


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 148 , *Approved and Ordered* April 2, 2025



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Early Learning and Child Care Regulation, B.C. Reg. 189/2024, is amended as set out in the attached Appendix.



Minister of Education and Child Care



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Early Learning and Child Care Act, S.B.C. 2021, c. 22, s. 21*

Other: *OIC 426/2024*

R10888537

APPENDIX

- 1** *Section 1 of the Early Learning and Child Care Regulation, B.C. Reg. 189/2024, is amended by repealing the definitions of “dependant” and “dependent child” and substituting the following:*

“**dependant**”, in relation to a parent, means either of the following:

- (a) the spouse of the parent;
- (b) a dependent child of the parent;

“**dependent child**” means a child, other than a child who is 18 years of age and is a person with disabilities, who

- (a) resides with the parent, and
- (b) relies on the parent for the necessities of life; .

- 2** *Section 3 is repealed and the following substituted:*

Meaning of “spouse”

- 3** For the purposes of this regulation, a person is the spouse of a parent if the person resides with the parent and one of the following applies:

- (a) the person and the parent are married to each other;
- (b) both the person and the parent acknowledge to the minister that they are residing together in a marriage-like relationship;
- (c) the person
 - (i) resided with the parent for at least the previous 3 consecutive months or 9 of the previous 12 months, and
 - (ii) has a relationship with the parent that the minister is satisfied demonstrates the following characteristics consistent with a marriage-like relationship:
 - (A) financial dependence or interdependence;
 - (B) social and familial interdependence.

- 3** *Section 7 (2) is repealed and the following substituted:*

- (2) A child care benefit may be paid for child care provided in a child’s home if the child care is provided by one of the following:
 - (a) a person who does not reside in the child’s home;
 - (b) a person who resides in the child’s home other than a person who is a relative of the child or a dependant of the parent.