# **Table of Contents**

#### EMPLOYMENT INSURANCE ACT

#### **SHORT TITLE**

- 1 Short title
  - § 1:1 Commentary

# INTERPRETATION

- 2 Definitions
  - § 2:1 Explanation
  - § 2:2 Commentary

### **REPORT**

- 3 Commission to assess adjustment
  - § 3:1 Commentary

# MAXIMUM YEARLY INSURABLE EARNINGS

- 4 Maximum yearly insurable earnings
  - § 4:1 Commentary

#### INSURABLE EMPLOYMENT

- 5 Types of insurable employment
  - § 5:1 Commentary—Comparison to Former Unemployment Insurance Act
  - § 5:2 —General
  - § 5:3 —Discerning a Contract of Service
  - § 5:4 —Insurable Employment
  - § 5:5 —Excluded (Formerly Excepted) Employment— Subsection (2)(a)
  - § 5:6 ———Casual Employment
  - § 5:7 ——"Other than for the Purpose of the Employer's Trade or Business"
  - § 5:8 Non-Arm's-Length Employment: Subs. (2)(i)
  - § 5:9 Controlling Shareholders: Subs. (2)(b) [formerly s. 3(2)(d)]
  - $\$  5:10 —Regulations Extending Insurable Employment: Subss. 5(4) and (5)
  - § 5:11 —Regulations for Excluding from Insurable Employment: s. 5(6)

- § 5:12 —Transitional Provision
- § 5:13 —Related Regulations
- § 5:14 —Effective Date
- § 5:15 Related Provisions

# PART I UNEMPLOYMENT BENEFITS (SS. 6-55)

#### INTERPRETATION

- 6 Definitions
  - § 6:1 Explanation
  - § 6:2 Commentary
  - § 6:3 Related Provisions

#### **QUALIFYING FOR BENEFITS**

- 7 Benefits payable to persons who qualify
  - § 7:1 Explanation
  - § 7:2 Commentary
  - § 7:3 Related Provisions
- 7.1 Increase in required hours
  - § 7.1:1 Commentary
- 8 Qualifying period
  - § 8:1 Explanation
  - § 8:2 Commentary
  - § 8:3 Related Provisions

### BENEFIT PERIOD

- 9 Establishment of benefit period
  - § 9:1 Commentary
  - § 9:2 Related Provisions
- 10 Beginning of benefit period
  - § 10:1 Explanation
  - § 10:2 Commentary—Commencement of Benefit Period: Subs.
  - § 10:3 —Length of Benefit Period: Subs. (2)
  - § 10:4 —Only One Benefit Period May Exist at a Time: Subs.
  - § 10:5 —Antedate: Subs. (4)
  - § 10:6 ——"Good Cause for the Delay"—Determination, Timing and Meaning of "Good Cause"
  - § 10:7 ———Causes for Delay—Ignorance of the Law
  - § 10:8 ————Misinformation Given to the Claimant
  - § 10:9 ————Change in the Legislation
  - § 10:10 — Subsequent case law
  - § 10:11 ————Waiting for Supporting Documents

# Table of Contents

	§	10:12	————Illness, Incapacity, Physical Handicap,
			Pregnancy
	§	10:13	————Inexperience With Employment Insurance
			System
	§	10:14	————Error Concerning Employment Status
	§	10:15	————Seeking Benefits from Another Source
	§	10:16	————Expecting Reinstatement or New Employment
	§	10:17	————Difficulty with an Official Language
	§	10:18	— — — Miscellaneous
	§	10:19	——Qualified for Benefits on the Date Sought for
			Antedate—Requirements to be Met as of the Earlier
			Date
	_		— — Where Antedate is not the Issue
	§	10:21	—Backdate: Subs. (5)
			— —Background
	§	10:23	——Similarities to Antedate
	§	10:24	—Exceptions to Antedate and Backdate: Subss. (5.1),
			(5.2) and (5.3)
	§	10:25	—Cancellation of Benefit Period: Subss. (6) and (7)
	§	10:26	—Termination of Benefit Period: Subss. (8) and (9)
	§	10:27	—Extension of Benefit Period: Subss. (10)–(15)
	§	10:28	Related Provisions
11	1	Week o	of unemployment
	§	11:1	Explanation
			Commentary
	_		Related Provisions

# PAYMENT OF BENEFITS

- 12 Benefits
  - § 12:1 Explanation
  - § 12:2 Commentary
  - § 12:3 Related Provisions
- 13 Waiting period
  - § 13:1 Explanation
  - § 13:2 Commentary
  - § 13:3 Related Provisions
- 13.1 Presumption
  - § 13.1:1 Commentary

# RATE OF BENEFITS

- 14 Rate of weekly benefits
  - § 14:1 Commentary
- 15 [Repealed 2001, c. 5, s. 5.]
- 16 Rate increase—family supplement

- § 16:1 Commentary 17 Maximum rate of weekly benefits
  - § 17:1 Commentary

# DISENTITLEMENT TO BENEFITS

18	Availak	pility for work, etc.
		Commentary—Introduction
		—Availability—General
		— — — Meaning of "Availability"
		———Available for Normal Working Days and Hours
		— — — Application of Requirement
		— — Proving Availability—Onus
§	18:7	———Factors to be Considered
§	18:8	———Statements and Conduct of Claimant
§	18:9	——Job Search
§	18:10	— — Claimant's Circumstances and Availability—Absent
		from the Work Area
		———Attending Course of Instruction—General
§	18:12	————General Presumption of Non-Availability
§	18:13	————Rebutting the Presumption
§	18:14	———Awaiting Recall or Future Employment
§	18:15	— — Jury Duty
§	18:16	———Lack of Work Permit
§	18:17	— — — Self-Employment and Volunteer Work
§	18:18	———Teachers
§	18:19	— — —Incarceration
§	18:20	——Self-Imposed Restrictions and Availability—General
		——Onus to Prove and Evidence of Unreasonable
_		Restriction
§	18:22	— — — Warning before Disentitlement
§	18:23	———Removal of Restriction
§	18:24	———Restriction as to Type of Work
		———Restriction as to Hours or Part-time Employment
		———Restriction as to Wage
§	18:27	———Restriction as to Geographical Area—General
		———Residence in a Region of Limited Employment
Ü		Opportunities
§	18:29	————Moving into a New Region
		————Following Spouse to Area of Limited Work
		————Geographical Restrictions and the Charter
		———Restriction Based on Lack of Transportation
		———Restriction Based on Domestic Situation
_		———Restriction Based on Religious Convictions
		—Capability—General
9	_0.00	

#### TABLE OF CONTENTS

8	18:36 — — "Sickness Benefits" — General
_	18:37 ———Onus and Evidence
_	18:38 — ——Sickness vs. Regular Benefits
	18:39 — — Pregnancy
_	18:40 — — — Claimant's not family member's incapacity
	18:41 Related Provisions

#### DEDUCTIONS FROM BENEFITS

- 19 Earnings in waiting period
  - § 19:1 Commentary
- 20 Deduction for excluded days in waiting period
  - § 20:1 Explanation
  - § 20:2 Commentary
  - § 20:3 Related Provisions

#### SPECIAL BENEFITS

- 21 Illness, etc.—minor attachment claimants
  - § 21:1 Commentary
- 22 Pregnancy
  - § 22:1 Explanation
  - § 22:2 Commentary
  - § 22:3 —General
  - § 22:4 —Eligibility for Maternity Benefits
  - § 22:5 —Entitlement to Benefits
  - § 22:6 —Extension of the Benefit Period
  - § 22:7 —Combined Benefits
  - § 22:8 —Proof of Pregnancy and Birth
  - § 22:9 —Premature Births
  - § 22:10 —Miscarriages/Clinical Abortions/Stillbirths
  - § 22:11 —Extension of Qualifying Period
  - § 22:12 —Work-Sharing and Job Creation Programs
  - § 22:13 —Claiming Benefits while Outside Canada
  - § 22:14 —Monies Received while in Receipt of Maternity Benefits
  - § 22:15 —Pregnancy as a Ground of Discrimination
  - § 22:16 —Labour Disputes
  - § 22:17 —Employer-Sponsored Maternity Benefit Plans and Wage-loss Indemnity Plans—Interruption of Earnings
  - § 22:18 — Maternity Benefit Plans—Interruption of Earnings
  - § 22:19 — Type of Plan Contemplated
  - § 22:20 — Waiver of the Waiting Period
  - § 22:21 —Wage-loss Indemnity Plans—General
  - § 22:22 — Payments from Group Plan
  - § 22:23 — Payments from Individual Plan

- § 22:24 —Provincial Employment Standards Legislation
- § 22:25 Related Provisions
- 23 Parental benefits
  - § 23:1 Commentary
  - § 23:2 —Maximum Benefit Period
  - § 23:3 —"Placement"
  - § 23:4 —Placement of More Than One Child for Adoption
  - § 23:5 —Combined Benefits
  - § 23:6 —Parental Benefits and Availability for Work
  - § 23:7 —Claiming Benefit while Outside Canada
  - § 23:8 —Work-sharing Benefits
  - § 23:9 —Waiver of Waiting Period
  - § 23:10 —Past Charter Challenges
  - § 23:11 —Labour Disputes
  - § 23:12 —Employer-Sponsored Parental Leave Plans and Wageloss Indemnity Plans—Interruption of Earnings
  - § 23:13 ——Parental Leave Benefit Plans—Interruption of Earnings
  - § 23:14 — Type of Plan Contemplated
  - § 23:15 — Waiver of the Waiting Period
  - § 23:16 Wage-loss Indemnity Plans—General
  - § 23:17 ———Payments from Group Plan
  - § 23:18 — Payments from Individual Plan
  - § 23:19 —Monies Received while in Receipt of Parental Benefits
  - § 23:20 Related Provisions
- 23.1 Compassionate care benefits
  - § 23.1:1 Commentary
  - § 23.1:2 Commentary
  - § 23.1:3 Related Provisions
- 23.2 Benefits—critically ill child
  - § 23.2:1 Commentary
  - § 23.2:2 Related Provisions
- 23.3 Benefits—critically ill adult
  - § 23.3:1 Commentary

#### WORK-SHARING

- 24 Regulations for work-sharing benefits
  - § 24:1 Explanation
  - § 24:2 Commentary
  - § 24:3 Related Provisions

