which persons with disabilities can collaborate include regulations that set out the application process, the eligibility criteria, the amount of a benefit and the appeal process.⁴¹

2.2.3 Progress Reports
(Clause 11.2)

Under clause 11.2(1), the minister must table a report in the House of Commons that sets out how the obligation to engage and collaborate with the disability community to develop the regulations has been implemented. This report must be tabled within six months after the day on which the Canada Disability Benefit Act comes into force.

Clause 11.2(2) requires the minister to table a report in each house of Parliament outlining the progress made in the regulatory process. This report must be tabled within one year after the day on which the Canada Disability Benefit Act comes into force. Clause 11.2(3) indicates that this progress report will be referred for review to the committee of each house that may be designated or established for that purpose. Clause 11.2(4) stipulates that the report must be published on the website of the Department of Employment and Social Development.⁴²

2.3 PARLIAMENTARY REVIEW
(CLAUSE 12)

Under clause 12 of Bill C-22, a committee of the Senate, the House of Commons or both must conduct a parliamentary review of the Canada Disability Benefit Act and its administration and operation. The review is to be conducted one year after this provision comes into force, three years after the coming into force date, then subsequently, every five years thereafter.⁴³

2.4 CONSEQUENTIAL AMENDMENTS TO THE *INCOME TAX ACT*
(CLAUSE 13)

Clause 13 of Bill C-22 amends section 241(4)(d) of the ITA, which sets out the circumstances in which taxpayer information can be disclosed. Specifically, new section 241(4)(d)(vii.51) of the ITA stipulates that taxpayer information may be provided by government officials to other officials solely for the administration and enforcement of the Canada Disability Benefit Act or for the evaluation or formulation of policy for that Act.

The Charter Statement that accompanies Bill C-22 indicates that the sharing of taxpayer information about individuals who are applying for the CDB may engage the protections against unreasonable search and seizure under section 8 of the *Canadian Charter of Rights and Freedoms*. The statement goes on to say that the constitutionality of the provision is “similar to existing powers that have been upheld by the courts in the administrative and tax contexts” because the sharing of information is only for purposes closely related to the purposes for which the information is initially collected and used.⁴⁴

2.5 COMING INTO FORCE
(CLAUSE 14)

Clause 14 of Bill C-22 provides that the Canada Disability Benefit Act comes into force on a day to be fixed by order of the Governor in Council. This day must be within one year of 22 June 2023, the date the bill received Royal Assent.⁴⁵

NOTES

1. [Bill C-22, An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act](#), 44th Parliament, 1st Session (S.C. 2023, c. 17).
2. [Bill C-35, An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act](#), 43rd Parliament, 2nd Session.
3. Prime Minister of Canada, Justin Trudeau, [Minister of Employment, Workforce Development and Disability Inclusion Mandate Letter](#), 16 December 2021.
4. House of Commons, [Debates](#), 10 May 2022, 1510 (Bonita Zarrillo).
5. [Income Tax Act](#), R.S.C. 1985, c. 1 (5th Supp.).
6. House of Commons, Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA), [Bill C-22, Canada Disability Benefit Act](#), Sixth report, 14 December 2022.
7. Senate, Standing Committee on Social Affairs, Science and Technology (SOCI), [Bill C-22, An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act, with amendment and observations](#), Twelfth report, 11 May 2023.
8. Ibid.
9. House of Commons, [Debates](#), 14 June 2023, 1715 (Hon. Carla Qualtrough).
10. Government of Canada, [A Stronger and More Resilient Canada: Speech from the Throne to Open the Second Session of the Forty-Third Parliament of Canada](#), 23 September 2020, p. 17.
11. Ibid., pp. 17–18.
The Guaranteed Income Supplement is a monthly payment provided to individuals who are 65 years of age or older and who live in Canada. It is available to low-income pensioners who receive Old Age Security and is not taxable. The parameters for the supplement are set out under the *Old Age Security Act*. For additional information, see Government of Canada, [Guaranteed Income Supplement](#); and [Old Age Security Act](#), R.S.C. 1985, c. O-9.
12. Department of Finance Canada, [A Recovery Plan for Jobs, Growth, and Resilience](#), Budget 2021, pp. 233–234.
13. Ibid., p. 233. For more information about consultations, see Employment and Social Development Canada (ESDC), [Government of Canada reintroduces legislation to create a new Canada Disability Benefit](#), News release, 2 June 2022; and ESDC, [Backgrounder: Supporting Canadians with disabilities – Canada Disability Benefit](#).
14. Department of Finance Canada, [A Recovery Plan for Jobs, Growth, and Resilience](#), Budget 2021, p. 234.
15. ESDC, [Departmental plan for fiscal year 2022 to 2023](#).
16. ESDC, [Government of Canada releases national Disability Inclusion Action Plan](#), News release, 7 October 2022.
17. Ibid. See also Government of Canada, [Canada's Disability Inclusion Action Plan, 2022](#).
18. Department of Finance Canada, [A Made-in-Canada Plan: Strong Middle Class, Affordable Economy, Healthy Future](#), Budget 2023, p. 146.