# COURSES, PROGRAMS AND EMPLOYMENT SUPPORT MEASURES

- 25 Status of claimants
  - § 25:1 Commentary

26 Benefits are not earnings § 26:1 Commentary

# DISQUALIFICATION AND DISENTITLEMENT

27			lification—general
			Explanation
			Commentary
			—Purpose and Application of s. 27
	§	27:4	—Imposition of Disqualification for Refusal of or Failure
			to Apply for Suitable Employment: ss. 27(1)(a) and
			(b)—Generally
	§	27:5	——Suitable Employment—General
	Š	27:6	———Test
		27:7	— — Refusal of usual/former employment
			———Attempting the job
			———Claimant's Qualification for Employment
			———Wages and Working Conditions
			———A Waiting Recall; Accepting "Work Call-out"
			— — Miscellaneous
	Ş	27:13	——Refusal or Failure to Avail Oneself of Suitable
	o	05.14	Employment
			——Good Cause—Test
			— — — Good cause vs. just cause
			———Subjective and objective elements
			———No reconsideration by the Commission
			———Misinformation by the Commission
			— — —Short-term Work
			———Employment Conditions and Wages
	§	27:21	———Distance to Employment and Transportation
		o <b>=</b> 00	Difficulties
			———Childcare
			— — — Professional Conscience
			———Health and Medical Conditions
			— — — Miscellaneous
	§	27:26	—Failure to Comply with Reasonable Written Direction(s) or Attend an Interview: ss. 27(1)(c) and (d)
	8	27:27	—Commission-referred Courses: s. 27(1.1)
	_		—Reasonable Interval: s. 27(3)
	•		Related Provisions
28	•		on of disqualification
			Commentary
29	_		retation
		_	Explanation
	_		Commentary

```
§ 29:3
       —Disqualification Under s. 29—General
§ 29:4
       ——Employment (s. 29): Background and Interpretation
§ 29:5
       —Voluntary Leaving Without Just Cause—General
§ 29:6
      ——Section 29(b.1): Expanded definition of voluntarily
         leaving
 29:7
       — —Burden of Proof
       — —Leaving "voluntarily"
§ 29:8
       ——"Just Cause"—Legal Considerations—Test and
         Meaning
 29:10 ————Distinction of Terms "Just Cause" and "Good
         Cause"
§ 29:11 ————Burden of Proof
§ 29:12 — — — Commission bound by its decision
§ 29:13 — — Factual Considerations: Examples of Just
         Cause—Working Conditions
§ 29:14 — — — Employment Relations
\ 29:15 — — — Health or Physical Difficulties
§ 29:16 — — — Duty to Take Steps to Improve Conditions or
         to Find Other Employment
 29:17 ————Leaving Prematurely
 29:18 — — — Reasonable Assurance of Another Employment
         in the Immediate Future
 29:19 ———Where There are Changes in Working
         Conditions
 29:20 — — — Mistaken Belief
§ 29:21 ————Labour Disputes
§ 29:22 — — — Working Within One's Field or Area of
         Competence or Expertise
§ 29:23 ————Personal Reasons
§ 29:24 — — — Religious and Other Rights
§ 29:25 — — — Domestic Reasons
§ 29:26 — — — Transportation Problems
§ 29:27 — — — — Attempting Job
§ 29:28 — — — Education
 29:29 — — — Such Other Reasonable Circumstances as are
         Prescribed
 29:30 — — Social Policy—Early Retirement
§ 29:31 — — — Unionized Employees: Bumping Rights and
         Voluntary Lay-Off
§ 29:32 — — — Non-Union Situations: Voluntary Lay-Off
§ 29:33 ———Workforce Reduction Process
§ 29:34 — —Voluntary Leaving and Availability
§ 29:35 —Misconduct—Requirement of Employment
§ 29:36 — — Meaning of and Test for Misconduct
§ 29:37 ———Wilfulness
```

# Table of Contents

§ 29:38 — — — Dismissal for Cause vs. Misconduct
§ 29:39 — — Objective Standard
§ 29:40 — — Outside the Workplace/Outside Working Hours
§ 29:41 — — — The Steps that Must Be Followed
§ 29:42 — —Onus
§ 29:43 — —Examples—Employer-employee "Disputes"
§ 29:44 — — Employer's Economic Interests
§ 29:45 — — — Disobedience
§ 29:46 — — — Company rules
§ 29:47 — — Failure to Maintain or Renew a Licence or
Qualification
§ 29:48 — — — Absenteeism
§ 29:49 — — Rude or aggressive behaviour
§ 29:50 — — — Criminal conduct
§ 29:51 ——Misconduct and Labour Disputes: s. 29(b)
§ 29:52 —Evidentiary Issues Relating to Voluntary Leaving and
Misconduct
§ 29:53 Related Provisions
30 Disqualification—misconduct or leaving without just cause
§ 30:1 Explanation
§ 30:2 Commentary
31 Disentitlement—suspension for misconduct
§ 31:1 Commentary
32 Disentitlement—period of leave without just cause
§ 32:1 Commentary
33 Disentitlement—anticipated loss of employment
§ 33:1 Commentary
34 Suspension of disentitlement
35 Exception
§ 35:1 Commentary
36 Labour disputes
§ 36:1 Commentary
§ 36:2 —General—Overview
§ 36:3 — Rationale and Validity of S. 36
§ 36:4 ——Definition of "Labour Dispute"
§ 36:5 ——Persons Subject to the Disentitlement
§ 36:6 —Imposition of the Disentitlement—Loss of or Inability
to Resume Employment by Reason of Work Stoppage
Attributable to a Labour Dispute
§ 36:7 ———Loss of or Inability to Resume Employment—
Claimant Must Have Employment to Lose
§ 36:8 ————Loss of Employment
§ 36:9 — — —Inability to Resume Employment
§ 36:10 — — By Reason of a Stoppage of Work
§ 36:11 ———Attributable to a Labour Dispute

#### Annotated Employment Insurance Act

```
§ 36:12 — — Disentitlement if Second Employment Lost
   § 36:13 —Re-Entitlement: Subs. (1)
   § 36:14 ——Re-entitlement on Termination of Work Stoppage—
            General
    36:15 — — The "85 Per Cent Rule" and Reg. 53
   § 36:16 — Re-Entitlement When Claimant "Regularly
            Engaged"
   § 36:17 ——Re-Entitlement When Claimant Becomes "Bona
            Fide Employed"
   § 36:18 —Suspension of Disentitlement: Subs. (3)
   § 36:19 —Non-Application of Disentitlement: Subs. (4)—General
   § 36:20 — Not Participating, Not Financing, Not Directly
            Interested
   \S 36:21 ———"Not Participating"
   § 36:22 ———"Not Financing"
   § 36:23 ———"Not Directly Interested"
   § 36:24 —Separate Departments: Subs. (5)[formerly subs. (3)]
   § 36:25 Related Provisions
37 Prison inmates and persons outside Canada
   § 37:1 Explanation
   § 37:2 Commentary
   § 37:3 Related Provisions
PENALTIES
38
     Penalty for claimants, etc.
   § 38:1 Commentary—General
   § 38:2
          — — Third Party Statements
   § 38:3
          ——Statement Made "Knowingly"—Intention Required
          ———Falsity Alone Not Sufficient
   § 38:5
          ———False Statement Innocently Made
   § 38:6
          — — Subjective test
   § 38:7
          -- Burden and Standard of Proof-Onus on the
            Commission
    38:8
          ———Reasonable explanation (shifting onus to
            claimant)
          ———Proof on a balance of probabilities
   § 38:10 ———Evidence
   § 38:11 ——Causes of Incorrect Responses—General
   § 38:12 ———Necessity
   § 38:13 — — Confusion as to Employment Status
   § 38:14 — — Confusion Regarding Course of Instruction
   § 38:15 — — Confusion Regarding Availability
    38:16 — — Failure to Disclose or Error in the Disclosure of
            Earnings—Error as to Character of Payment
   § 38:17 ————Earnings Received Subsequent to Report
```

#### TABLE OF CONTENTS

§	38:18 — — — — Incorrect Attribution of Earnings to Time
	Period
§	38:19 ————Gross Amount of Earnings
§	38:20 —Cracking Down on Fraud
§	38:21 —Level of Penalty
§	38:22 — —General
§	38:23 ——New facts
§	38:24 — —Commission policy regarding voluntary admissions
	of false statements
§	38:25 —Notice of Penalty
§	38:26 Related Provisions
39	Penalty for employers, etc.
§	39:1 Commentary
40	Limitation on imposition of penalties
§	40:1 Commentary
41	Rescission, etc., of penalty
§	41:1 Commentary
41.1	Warning
§	41.1:1 Commentary

# NON-ASSIGNMENT OF BENEFITS AND LIABILITY TO RETURN BENEFITS AND PAY PENALTIES

Benefits not assignable 42§ 42:1 Commentary 43 Liability for overpayments § 43:1 Commentary § 43:2 Related Provisions Liability to return overpayment § 44:1 Commentary Return of benefits by claimant 45 § 45:1 Explanation § 45:2 Commentary § 45:3 Related Provisions Return of benefits by employer or other person § 46:1 Explanation § 46:2 Commentary § 46:3 Related Provisions 46.01 Limitation § 46.01:1 Commentary Liability of directors to pay penalties 46.1§ 46.1:1 Commentary Debts to Crown § 47:1 Explanation

§ 47:2 Commentary

#### § 47:3 Related Provisions

### **CLAIM PROCEDURE**

- 48 Claim required
  - § 48:1 Explanation
  - § 48:2 Commentary
  - § 48:3 Related Provisions
- 49 Proof required
  - § 49:1 Commentary
  - § 49:2 Related Provisions
- 50 Entitlement to benefits
  - § 50:1 Explanation
  - § 50:2 Commentary
  - § 50:3 Related Provisions
- 51 Information
  - § 51:1 Commentary
- 52 Reconsideration of claim
  - § 52:1 Commentary
  - § 52:2 Related Provisions s.153.161 (Course, program of instruction or non-referred training)
- 53 Notification
  - § 53:1 Commentary

#### REGULATIONS

- 54 Regulations
  - § 54:1 Explanation
  - § 54:2 Commentary
  - § 54:3 Related Provisions
- 55 Hours of insurable employment
  - § 55:1 Commentary

# PART II EMPLOYMENT SUPPORT MEASURES AND NATIONAL EMPLOYMENT SERVICE (SS. 56–65.2)

- 56 Purpose
  - § 56:1 Commentary
- 57 Guidelines
  - § 57:1 Commentary
- 58 Definition of "insured participant"
  - § 58:1 Commentary
- 59 Employment support measures
  - § 59:1 Commentary
- 60 National employment service
  - § 60:1 Commentary
- 61 Financial assistance

xxiv

### Table of Contents

- § 61:1 Commentary
- Agreements for administering employment support measures
  - § 62:1 Commentary
- 63 Agreements for paying costs of similar benefits and measures
  - § 63:1 Commentary
- 63.1 [Repealed 2017, c. 20, s. 309.]
- 64 No appeal
  - § 64:1 Commentary
- 65 Liability for repayments
  - § 65:1 Commentary
- 65.1 Penalties
  - § 65.1:1 Commentary
- 65.2 Debts due to the Crown
  - § 65.2:1 Commentary

# PART III PREMIUMS AND OTHER FINANCIAL MATTERS (SS. 65.21–80.1)

#### INTERPRETATION

- 65.21 Definition of "actuary"
  - § 65.21:1 Commentary

### **PREMIUMS**

- 65.3 [Repealed 2008, c. 28, s. 126.]
- Annual premium rate setting
  - § 66:1 Commentary
  - § 66:2 Related Provisions
- 66.1 Information provided
- 66.2 Information provided
- 66.3 Actuary's report
- 66.31 Report and summary
- 66.32 Premium rate setting by Governor in Council
- 66.4 Rounding percentage rates
- 66.5 Publication in Canada Gazette
- 66.6 Service Fees Act
- 67 Employee's premium
  - § 67:1 Commentary
- 68 Employer's premium
  - § 68:1 Commentary
- 69 Premium reduction—wage-loss plans
  - § 69:1 Explanation
  - § 69:2 Commentary
  - § 69:3 Related Provisions
- 70 Overlapping pay periods

- § 70:1 Commentary
- 70.1 [Repealed 2012, c. 19, s. 613.]

# EMPLOYMENT INSURANCE OPERATING ACCOUNT

70.2 Employment Insurance Operating Account established

# [HEADING REPEALED 2010, C. 12, S. 2186.]

- 71 [Repealed 2010, c. 12, s. 2186.]
- 72 Payment into Consolidated Revenue Fund
  - § 72:1 Commentary
- 73 Credits to Employment Insurance Operating Account
  - § 73:1 Commentary
  - § 73:2 Related Provisions
- 73.1 Benefit enhancements under this Act
- Government premiums
  - § 74:1 Commentary
  - § 74:2 Related Provisions
- 75 Other credits to Employment Insurance Operating Account
  - § 75:1 Commentary
  - § 75:2 Related Provisions
- 76 [Repealed 2010, c. 12, s. 2187.]
- 77 Charges to the Account
  - § 77:1 Explanation
  - § 77:2 Commentary
- 77.1 Forecasts and estimates
- 78 Maximum amount that may be paid under Part II
  - § 78:1 Commentary
- 79 Plan
  - § 79:1 Commentary
- 80 [Repealed 2010, c. 12, s. 2188.]
- 80.1 Regulations—payment of interest
  - § 80.1:1 Commentary

# PART IV INSURABLE EARNINGS AND COLLECTION OF PREMIUMS (SS. 81–108)

### **INTERPRETATION**

- 81 Definitions
  - § 81:1 Commentary
  - § 81:2 Related Provisions

### PAYMENT OF PREMIUMS

- 82 Deduction and payment of premiums
  - § 82:1 Commentary

xxvi

#### TABLE OF CONTENTS

- § 82:2 Related Provisions
- 82.01 Excess payment—amount deemed not deducted
- 82.1 Succession of employers
  - § 82.1:1 Commentary
- 83 Liability of directors
  - § 83:1 Commentary
  - § 83:2 Related Provisions
- 84 Employer's premium not recoverable
  - § 84:1 Commentary
  - § 84:2 Related Provisions
- 85 Assessment
  - § 85:1 Explanation
  - § 85:2 Commentary
  - § 85:3 Related Provisions
- 86 Recovery
  - § 86:1 Commentary
  - § 86:2 Related Provisions
- 87 Records and books
  - § 87:1 Explanation
  - § 87:2 Commentary
  - § 87:3 Related Provisions
- 88 Inspections
  - § 88:1 Explanation
  - § 88:2 Commentary
  - § 88:3 Related Provisions
- 89 Protection of employer
  - § 89:1 Commentary

### RULINGS AND APPEALS

- 90 Request for ruling
  - § 90:1 Commentary
- 90.1 Determination of questions
- 91 Appeal of rulings
  - § 91:1 Commentary
- 92 Appeal of assessments
  - § 92:1 Commentary
- 93 Notification of appeal
  - § 93:1 Commentary
- 94 Minister's authority not restricted
  - § 94:1 Commentary

# OVERPAYMENTS AND REFUNDS

- 95 Employee overpayment
  - § 95:1 Commentary

### Annotated Employment Insurance Act

- 96 Refund—overpayments
  - § 96:1 Commentary

#### ADMINISTRATION

- 97 Minister's duty
  - § 97:1 Commentary
- 98 Application of section 223 of the *Income Tax Act* 
  - § 98:1 Commentary
  - § 98:2 Related Provisions
- 99 Application of *Income Tax Act* provisions
  - § 99:1 Commentary
  - § 99:2 Related Provisions
- 100 Financial institutions to receive cheques
  - § 100:1 Commentary
- 101 Execution of documents by corporations
- 102 Information or complaint
  - § 102:1 Commentary
  - § 102:2 Related Provisions

### **OBJECTION AND REVIEW**

- 103 Appeal to the Tax Court of Canada
  - § 103:1 Commentary
  - § 103:2 Related Provisions
- 104 Authority to decide questions
  - § 104:1 Commentary
  - § 104:2 Related Provisions
- 105 Decision final
  - § 105:1 Commentary
  - § 105:2 Related Provisions

# **OFFENCES**

- 106 Offence and punishment
  - § 106:1 Commentary
  - § 106:2 Related Provisions
- 107 Officers, etc., of corporations
  - § 107:1 Commentary
  - § 107:2 Related Provisions

# REGULATIONS

- 108 Regulations
  - § 108:1 Commentary
  - § 108:2 Related Provisions

xxviii

# PART V PILOT PROJECTS (SS. 109, 110)

- 109 Regulations
  - § 109:1 Commentary
- 110 Expiration of regulations

# PART VI ADMINISTRATIVE PROVISIONS (SS. 111-143)

#### ADMINISTRATIVE REVIEW

- 111 Rescission or amendment of decision
  - § 111:1 Commentary
  - § 111:2 Related Provisions

#### [HEADING REPEALED 2012, C. 19, S. 247.]

- 112 Reconsideration—Commission
  - § 112:1 Commentary
  - § 112:2 Related Provisions
- 112.1 Decision not reviewable
  - § 112.1:1 Commentary
- 113 Appeal to Social Security Tribunal
  - § 113:1 Commentary

### [HEADING REPEALED 2012, C. 19, S. 247.]

- 114 Payment of benefit pending appeal
  - § 114:1 Commentary
  - § 114:2 Related Provisions
- 115 Regulations
- 116 [Repealed 2012, c. 19, s. 247.]
- 117 [Repealed 2012, c. 19, s. 247.]
- 118 [Repealed 2012, c. 19, s. 247.]
- 119 [Repealed 2012, c. 19, s. 247.]
- 120 [Repealed 2012, c. 19, s. 247.]
- 121 [Repealed 2012, c. 19, s. 247.]
- 122 [Repealed 2012, c. 19, s. 247.]
- 123 [Repealed 2012, c. 19, s. 247.]

### **INVESTIGATIONS**

- 124 Investigation by Commission
  - § 124:1 Explanation
  - § 124:2 Commentary

### **ENFORCEMENT**

- 125 Information or complaint
  - § 125:1 Explanation

#### Annotated Employment Insurance Act

- § 125:2 Commentary
- 126 Certificates
  - § 126:1 Explanation
  - § 126:2 Commentary
- 127 [Repealed 2005, c. 34, s. 64.]
- 128 [Repealed 2005, c. 34, s. 64.]
- 129 Privilege
  - § 129:1 Commentary
- 130 Default
  - § 130:1 Explanation
  - § 130:2 Commentary
- 131 Question under section 90
  - § 131:1 Commentary
  - § 131:2 Related Provisions
- 132 Question for Commission
  - § 132:1 Explanation
  - § 132:2 Commentary
  - § 132:3 Related Provisions
- 133 [Repealed 2015, c. 13, s. 54.]
- 134 Evidence of documents, etc.
  - § 134:1 Explanation
  - § 134:2 Commentary

#### OFFENCES AND PUNISHMENT

- 135 Offence
  - § 135:1 Commentary
  - § 135:2 Related Provisions
- 136 Contravention of Act or regulations
  - § 136:1 Commentary
  - § 136:2 Related Provisions
- 137 General penalty for offences
  - § 137:1 Explanation
  - § 137:2 Commentary
  - § 137:3 Related Provisions

### SOCIAL INSURANCE NUMBER

- 138 Obligation
  - § 138:1 Explanation
  - § 138:2 Commentary
  - § 138:3 Related Provisions
- 139 Change of name
  - § 139:1 Explanation
  - § 139:2 Commentary
  - § 139:3 Related Provisions

#### TABLE OF CONTENTS

- 140 Regulations
  - § 140:1 Explanation
  - § 140:2 Commentary
  - § 140:3 Related Provisions
- 141 [Repealed 2012, c. 19, s. 308.]

### REPORTS

- 142 Reports
  - § 142:1 Commentary

# [HEADING REPEALED 2012, C. 19, S. 250.]

143 [Repealed 2012, c. 19, s. 250.]