19. Government of Canada, [Departmental plan for fiscal year 2023 to 2024](#).
20. ESDC, [Government of Canada introduces legislation to create the new Canada Disability Benefit](#), News release, 22 June 2021.
21. Government of Canada, [Disability benefits](#).
22. ESDC, [Government of Canada reintroduces legislation to create a new Canada Disability Benefit](#), News release, 2 June 2022. See also Stuart Morris et al., “[A demographic, employment and income profile of Canadians with disabilities aged 15 years and over, 2017](#),” *Canadian Survey on Disability Reports*, Statistics Canada, 28 November 2018; and Statistics Canada, [Persons with disabilities and COVID-19](#), Infographic, 6 July 2020.
23. [Accessible Canada Act](#), S.C. 2019, c. 10.
24. For more information, see Brendan Naef and Mayra Perez-Leclerc, [Legislative Summary of Bill C-81: An Act to ensure a barrier-free Canada](#), Publication no. 42-1-C81-E, Library of Parliament, 27 June 2019. See also Government of Canada, [Order in Council P.C. 2019-1042](#), 9 July 2019.
25. [Accessible Canada Regulations](#), SOR/2021-241. See also ESDC, [Summary of the Accessible Canada Regulations](#).
26. At the committee stage, SOCI amended the preamble of the bill to recognize additional barriers faced by persons with disabilities because of their gender or other factors. Previously, the preamble only recognized barriers to employment, including work disincentives caused by the loss of income.
27. [Canadian Charter of Rights and Freedoms](#), Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.).
28. [Poverty Reduction Act](#), S.C. 2019, c. 29, s. 315.
29. United Nations (UN), High Commissioner for Human Rights, [Convention on the Rights of Persons with Disabilities](#), 12 December 2006.
30. UN, “[17 Goals to Transform Our World](#),” *Sustainable Development Goals*.
31. At the committee stage, HUMA amended the bill to add a definition for the term “disability.”
 In the *Accessible Canada Act*, “disability” is defined in section 2 as

any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment – or a functional limitation – whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person’s full and equal participation in society.

 See [Accessible Canada Act](#), S.C. 2019, c. 10.
32. At the committee stage, HUMA amended the bill to require the minister to make public all agreements entered into under clause 8(1) of the bill.
33. At the committee stage, SOCI amended the bill to protect Canada Disability Benefit (CDB) payments from being “recovered or retained, in whole or in part, under the terms of any contract, insurance plan or similar instrument.” However, the House of Commons disagreed with this amendment, and after consideration, the Senate agreed to remove it.
34. [Family Orders and Agreements Enforcement Assistance Act](#), R.S.C. 1985, c. 4 (2nd Supp.).
 The enforcement of family support obligations is primarily a provincial and territorial responsibility. However, the federal government can assist the provinces and territories in their enforcement activities using federal legislation, such as the *Family Orders and Agreements Enforcement Assistance Act*. Under Part II of the Act, certain federal payments (such as Employment Insurance, Old Age Security, Canada Pension Plan and federal income tax refunds) may be garnished to pay family support obligations. These federal payments (known as “garnishable moneys”) are designated under section 3 of the [Family Support Orders and Agreements Garnishment Regulations](#), SOR/88-181.
35. At the committee stage, SOCI amended the bill to allow appeals with respect to decisions about ineligibility for a CDB or the amount of a CDB. The House of Commons modified this amendment to expand the potential grounds of appeal as prescribed by regulations, among other aspects.
36. At the committee stage, HUMA amended the bill to allow the Governor in Council to make regulations requiring that the benefit be indexed to inflation.

37. At the committee stage, HUMA amended the bill to allow the Governor in Council to make regulations that provide for an application process without barriers.
- The *Accessible Canada Act* defines the term “barrier” in section 2 as
- anything – including anything physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a policy or a practice – that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation.
- See [Accessible Canada Act](#), S.C. 2019, c. 10.
38. [Old Age Security Act](#), R.S.C. 1985, c. O-9, s. 44.2.
39. At the committee stage, HUMA amended the bill to add the requirement for the Governor in Council to consider the official poverty line when making regulations about the amount of a benefit. The *Poverty Reduction Act* defines the term “official poverty line” in section 2 as “the Market Basket Measure, as published by Statistics Canada under the authority of the *Statistics Act*.” See [Poverty Reduction Act](#), S.C. 2019, c. 29, s. 315.
- Subsequently, SOCI amended the bill to require the Governor in Council to consider other factors in addition to the official poverty line when making regulations about the amount of a benefit.
40. At the committee stage, SOCI amended the bill to require the Governor in Council to make certain regulations that are necessary to enable CDB payments, within one year after the Canada Disability Benefit Act comes into force.
41. At the committee stage, HUMA amended the bill to add a provision requiring collaboration with persons with disabilities in making regulations.
42. At the committee stage, HUMA amended the bill to require the minister to table these progress reports.
43. At the committee stage, HUMA amended the bill to require a parliamentary review to be conducted within one year after clause 12 comes into force.
44. Government of Canada, [Bill C-22: An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act – Charter Statement](#), 21 June 2022.
45. The coming into force provision for the Canada Disability Benefit Act was amended by HUMA at the committee stage to bring the bill into force within one year after it receives Royal Assent. Subsequently, SOCI amended the bill to stipulate that the Act comes into force on a day to be fixed by order of the Governor in Council, but did not remove HUMA’s time stipulation.