# PART VII BENEFIT REPAYMENT (SS. 144-152)

- 144 Definitions
  - § 144:1 Commentary
  - § 144:2 Related Provisions
- 145 Benefit repayment
  - § 145:1 Commentary
- 146 Returns
  - § 146:1 Explanation
  - § 146:2 Commentary
  - § 146:3 Related Provisions
- 147 Estimate of benefit repayment
  - § 147:1 Commentary
  - § 147:2 Related Provisions
- 148 Responsible Minister
  - § 148:1 Commentary
  - § 148:2 Related Provisions
- 149 Application of Income Tax Act provisions
  - § 149:1 Commentary
  - § 149:2 Related Provisions
- 150 Debts due Her Majesty
  - § 150:1 Commentary
  - § 150:2 Related Provisions
- 151 Communication of information
  - § 151:1 Commentary
  - § 151:2 Related Provisions
- 152 Regulations
  - § 152:1 Commentary
  - § 152:2 Related Provisions

# PART VII.1 BENEFITS FOR SELF-EMPLOYED PERSONS (SS. 152.01–152.34)

### Annotated Employment Insurance Act

# INTERPRETATION

§ VII.1:1 Explanation of Part VII.1

152.01 Definitions

### **APPLICATION**

152.02 Agreement

### **BENEFITS**

152.03	Illness, injury or quarantine
152.04	Pregnancy
152.05	Parental benefits
152.06	Compassionate care benefits
152.061	Benefits—critically ill child
§ 152	.061:1 Commentary
152.062	Benefits—critically ill adult

# **QUALIFYING FOR BENEFITS**

152.07 Qualification requirements

§ 152.07:1 Commentary

152.08 Qualifying period

152.09 Benefits under this Part and Part I

# BENEFIT PERIOD

- 152.1 Establishment
- 152.11 Beginning of benefit period
- 152.12 Notification

### PAYMENT OF BENEFITS

152.13	Benefits
152.14	Maximum number of weeks
152.15	Waiting period
152.151	Presumption
152.16	Rate of weekly benefits
152.17	Rate increase—family supplement
152.18	Earnings in waiting period
152.19	Deduction for excluded days in waiting period
152.2	Prison inmates and persons outside Canada

# **PREMIUM**

152.21 Premium

xxxii

#### TABLE OF CONTENTS

#### SELF-EMPLOYED EARNINGS AND COLLECTION OF PREMIUMS

- 152.22 Return to be filed 152.23 Estimate to be made
- 152.24 Examination of return and notice of assessment
- 152.25 Payment of premium
- 152.26 Interest on unpaid premium
- 152.27 Failure to file a return
- 152.28 Application of Income Tax Act
- 152.29 Priority in which payment to be applied
- 152.3 Refund of excess premium in respect of self-employed earnings

# APPLICATION OF OTHER PROVISIONS

152.31 Application of other provisions

#### **DELEGATION**

152.311 Delegation

#### **OFFENCES**

152.32 Offence and punishment

#### REGULATIONS

152.33 Regulations

### REVIEW OF THIS PART

152.34 Review of this Part

# PART VIII SELF-EMPLOYED PERSONS ENGAGED IN FISHING (S. 153)

- 153 Regulations
  - § 153:1 Explanation
  - § 153:2 Commentary
  - § 153:3 Related Provisions

# PART VIII.1 ALTERNATE ACCESS TO SPECIAL BENEFITS (S. 153.1)

- 153.1 Regulations
  - § 153.1:1 Commentary

# PART VIII.2 REGULATIONS—PROVINCIAL PLANS (S. 153.2)

153.2 Regulations

# PART VIII.3 INTERIM ORDERS (SS. 153.3, 153.4)

153.3 COVID-19

§ 153.3:1 Commentary

153.4 Accessory orders

# PART VIII.4 EMPLOYMENT INSURANCE EMERGENCY RESPONSE BENEFIT (SS. 153.5–153.14)

### INTERPRETATION

153.5 Definitions

### **APPLICATION**

153.6 Application of other provisions

#### EMPLOYMENT INSURANCE EMERGENCY RESPONSE BENEFIT

153.7 Payment

153.8 Claim

§ 153.8:1 Commentary

153.9 Eligibility

§ 153.9:1 Commentary

153.10 Amount of payment

153.11 Maximum number of weeks

### EMPLOYMENT INSURANCE OPERATING ACCOUNT

153.111 Benefit enhancements under this Act—Emergency Response Benefits

# SOCIAL INSURANCE NUMBER

153.12 Social insurance number

### BENEFIT PERIOD

153.121 End of benefit period

153.13 No reduction

#### ADAPTATIONS

153.1301	Adaptation of English version of section 44
153.1302	Adaptation of section 50
153.1303	Adaptation of subsection 52(2)
153.1304	[Repealed 2021, c. 23, s. 324.]
153.1305	Adaptation of subsection 112(1)
153.1306	Write-off of amounts wrongly paid
153.1307	Adaptation of section 112.1

xxxiv

### Table of Contents

153.1308	Adaptation of portion of subsection 126(1)
153.1309	Adaptation of section 138
153.13091	Adaptation of subsections 27(1) and (2) of the
	Employment Insurance Regulations

#### SPECIAL RULES

153.1310 Benefits referred to in paragraph 153.5(3)(a)

#### CESSATION OF EFFECT

153.14 June 2, 2027 or repeal § 153.14:1 Commentary

# PART VIII.5 TEMPORARY MEASURES TO FACILITATE ACCESS TO BENEFITS (SS. 153.15–153.196)

### **DEFINITIONS**

153.15 Definitions

#### RATE OF UNEMPLOYMENT

153.16 Rate of 13.1%

#### **AVAILABILITY**

153.161 Course, program of instruction or non-referred training § 153.161:1 Commentary

§ 153.161:2 Related Provisions

### INCREASE IN HOURS OF INSURABLE EMPLOYMENT

153.17 Benefits under Part I

§ 153.17:1 Commentary

153.171 Benefits

153.172 Fishing

# EXTENSION OF QUALIFYING PERIOD

153.18 Recipients of emergency response benefit

### BENEFIT PERIOD

153.19 Late claims

# WAITING PERIOD

153.191 Waiver

#### RATE OF BENEFITS

153.192 Weekly insurable earnings

### MEDICAL CERTIFICATE

153.1921 Suspension of medical certificate requirement— *Employment Insurance Regulations* 

### EMPLOYMENT INSURANCE (FISHING) REGULATIONS

153.1922 Eligibility

153.1923 Determined earnings

§ 153.1923:1 Commentary

153.1924 Qualifying period

153.1925 Access to special benefits

# **DEDUCTIONS FROM BENEFITS**

153.193 Exclusions from earnings

# DISQUALIFICATION AND DISENTITLEMENT

153.194 Definition of "employment"

#### **CLAIM PROCEDURE**

153.195 Information

# **CESSATION OF EFFECT**

153.196 September 25, 2021 or repeal

# PART VIII.6 TEMPORARY MEASURES (S. 153.197)

153.197 Weekly insurable earnings

# PART IX REPEALS, TRANSITIONAL PROVISIONS, RELATED AND CONDITIONAL AMENDMENTS AND COMING INTO FORCE (SS. 154–190)

#### **REPEALS**

154 The National Training Act is repealed.

§ 154:1 Related Provisions

155 The *Unemployment Insurance Act* is repealed.

#### TRANSITIONAL PROVISIONS

# NATIONAL TRAINING ACT

156 Allowances

157 Agreements

xxxvi

158 [Repealed 2010, c. 12, s. 2190.]

# UNEMPLOYMENT INSURANCE ACT

- 159 Benefit periods beginning before this section comes into force
- 160 Hours of insurable employment and earnings before 1997
- 161 Premiums
- 162 [Repealed 2010, c. 12, s. 2192.]
- 163 Estimated insurable earnings for 1996-97
- 164 Powers and functions
- 165 Waivers and agreements

# [HEADING REPEALED 2010, C. 12, S. 2193.]

166 [Repealed 2010, c. 12, s. 2193.]

# TRANSITIONAL REGULATIONS

167 Regulations

# CONSEQUENTIAL AND RELATED AMENDMENTS

# BANKRUPTCY AND INSOLVENCY ACT

168

# EMPLOYMENT AND IMMIGRATION DEPARTMENT AND COMMISSION ACT

169

# **EXCISE TAX ACT**

170

### **INCOME TAX ACT**

- 171
- 172
- 172.1
- 173
- 174
- 175
- 176

# LABOUR ADJUSTMENT BENEFITS ACT

- 177
- 178
- 179
- 180

181

182

183 Transitional provision

# TAX COURT OF CANADA ACT

184

185

# TAX REBATE DISCOUNTING ACT

186

#### CHANGES IN TERMINOLOGY

187 References to Unemployment Insurance Act

# CONDITIONAL AMENDMENTS

188 An Act to amend the Cultural Property Export and Import Act,
 the Income Tax Act and the Tax Court of Canada Act
 189 Bill C-11

#### COMING INTO FORCE

190 Coming into force

# SCHEDULE I TABLE OF WEEKS OF BENEFITS

SCHEDULE II INTERIM PROVISIONS

SCHEDULE III [REPEALED 2017, C. 20, S. 310.]

SCHEDULE IV NUMBER OF WEEKS OF BENEFITS CONVERSION TABLE

SCHEDULE V TABLE OF WEEKS OF BENEFITS—SEASONAL WORKERS

SCHEDULE VI REGIONS FOR THE PURPOSE OF BENEFITS FOR SEASONAL WORKERS

CAN. REG. 96-332 EMPLOYMENT INSURANCE REGULATIONS

### INTERPRETATION

1

§ EIR1:1 Related Provisions

xxxviii

# INSURABLE EMPLOYMENT

### EMPLOYMENT INCLUDED IN INSURABLE EMPLOYMENT

```
$ EIR2:1 Commentary
$ EIR2:2 Related Provisions
$ EIR3:1 Commentary
$ EIR3:2 Related Provisions
$ EIR4:1 Related Provisions
$ EIR5:1 Commentary
$ EIR5:2 Related Provisions
6
$ EIR6:1 Commentary
$ EIR6:2 Related Provisions
```

# EMPLOYMENT EXCLUDED FROM INSURABLE EMPLOYMENT

```
$ EIR7:1 Commentary
$ EIR7:2 Related Provisions
$ EIR8:1 Commentary
$ EIR8:2 Related Provisions
$ EIR9:1 Commentary
$ EIR9:2 Related Provisions
```

# SEARCH FOR SUITABLE EMPLOYMENT

### REASONABLE AND CUSTOMARY EFFORTS

9.001

§ EIR9.001:1 Commentary

# SUITABLE EMPLOYMENT

9.002

§ EIR9.002:1 Commentary
9.003 [Repealed SOR/2016-162, s. 2.]
9.004 [Repealed SOR/2016-162, s. 2.]

# AGREEMENT—SELF-EMPLOYED PERSON

#### TERMINATION OF AGREEMENT—NOTICE

9.01

#### WITHDRAWAL OF NOTICE

9.02

### PART I BENEFITS

# HOURS OF INSURABLE EMPLOYMENT—METHODS OF DETERMINATION

```
9.1
```

9.2

10

§ EIR10:1 Commentary

§ EIR10:2 Related Provisions

10.01

10.1

§ EIR10.1:1 Case Law

10.11

10.2

11

§ EIR11:1 Commentary

§ EIR11:2 Related Provisions

# ADJUSTMENT OF AMOUNT OF SELF-EMPLOYED EARNINGS

11.1

# [HEADING REPEALED SOR/2016-206, S. 1.]

12 [Repealed SOR/2016-206, s. 1.]

# AVERAGE NUMBER OF WEEKS FOR THE PURPOSES OF PARAGRAPHS 7.1(6)(B) AND 152.07(3)(B) OF THE ACT

19

§ EIR13:1 Commentary

§ EIR13:2 Related Provisions

### INTERRUPTION OF EARNINGS

14

§ EIR14:1 Commentary

§ EIR14:2 Related Provisions

14.01

xl

#### TABLE OF CONTENTS

# UNDECLARED EARNINGS REFERRED TO IN SUBSECTION 19(3) OF THE ACT



- § EIR14.1:1 Commentary
- 15 [Repealed SOR/2001-291, s. 2.]
  - § EIR15:1 Commentary

# DEDUCTIONS FOR EARNINGS OR ALLOWANCES WHILE ON A COURSE OR PROGRAM OF INSTRUCTION OR TRAINING

16

§ EIR16:1 Commentary

#### RATES OF UNEMPLOYMENT

17

- § EIR17:2 Commentary and Case Law
- § EIR17:3 Related Provisions

17.1

§ EIR17.1:1 Commentary

#### **REGIONS**

18

- § EIR18:1 Commentary
- § EIR18:2 Related Provisions

#### INFORMATION RELATING TO EMPLOYMENT HISTORY

# RECORD OF EMPLOYMENT

19

- § EIR19:1 Commentary and Case Law
- § EIR19:2 Related Provisions

# HOURS OF INSURABLE EMPLOYMENT FOR RECORD OF EMPLOYMENT

20

- § EIR20:1 Commentary
- § EIR20:2 Related Provisions

# **INSURABLE EARNINGS**

21

- § EIR21:1 Commentary
- § EIR21:2 Related Provisions

# ALLOCATION OF HOURS OF INSURABLE EMPLOYMENT TO THE QUALIFYING PERIOD

22

- § EIR22:1 Commentary
- § EIR22:2 Related Provisions

#### ALLOCATION OF INSURABLE EARNINGS

23

§ EIR23:1 Commentary

24

§ EIR24:1 Commentary

24.1

§ EIR24.1:1 Commentary

### [HEADING REPEALED SOR/2013-45, S. 3.]

24.2 [Repealed SOR/2013-45, s. 3.]

# EXCLUSION OF CERTAIN INSURABLE EARNINGS IN THE CALCULATION OF THE RATE OF WEEKLY BENEFITS OF A SELF-EMPLOYED PERSON

24.3

#### WEEK OF BENEFITS

25

§ EIR25:1 Commentary

# ELECTION TO RECEIVE BENEFITS PAYABLE UNDER PART I OR VII.1 OF THE ACT

25.1

#### **CLAIM FOR BENEFITS**

26

- § EIR26:1 Commentary and Case Law
- § EIR26:2 Related Provisions

# **AMENDMENT**

26.1

- § EIR26.1:1 Commentary
- § EIR26.1:2 Related Provisions

# PERSONS WITH MENTAL DISABILITIES, INCAPACITATED PERSONS AND DECEASED PERSONS

27

xlii

§ EIR27:1 Commentary

### PAYMENTS IN ADVANCE

28

§ EIR28:1 Commentary

# EMPLOYED PERSON WORKING A FULL WORKING WEEK—SPECIAL CASES

29

- § EIR29:1 Commentary and Case Law
- § EIR29:2 Related Provisions

#### SELF-EMPLOYED PERSON WORKING A FULL WORKING WEEK

30

- § EIR30:1 Commentary and Case Law
- § EIR30:2 Related Provisions

### WEEK OF UNEMPLOYMENT—SELF-EMPLOYED PERSON

30.1

30.2

#### EMPLOYED PERSONS WORKING A FULL WORKING WEEK

31

- § EIR31:1 Commentary and Case Law
- § EIR31:2 Related Provisions

# WORKING DAY

32

- § EIR32:1 Commentary
- § EIR32:2 Related Provisions

# ADDITIONAL CONDITIONS AND TERMS IN RELATION TO TEACHERS

33

- § EIR33:1 Commentary and Case Law
- § EIR33:2 Related Provisions

# FAMILY SUPPLEMENT—RATE INCREASE

34

- § EIR34:1 Commentary
- § EIR34:2 Related Provisions

#### DETERMINATION OF EARNINGS FOR BENEFIT PURPOSES

35

- § EIR35:1 Commentary and Case Law
- § EIR35:2 Related Provisions

### ALLOCATION OF EARNINGS FOR BENEFIT PURPOSES

36

- § EIR36:1 Commentary and Case Law
- § EIR36:2 Related Provisions

#### SUPPLEMENTAL UNEMPLOYMENT BENEFIT PLANS

37

§ EIR37:1 Commentary

# MATERNITY LEAVE, LEAVE FOR THE CARE OF A CHILD AND COMPASSIONATE CARE LEAVE PLANS

38

§ EIR38:1 Commentary

### EARNINGS IN THE WAITING PERIOD

39

- § EIR39:1 Commentary
- § EIR39:2 Related Provisions

# [HEADING REPEALED SOR/2021-3, S. 2.]

- 39.01 [Repealed SOR/2021-3, s. 2.]
  - § EIR39.01:1 Commentary
  - § EIR39.01:2 Related Provisions

# WAIVING OF THE WAITING PERIOD FOR APPRENTICES

39.1

§ EIR39.1:1 Commentary

### **SICKNESS**

40

- § EIR40:1 Commentary and Case Law
- § EIR40:2 Related Provisions
- 40.1 [Repealed SOR/2020-44, s. 3.]

### **PREGNANCY**

41

§ EIR41:1 Commentary

xliv

# § EIR41:2 Related Provisions

# PARENTAL, COMPASSIONATE CARE, CRITICALLY ILL CHILD AND CRITICALLY ILL ADULT BENEFITS

### [HEADING REPEALED SOR/2017-226, S. 10.]

41.1 [Repealed SOR/2017-226, s. 10.]

# [HEADING REPEALED SOR/2017-226, S. 10.]

41.11 [Repealed SOR/2017-226, s. 10.]

# MEDICAL CERTIFICATE OUTSIDE CANADA

41.2

# [HEADING REPEALED SOR/2017-226, S. 10.]

41.3 [Repealed SOR/2017-226, s. 10.]

### [HEADING REPEALED SOR/2017-226, S. 10.]

- 41.4 [Repealed SOR/2017-226, s. 10.]
- 41.5 [Repealed SOR/2017-226, s. 10.]

### **DIVISION OF BENEFITS**

41.6

§ EIR41.6:1 Commentary

# **WORK-SHARING BENEFITS**

42

- § EIR42:1 Commentary
- § EIR42:2 Related Provisions

43

- § EIR43:1 Commentary
- § EIR43:2 Related Provisions

44

- § EIR44:1 Commentary
- § EIR44:2 Related Provisions

45

- § EIR45:1 Commentary
- § EIR45:2 Related Provisions

46

- § EIR46:1 Commentary
- § EIR46:2 Related Provisions

47

§ EIR47:1 Commentary

§ EIR47:2 Related Provisions

48

- § EIR48:1 Commentary
- § EIR48:2 Related Provisions

49

- § EIR49:1 Commentary
- § EIR49:2 Related Provisions

### EMPLOYMENT BENEFITS

50

- § EIR50:1 Commentary
- § EIR50:2 Related Provisions

#### WORK-FORCE REDUCTION PROCESS

51

- § EIR51:1 Commentary
- § EIR51:2 Related Provisions

# PRESCRIBED CIRCUMSTANCES FOR THE PURPOSES OF SUBPARAGRAPH 29(C)(XIV) OF THE ACT

51.1

- § EIR51.1:1 Commentary
- § EIR51.1:2 Related Provisions

# LOSS OF PART-TIME EMPLOYMENT DUE TO WORK STOPPAGE

52

- § EIR52:1 Commentary
- § EIR52:2 Related Provisions

# TERMINATION OF WORK STOPPAGE

53

- § EIR53:1 Commentary
- § EIR53:2 Related Provisions

### CLAIMANTS WHO ARE INMATES OF AN INSTITUTION

54

- § EIR54:1 Commentary and Case Law
- § EIR54:2 Related Provisions

# CLAIMANTS NOT IN CANADA

55

§ EIR55:1 Commentary and Case Law

xlvi

### Table of Contents

§ EIR55:2 Related Provisions

55.01

§ EIR55.01:1 Commentary

# PROVISION OF INFORMATION

55.1

# RATIFICATION OF AMOUNTS PAID TO PERSONS WHILE NOT ENTITLED

55.2

# WRITE-OFF OF AMOUNTS WRONGLY PAID, PENALTIES AND INTEREST

56

- § EIR56:1 Commentary and Case Law
- § EIR56:2 Related Provisions

### INTEREST ON AMOUNTS OWING TO HER MAJESTY

56.1

§ EIR56.1:1 Commentary

# DEDUCTIONS FROM BENEFITS FOR PAYMENTS TO GOVERNMENTS AND AUTHORITIES

57

- § EIR57:1 Commentary
- § EIR57:2 Related Provisions

# PART II NATIONAL EMPLOYMENT SERVICE

58

- § EIR58:1 Commentary
- § EIR58:2 Related Provisions

59

# PART III REDUCTION OF PREMIUM FOR EMPLOYERS WITH WAGE-LOSS PLANS

### **INTERPRETATION**

60

### **APPLICATION**

61

- § EIR61:1 Commentary
- § EIR61:2 Related Provisions

#### REDUCTION OF EMPLOYER'S PREMIUM RATE

```
69
```

- § EIR62:1 Commentary
- § EIR62:2 Related Provisions

### **STANDARDS**

63

- § EIR63:1 Commentary
- § EIR63:2 Related Provisions

64

- § EIR64:1 Commentary
- § EIR64:2 Related Provisions

65

- § EIR65:1 Commentary
- § EIR65:2 Related Provisions

66

- § EIR66:1 Commentary
- § EIR66:2 Related Provisions

67

- § EIR67:1 Commentary
- § EIR67:2 Related Provisions

# APPLICATION FOR REDUCTION OF EMPLOYER'S PREMIUM RATE

68

- § EIR68:1 Commentary
- § EIR68:2 Related Provisions

69

- § EIR69:1 Commentary
- § EIR69:2 Related Provisions

70

- § EIR70:1 Commentary
- § EIR70:2 Related Provisions

71

- § EIR71:1 Commentary
- § EIR71:2 Related Provisions

72

§ EIR72:1 Related Provisions

73

- § EIR73:1 Commentary
- § EIR73:2 Related Provisions

# TERMINATION OF PLAN

74

xlviii

#### Table of Contents

- § EIR74:1 Commentary
- § EIR74:2 Related Provisions

#### **APPEALS**

75

- § EIR75:1 Commentary
- § EIR75:2 Related Provisions

#### TRANSITIONAL PROVISIONS

76

# PART III.1 REDUCTION OF PREMIUMS FOR EMPLOYEES COVERED BY A PROVINCIAL PLAN AND FOR THEIR EMPLOYERS

#### **DIVISION 1 GENERAL**

#### INTERPRETATION

76.01

#### ADAPTATION OF THE ACT AND THESE REGULATIONS

76.02

#### **DIVISION 2 PREMIUM REDUCTION SYSTEM**

#### **STANDARDS**

76.03

#### PREMIUM REDUCTION

76.04

76.041 [Repealed SOR/2010-301, s. 2.]

76.05

76.06

76.07

76.08

#### **DIVISION 3 ENTITLEMENT**

#### DISENTITLEMENT

76.09

#### [HEADING REPEALED SOR/2016-206, S. 3.]

76.1 [Repealed SOR/2016-206, s. 3.]

#### INSURED PARTICIPANT—PART II OF THE ACT

76.11

#### [HEADING REPEALED SOR/2016-206, S. 5.]

76.12 [Repealed SOR/2016-206, s. 5.]

#### WEEK NOT COUNTED TO EXTEND QUALIFYING PERIOD

76.13

#### EXTENSION OF THE BENEFIT PERIOD

76.14

76.15

#### REDUCTION OF BENEFITS

76.16

76.17

#### NO DOUBLE COUNTING OF WEEKS

76.18

#### PAYMENT OF BENEFITS

76.19

§ EIR76.19:1 Commentary

76.2

#### PERSONS MAKING CLAIMS UNDER DIFFERENT REGIMES

76.21

#### WAIVING OF THE WAITING PERIOD

76.22

#### COMING INTO FORCE OF PROVINCIAL PLAN—TRANSITION

76.23

### DIVISION 4 PREMIUM AND ADJUSTMENT PAYMENTS—PROVINCIAL PLANS

PREMIUM FOR INSURED PERSON COVERED IN A PROVINCE BY A PROVINCIAL PLAN BUT WORKING IN ANOTHER PROVINCE OR WORKING OUTSIDE CANADA

76.24

#### Table of Contents

# PREMIUM FOR INSURED PERSON WORKING IN A PROVINCE THAT HAS A PROVINCIAL PLAN BUT NOT COVERED BY THAT PLAN

76.25

PREMIUM ADJUSTMENT FOR EMPLOYEES RESIDING IN A PROVINCE THAT HAS A PROVINCIAL PLAN BUT WORKING IN A PROVINCE THAT HAS NO PROVINCIAL PLAN OR WORKING OUTSIDE CANADA

76.26

#### PREMIUM ADJUSTMENT—CREDITS AND DEBITS

76.27

#### OVERPAYMENT AND REFUND OF EMPLOYEE'S PREMIUMS

76.28

#### **DIVISION 5 ADMINISTRATIVE MATTERS**

#### SOCIAL INSURANCE NUMBER

76.29

#### DISCLOSURE OF INFORMATION

76.3

#### PART III.2 REDUCTION OF PREMIUM FOR SELF-EMPLOYED PERSONS COVERED BY A PLAN ESTABLISHED UNDER A PROVINCIAL LAW

#### **INTERPRETATION**

76.31

#### **STANDARDS**

76.32

#### PREMIUM REDUCTION

76.33

76.34

76.35

#### DISENTITLEMENT

76.36

#### REDUCTION OF BENEFITS

76.37

76.38

#### NO DOUBLE COUNTING OF WEEKS

76.39

#### PAYMENT OF BENEFITS

76.4

76.41

#### PERSONS MAKING CLAIMS UNDER DIFFERENT REGIMES

76.42

#### WAIVING OF THE WAITING PERIOD

76.421

§ EIR76.421:1 Commentary

#### INTERPROVINCIAL MOBILITY

76.43

#### **ADMINISTRATION**

76.44

76.45

§ EIR76.45:1 Commentary

#### PART IV PILOT PROJECTS

# PILOT PROJECT FOR EXEMPTION FROM THE REQUIREMENT TO MAKE PERIODIC CLAIMS FOR BENEFITS FOR WEEKS OF UNEMPLOYMENT IN THE BENEFIT PERIOD

77

§ EIR77:1 Commentary

### PILOT PROJECT EXTENDING THE BENEFIT PERIOD OF CERTAIN CLAIMANTS

77.1

§ EIR77.1:1 Commentary

### PILOT PROJECT RELATING TO INCREASED WEEKS OF BENEFITS

77.2

lii

#### § EIR77.2:1 Commentary

#### [HEADING REPEALED SOR/2011-127, S. 1.]

77.3 [Repealed SOR/2011-127, s. 1.]

#### [HEADING REPEALED SOR/2011-127, S. 1.]

77.4 [Repealed SOR/2011-127, s. 1.]

#### [HEADING REPEALED SOR/2016-206, S. 7.]

77.5 [Repealed SOR/2016-206, s. 7.]

#### [HEADING REPEALED SOR/2010-214, S. 1.]

77.6 [Repealed SOR/2010-214, s. 1.]

### PILOT PROJECT FOR CALCULATING BENEFIT RATE BASED ON CLAIMANT'S 14 HIGHEST WEEKS OF INSURABLE EARNINGS (2)

77.7

§ EIR77.7:1 Commentary

### PILOT PROJECT INCREASING ALLOWABLE EARNINGS FROM EMPLOYMENT WHILE CLAIMANT IS RECEIVING BENEFITS (2)

77.8

§ EIR77.8:1 Commentary

#### [HEADING REPEALED SOR/2016-206, S. 8.]

77.9 [Repealed SOR/2016-206, s. 8.]

### PILOT PROJECT RELATING TO EXTENDED EMPLOYMENT INSURANCE AND TRAINING INCENTIVE

77.91

§ EIR77.91:1 Commentary

#### PILOT PROJECT RELATING TO EXTENDED BENEFITS

77.92

### PILOT PROJECT FOR CALCULATING BENEFIT RATE BASED ON CLAIMANT'S 14 HIGHEST WEEKS OF INSURABLE EARNINGS

77.93

§ EIR77.93:1 Commentary

#### [HEADING REPEALED SOR/96-332, S. 77.94(4).]

77.94 [Repealed SOR/96-332, s. 77.94(4).]

### PILOT PROJECT TO ENCOURAGE CLAIMANT TO WORK MORE WHILE RECEIVING BENEFITS

77.95

§ EIR77.95:1 Commentary

77.96

§ EIR77.96:1 Commentary

### PILOT PROJECT TO ENCOURAGE CLAIMANT TO WORK MORE WHILE RECEIVING BENEFITS (2)

77.97

§ EIR77.97:1 Commentary

77.98

### PILOT PROJECT RELATING TO EARNED INCOME WHILE RECEIVING BENEFITS

77.99

77.991

§ EIR77.991:1 Commentary

### PILOT PROJECT RELATING TO INCREASED WEEKS OF BENEFITS FOR SEASONAL WORKERS

77.992

§ EIR77.992:1 Commentary

## PILOT PROJECT TO PROVIDE ADDITIONAL WEEKS OF BENEFITS TO SEASONAL WORKERS AS A RESULT OF LOW UNEMPLOYMENT RATES

77.993

§ EIR77.993:1 Commentary

#### PART V ADMINISTRATIVE PROVISIONS

#### RECONSIDERATION UNDER SECTION 112 OF THE ACT

78

§ EIR78:1 Commentary

§ EIR78:2 Related Provisions

#### [HEADING REPEALED SOR/2013-64, S. 2.]

79

§ EIR79:1 Related Provisions

#### SUSPENSION OF BENEFITS PENDING APPEAL

80

liv

#### Table of Contents

§ EIR80:1 Related Provisions

81

§ EIR81:1 Related Provisions

#### [HEADING REPEALED SOR/2013-64, S. 2.]

82

#### [HEADING REPEALED SOR/2013-64, S. 2.]

83 [Repealed SOR/2013-64, s. 2.]

#### [HEADING REPEALED SOR/2013-64, S. 2.]

84 [Repealed SOR/2013-64, s. 2.]

#### [HEADING REPEALED SOR/2013-64, S. 2.]

85 [Repealed SOR/2013-64, s. 2.]

#### [HEADING REPEALED SOR/2013-64, S. 2.]

86 [Repealed SOR/2013-64, s. 2.]

#### [HEADING REPEALED SOR/2013-64, S. 2.]

87 [Repealed SOR/2013-64, s. 2.]

#### PAYMENT OF BENEFITS PENDING A COVERAGE DECISION

88

- § EIR88:1 Commentary
- § EIR88:2 Related Provisions

#### SOCIAL INSURANCE NUMBERS

89

- § EIR89:1 Commentary
- § EIR89:2 Related Provisions

#### **ELECTRONIC SYSTEMS**

90

§ EIR90:1 Related Provisions

91

- § EIR91:1 Commentary
- § EIR91:2 Related Provisions

#### DIRECT DEPOSIT OF BENEFITS

92

§ EIR92:1 Commentary

#### § EIR92:2 Related Provisions

### PART VI ALTERNATE ACCESS TO SPECIAL BENEFITS

93

- § EIR93:1 Commentary
- § EIR93:2 Related Provisions

### PART VII TRANSITIONAL PROVISIONS AND COMING INTO FORCE

#### TRANSITIONAL PROVISIONS

0.4

§ EIR94:1 Commentary

94.1

§ EIR94.1:1 Commentary

94.2

94.3

94.4

§ EIR94.4:1 Commentary

#### **COMING INTO FORCE**

95

### SCHEDULE I REGIONS FOR THE PURPOSES OF PARTS I AND VIII OF THE ACT

#### INTERPRETATION

1

#### REGIONS

- 2 Ontario
- 3 Quebec
- 4 Nova Scotia
- 5 New Brunswick
- 6 Manitoba
- 7 British Columbia
- 8 Prince Edward Island
- 9 Saskatchewan
- 10 Alberta
- 11 Newfoundland
- 12 Yukon
- 13 Northwest Territories
- 14 Nunavut

lvi

#### § EIRSchI:1 Commentary

SCHEDULE II [REPEALED SOR/2015-128, S. 5.]

SCHEDULE II.1 REGIONS INCLUDED IN PILOT PROJECT NO. 6

SCHEDULE II.2 TABLE OF WEEKS OF BENEFITS FOR PILOT PROJECT NO. 6

SCHEDULE II.3 [REPEALED SOR/2011-127, S. 7.]

SCHEDULE II.4 [REPEALED SOR/2011-127, S. 7.]

SCHEDULE II.5 [REPEALED SOR/2016-206, S. 11.]

SCHEDULE II.6 REGIONS INCLUDED IN PILOT PROJECT NO. 15

SCHEDULE II.7 TABLE OF WEEKS OF BENEFITS FOR PILOT PROJECT NO. 15

SCHEDULE II.8 REGIONS INCLUDED IN PILOT PROJECT NO. 11

SCHEDULE II.9 [REPEALED SOR/2016-206, S. 12.]

SCHEDULE II.91 REGIONS INCLUDED IN PILOT PROJECT NO. 16

SCHEDULE II.92 REGIONS INCLUDED IN PILOT PROJECT NO. 21

SCHEDULE II.93 TABLE OF WEEKS OF BENEFITS FOR PILOT PROJECT NO. 21

SCHEDULE II.94 TABLE OF WEEKS OF BENEFITS FOR PILOT PROJECT NO. 22

#### SCHEDULE III INTERIM PROVISIONS

### CAN. REG. 96-445—EMPLOYMENT INSURANCE (FISHING) REGULATIONS

- 1 Interpretation
  - § EIFR1:1 Commentary
- 2 General
  - § EIFR2:1 Commentary
- 3 Determination of Employer
  - § EIFR3:1 Commentary
- 4 Records, Books of Account and Documents
  - § EIFR4:1 Commentary

### EARNINGS FROM EMPLOYMENT OTHER THAN EMPLOYMENT AS A FISHER

- 4.1
  - § EIFR4.1:1 Commentary
- 4.2
  - § EIFR4.2:1 Commentary

#### EARNINGS FROM EMPLOYMENT AS A FISHER

- 5 Determination of Earnings
  - § EIFR5:1 Commentary
- 6 Incomplete Records, Books of Account and Documents
- 7 Date of Payment of Remuneration

#### BENEFIT PERIOD

- 8 Benefit Period and Rate of Weekly Benefits
  - § EIFR8:1 Commentary

#### RATE OF WEEKLY BENEFITS

- 8 1
- § EIFR8.1:1 Commentary
- 8.2
- 8.3
- 9 Unemployment of Fishers
  - § EIFR9:1 Commentary
- 10 Determination and Allocation of Earnings in Periods of Unemployment
- 11 Increase in Required Insurable Earnings
  - § EIFR11:1 Commentary
- 12 Alternate Access to Special Benefits
  - § EIFR12:1 Commentary
- 13 Conversion
- 14 Labour Disputes

#### [HEADING REPEALED SOR/2016-206, S. 17.]

- 14.1 [Repealed SOR/2016-206, s. 17.]
- 14.2 [Repealed SOR/2016-206, s. 17.]

#### EXTENSION OF BENEFIT PERIOD

- 14.3
- 14.4

#### NO DOUBLE COUNTING OF WEEKS

- 14.5
- lviii

#### § EIFR14.5:1 Explanation

#### [HEADING REPEALED 2021, C. 23, S. 356.]

15 [Repealed 2021, c. 23, s. 356.]

#### [HEADING REPEALED 2021, C. 23, S. 356.]

16 [Repealed 2021, c. 23, s. 356.]

#### [HEADING REPEALED 2021, C. 23, S. 356.]

17 [Repealed 2021, c. 23, s. 356.]

### SCHEDULE—INSURABLE EARNINGS ENTRANCE REQUIREMENT FOR FISHERS

CAN. REG. 97-33—INSURABLE EARNINGS AND COLLECTION OF PREMIUMS REGULATIONS

INSURABLE EARNINGS AND COLLECTION OF PREMIUMS REGULATIONS

#### INTERPRETATION

1

#### PART I INSURABLE EARNINGS

#### EARNINGS FROM INSURABLE EMPLOYMENT

2

### PART II CALCULATION AND PAYMENT OF PREMIUMS

3

4

4.1

#### PART III DEEMED EMPLOYERS

#### EMPLOYMENT OF STEVEDORES

5

#### EMPLOYMENT IN LUMBERING OR LOGGING

6

#### PLACEMENT OR EMPLOYMENT AGENCIES

7

# BARBERING OR HAIRDRESSING ESTABLISHMENTS 8 PASSENGER VEHICLE OPERATORS

OTHER DEEMED EMPLOYERS

10

#### PART IV INFORMATION RETURNS

FILING OF EMPLOYER'S RETURNS

11

RETURNS ON DEMAND

19

LEGAL REPRESENTATIVES AND OTHERS

13

DISTRIBUTION OF INSURED PERSON'S PORTION OF RETURN

14

**PENALTIES** 

15

PART V RECORDS

16

### PART VI PRESCRIBED INTEREST RATES AND REFUNDS OF OVERPAYMENT

17

18

18.1

**COMING INTO FORCE** 

19

### CAN. REG. 2013-63—RECONSIDERATION REQUEST REGULATIONS

- 1 General circumstances
- 2 Coming into force

lx

#### CAN. REG. 2013-82—SOCIAL INSURANCE NUMBER REGULATIONS

#### INTERPRETATION

1 Definitions

#### APPLICATION FOR REGISTRATION

- 2 Information required
- 3 Submission and signature
- 4 Refusal to apply
- 5 Lost card
- 6 [Repealed SOR/2018-136, s. 5.]

### PERSONS REFERRED TO IN SECTION 90 OF THE IMMIGRATION AND REFUGEE PROTECTION ACT

- 7 Additional information required
- 8 Assignment of number
- 9 Period of validity—applicant outside Canada
- 10 Application to extend period of validity
- 11 Card issued without expiry date
- 12 [Repealed SOR/2018-136, s. 8.]
- 13 Notification—status and number
- 14 Number voided—not beginning with 9

### CONSEQUENTIAL AMENDMENTS TO THE $\it EMPLOYMENT$ $\it INSURANCE$ $\it REGULATIONS$

15

16

17

#### **COMING INTO FORCE**

18 April 30, 2013

### CAN. REG. 92-405—DELEGATION OF POWERS (PART VII UNEMPLOYMENT INSURANCE ACT) REGULATIONS

#### SHORT TITLE

1

#### **INTERPRETATION**

2

#### **DELEGATION**

3

### CAN. REG. 92-378—DELEGATION OF POWERS OR DUTIES (PART III UNEMPLOYMENT INSURANCE ACT) REGULATIONS

### SHORT TITLE 1 INTERPRETATION **DELEGATION** 4 5 6 7 8 9 10 CAN. REG. 1575—UNEMPLOYMENT INSURANCE (COLLECTION OF PREMIUMS) REGULATIONS SHORT TITLE 1 INTERPRETATION PART I INSURABLE EARNINGS EARNINGS FROM INSURABLE EMPLOYMENT 3 ALLOCATION OF EARNINGS 3.1 CALCULATION AND PAYMENT OF PREMIUMS PRESCRIBED PERSONS 4.1 5 lxii

6

### ALLOCATION OF INSURABLE EARNINGS AND PREMIUMS PAYABLE THEREON

#### WHERE PAY PERIOD IS A PAY WEEK

7

#### MISCELLANEOUS PAY PERIODS

۶

#### **COMMISSIONS**

9

#### **DRAWINGS**

10

#### PIECE WORK

11

#### RAILWAY EMPLOYEES

12

#### DEEMED EMPLOYERS

13

14

15

16

17

18

#### PART II INFORMATION RETURNS

#### FILING OF EMPLOYER'S RETURNS

19

20

#### LEGAL REPRESENTATIVES AND OTHERS

21

#### DISTRIBUTION OF INSURED PERSON'S PORTION OF RETURN

22

#### **PENALTIES**

23

#### PART III RECORDS

#### INADEQUATE RECORDS

24

### PART IV PRESCRIBED INTEREST RATES AND REFUNDS OF OVERPAYMENT

25

25.1

#### PART V PROVINCE OF EMPLOYMENT

26

**SCHEDULE** 

CAN. REG. 83-813—UNEMPLOYMENT INSURANCE ACOUNT ADVANCE REGULATIONS

#### **SHORT TITLE**

1

#### INTERPRETATION

9

#### **ADVANCES**

3

#### SCHEDULE—PROMISSORY NOTE

APPENDIX A

### DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT ACT

### PART 3 CANADA EMPLOYMENT INSURANCE COMMISSION (SS. 20–29)

#### CONTINUATION OF THE COMMISSION

- 20 Commission
- 21 Tenure, remuneration and conditions of office
- 22 Chairperson

lxiv

#### TABLE OF CONTENTS

#### 23 Voting

#### POWERS, DUTIES AND FUNCTIONS OF THE COMMISSION

- 24 Powers, duties and functions of the Commission
- 24.1 Business numbers—Commission
- 25 Rules
- 26 Agent of Her Majesty

#### ORGANIZATION AND OPERATION OF THE COMMISSION

- 27 Head office
- 28 Staff

#### SOCIAL INSURANCE NUMBER

- 28.1 Registration
- 28.2 Social Insurance Register
- 28.3 Change of name
- 28.4 Prohibitions
- 28.5 Designation of investigators

#### **AUDIT**

29 Audit by Auditor General

### PART 5 BOARD OF APPEAL AND SOCIAL SECURITY TRIBUNAL (SS. 43.01-70)

#### **BOARD OF APPEAL**

#### ESTABLISHMENT AND ADMINISTRATION

- 43.01 Establishment of Board of Appeal
- 43.02 Appointment Executive Head
- 43.03 Composition
- 43.04 Executive Head
- 43.05 Board of Appeal hearings three-member panels
- 43.06 Remuneration
- 43.07 Public Service Superannuation Act
- 43.08 Employees, services and facilities
- 43.09 Immunity
- 43.1 Competence and compellability
- 43.11 Appeal time limit
- 43.12 Constitutional questions
- 43.13 Decision
- 43.14 Time limits
- 43.15 Expenses and allowances
- 43.16 Appeal region

- 43.17 Representation of party
- 43.18 Powers of Board of Appeal
- 43.19 Abandonment of appeals
  - § DESDA:1 Commentary
  - § DESDA:2 Related Provisions
- 44 Establishment of Tribunal

#### [HEADING REPEALED 2005, C. 34, S. 83(8).]

- 45 Composition
- 45.1 Chairperson

#### [HEADING REPEALED 2005, C. 34, S. 83(8).]

46 Vice-chairpersons

#### [HEADING REPEALED 2005, C. 34, S. 83(8).]

- 47 Employment Insurance Section
- 48 Full-time occupation
- 49 Remuneration
- 50 Immunity
- 50.1 Competence and compellability
- 51 Absence—Chairperson

#### [HEADING REPEALED 2023, C. 26, S. 640.]

#### APPEAL TO TRIBUNAL—GENERAL DIVISION

- 52 Appeal—time limit
  - § DESDA52:1 Commentary and Case Law
- 53 [Repealed 2021, c. 23, s. 224.]
  - § DESDA53:1 Commentary and Case Law
- 54 Decision
  - § DESDA54:1 Commentary and Case Law

#### APPEAL DIVISION

#### **DECISIONS OF BOARD OF APPEAL**

- 54.1 Appeal
- 54.2 Appeal time limit
- 54.3 Grounds of appeal
- 54.4 New evidence constitutional questions
- 54.5 Decision
- 55 Appeal
  - § DESDA55:1 Commentary
- 56 Leave
  - § DESDA56:1 Commentary

lxvi

#### Table of Contents

- 57 Appeal—time limit
  - § DESDA57:1 Commentary
- 58 Grounds of appeal
  - § DESDA58:1 Commentary
- 58.1 Leave to appeal—Income Security Section
- 58.2 Decision—leave to appeal
- 58.3 Hearing de novo—Income Security Section
- 59 Decision
  - § DESDA59:1 Commentary

#### **GENERAL**

- 60 Head office
- 60.1 Services and facilities
- 61 Tribunal sittings
- 62 Tribunal hearings
- Expenses and allowances
- 63.1 Representation of party
- 64 Powers of tribunal
- 65 Canada Pension Plan
- 66 Jurisdiction—Canada Disability Benefit Act
- 67 Time limits
- 68 Decision final
- 68.01 Access to documents and information by Appeal Division
- 68.1 Annual report

#### REGULATIONS

- 68.2 Commission
- 69 Governor in Council
  - § DESDA69:1 Commentary and Case Law
- 70 Regulations—electronic documents and electronic information

### PART 6 ELECTRONIC ADMINISTRATION OR ENFORCEMENT (SS. 70.1–85)

#### [HEADING REPEALED 2012, C. 19, S. 224.]

#### [HEADING REPEALED 2012, C. 19, S. 224.]

- 70.1 Application
- 71 Powers

#### [HEADING REPEALED 2012, C. 19, S. 224.]

- 72 Electronic manner of filing documents
- 73 Regulations
- 74 [Repealed 2012, c. 19, s. 224.]

#### [HEADING REPEALED 2012, C. 19, S. 224.]

- 75 [Repealed 2012, c. 19, s. 224.]
- 76 [Repealed 2012, c. 19, s. 224.]

#### [HEADING REPEALED 2005, C. 16, S. 21(2).]

77 [Repealed 2005, c. 16, s. 21(2).]

#### [HEADING REPEALED 2012, C. 19, S. 224.]

78 [Repealed 2012, c. 19, s. 224.]

#### [HEADING REPEALED 2012, C. 19, S. 224.]

- 79 [Repealed 2012, c. 19, s. 224.]
- 80 [Repealed 2012, c. 19, s. 224.]
- 81 [Repealed 2012, c. 19, s. 224.]

#### [HEADING REPEALED 2012, C. 19, S. 224.]

- 82 [Repealed 2012, c. 19, s. 224.]
- 83 [Repealed 2012, c. 19, s. 224.]

#### [HEADING REPEALED 2012, C. 19, S. 224.]

84 [Repealed 2012, c. 19, s. 224.]

#### [HEADING REPEALED 2012, C. 19, S. 224.]

85 [Repealed 2012, c. 19, s. 224.]

### CAN. REG. 2022-255—SOCIAL SECURITY TRIBUNAL REGULATIONS, 2022

#### CONSTITUTIONAL QUESTIONS

1 Filing of notice

#### FORMAT OF HEARING

2 Format of hearing

#### CONFIDENTIALITY OF PROCEEDING

3 Private hearing and restricted access

### CONSEQUENTIAL AMENDMENT, REPEAL AND COMING INTO FORCE

### CONSEQUENTIAL AMENDMENT TO THE OLD AGE SECURITY REGULATIONS

4

lxviii

#### REPEAL

5

#### **COMING INTO FORCE**

6 S.C. 2021, c. 23

### CAN. REG. 2005-311—DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT REGULATIONS

#### INTERPRETATION

1

#### PUBLIC OFFICER

2

#### AVAILABILITY OF INFORMATION

3

3.1

3.2

#### **COMING INTO FORCE**

4

### CAN. REG. 2014-117—ELECTRONIC DOCUMENTS AND ELECTRONIC INFORMATION REGULATIONS

#### INTERPRETATION

1 Definitions

### SENDING AND RECEIVING OF ELECTRONIC DOCUMENTS OR ELECTRONIC INFORMATION

- 2 Presumption—sent by Minister or Commission
- 3 Presumption—received by recipient
- 4 Presumption—received by Minister or Commission
- 5 Multiple documents sent in same transmission
- 6 Proof

#### **ELECTRONIC SIGNATURE**

- 7 Additional requirements respecting electronic signatures
- 8 Standard of reliability of electronic signatures

### CONVERSION, RETENTION, ALTERATION AND DESTRUCTION OF DOCUMENTS OR INFORMATION

- 9 Conversion
- 10 Retention of electronic format of document or information
- 11 Date and hour retained
- 12 Standard of reliability
- 13 Integrity maintained throughout retention period
- 14 Prohibition to alter
- 15 End of retention period—destruction

#### COMING INTO FORCE

16 Registration

#### APPENDIX B

#### CANADA EMERGENCY RESPONSE BENEFIT ACT

- 1 Short title
- 2 Definitions
- 3 Regulations—definition of "worker"
- 4 Payment
- 5 Application
- 6 Eligibility
- 7 Amount of payment
- 8 Maximum number of weeks
- 9 Social Insurance Number
- 10 Provision of information and documents
- 11 Payments cannot be charged, etc.
- 12 Return of erroneous payment or overpayment
- 13 Limitation or prescription period
- 14 No interest payable
- 15 Receipt of benefits, allowances or money

### CAN. REG. 2020-62—INCOME SUPPORT PAYMENT AMOUNT REGULATIONS

#### INCOME SUPPORT PAYMENT

1 Amount of income support payment

#### **COMING INTO FORCE**

2 Registration

### CAN. REG. 2020-90—INCOME SUPPORT PAYMENT (EXCLUDED NOMINAL INCOME) REGULATIONS

#### EXCLUDED CLASS OF INCOME

1 Nominal income

#### **COMING INTO FORCE**

2 Day made

### CAN. REG. 2020-142—INCOME SUPPORT PAYMENT (NUMBER OF WEEKS) REGULATIONS

#### MAXIMUM NUMBER OF WEEKS

1 28 weeks

#### **COMING INTO FORCE**

2 Registration

#### APPENDIX C

#### CANADA RECOVERY BENEFITS ACT

#### SHORT TITLE

1 Short title

#### **DEFINITIONS**

2 Definitions

#### PART 1 CANADA RECOVERY BENEFIT (SS. 3-9.1)

- 3 Eligibility
- 4 Application
- 5 Attestation
- 6 Obligation to provide information
- 7 Payment of benefit
- 8 Amount of payment
- 9 Maximum number of two-week periods
- 9.1 Employment insurance benefits during two-week period

### PART 2 CANADA RECOVERY SICKNESS BENEFIT (SS. 10–16)

- 10 Eligibility
- 11 Application
- 12 Attestation
- 13 Obligation to provide information
- 14 Payment of benefit
- 15 Amount of payment

#### 16 Maximum number of weeks

### PART 3 CANADA RECOVERY CAREGIVING BENEFIT (SS. 17–23)

- 17 Eligibility
- 18 Application
- 19 Attestation
- 20 Obligation to provide information
- 21 Payment of benefit
- 22 Amount of payment
- 23 Maximum number of weeks for a person

#### PART 4 GENERAL (SS. 24-41)

- 24 Regulations
- 24.1 Replacement of May 7, 2022
- 25 Social Insurance Number
- 26 Provision of information and documents
- 26.1 Minister of Health
- 27 Payments cannot be charged, etc.
- 28 Return of erroneous payment or overpayment
- 29 Garnishment—financial institution
- 30 Reconsideration of application
- 31 Request for review
- 32 Certificate of default
- 33 Limitation or prescription period
- 34 Interest payable
- 35 Violations
- 36 Limitation of imposition of penalties
- 37 Rescission, etc., of penalty
- 38 Recovery as debt due to Her Majesty
- 39 Offences
- 40 Designation—investigators
- 41 Consolidated Revenue Fund

#### PART 5 CONSEQUENTIAL AMENDMENTS (SS. 42–44)

#### INCOME TAX ACT

42 R.S., c. 1 (5th Supp.)

43

#### INCOME TAX REGULATIONS

44 C.R.C., c. 945

§ CRBA44:1 Commentary

lxxii

### CAN. REG. 2021-35—CANADA RECOVERY BENEFITS REGULATIONS

- 1 Definition of "Act"
- 2 Canada Recovery Benefit
- 3 [Repealed 2021, c. 26, s. 19.]
- 4 Prescribed income
- 5 Coming into force

#### APPENDIX D

# CAN. REG. 90-690—TAX COURT OF CANADA RULES OF PROCEDURE RESPECTING THE EMPLOYMENT INSURANCE ACT

#### **SHORT TITLE**

1

#### INTERPRETATION

2

3

#### **APPLICATION**

4

#### **ASSOCIATE JUDGES**

4.1

#### FILING A NOTICE OF APPEAL

5

#### FILING OF OTHER DOCUMENTS

5.1

#### FILING DATE

5.2

#### **ELECTRONIC FILING**

5.3

#### **EXTENSION OF TIME**

6

#### Annotated Employment Insurance Act

### PREPARATION FOR APPEAL 7 8 INTERVENTION CONSOLIDATION OF APPEALS CONSOLIDATION OF INTERVENTIONS 11 REPLY 12 JUDGMENT BY CONSENT 13 DISPOSITION OF APPEALS 14 15 16 17 PRONOUNCING AND ENTERING OF JUDGMENTS 17.1DISCOVERY 18 **HEARING OF APPEALS** 19 20 2122 23 **SUBPOENA** 24

lxxiv

#### **EVIDENCE**

25

#### SERVICE OF DOCUMENTS

26

#### CALCULATING TIME

26.1

#### **GENERAL**

 $26.2 \\ 27$ 

#### CONTEMPT OF COURT

28

#### COSTS IN VEXATIOUS PROCEEDINGS

29

#### SCHEDULE 5 FORM OF NOTICE OF APPEAL

### SCHEDULE 6 APPLICATION FOR EXTENSION OF TIME WITHIN WHICH AN APPEAL MAY BE INSTITUTED

#### SCHEDULE 9 FORM OF NOTICE OF INTERVENTION

#### APPENDIX E

### AGREEMENT BETWEEN CANADA AND THE UNITED STATES OF AMERICA

Article I

Article II

Article III

Article IV

Article V

Article VI

Article VII

#### **ACCEPTANCE**

#### APPENDIX F

#### SI/2021-19—CANADA EMERGENCY RESPONSE BENEFIT AND EMPLOYMENT INSURANCE EMERGENCY RESPONSE BENEFIT REMISSION ORDER: SI/2021-19

- 1 Remission—Canada emergency response benefit
- 2 Remission—employment insurance emergency response benefit
- 3 Coming into force

#### **EXPLANATORY NOTE**

**Table of Cases** 

Index