

# Family Support Regulation

Regulation 2021-2 made under the *Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat*

Citation: *Family Support Regulation*, Inuvialuit Regional Corporation, Reg. 2021-2, pursuant to the *Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat*, Inuvialuit Regional Corporation, 2021

## DEFINITIONS

### Definitions

1. In this regulation:
  - a. “home” means a child or youth’s primary residence before the intervention of an external protection authority; and
  - b. “protective care” means that a child or youth resides in a location outside their home further to provincial, territorial or Indigenous child protection legislation, whether the placement occurred on the basis of an order, agreement, decision or other action taken pursuant to such legislation.

## SERVICES FOLLOW THE CHILD OR YOUTH

### Services follow the child or youth

2. A service available to the benefit of an Inuvialuk child or youth in protective care must be made available to the benefit of an Inuvialuit child or youth not in protective care, if:
  - a. the service would be in the child or youth’s best interest; and
  - b. providing the service could reduce the level of protective intervention that may presently or later be required in relation to the child or youth.

### Services follow the child or youth – clarification

3. A service under s. 2 includes financial services and supports, including financial supports or supports to a person caring for the child or youth, including a parent.

### **Services follow the child or youth – obligation**

4. Everyone offering services must offer their services consistently with s. 2.

### **Services follow the child or youth – policy directives**

5. The Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat may create policy directives about the interpretation and application of s. 2, and such policy directives are binding.

### **Services follow the child or youth – cost**

6. Everyone providing a service is responsible for the cost of implementing s. 2 with respect to their own services, except to the extent that the Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat may enter into an agreement to absorb a cost.

## HOUSING CONTINUITY

### **Housing continuity**

7. If an Inuvialuk child or youth has been separated from their home further to a decision made by an external protection authority, or by an agreement with an external protection authority, or by a court order further to a legal proceeding commenced by an external protection authority:
  - a. Every lease, law, regulation, policy, order, or other document with respect to the home of the child or youth is deemed to continue to include the child or youth as though he or she were still living within the home.
  - b. For housing purposes in relation to the home, the child (if it is a child) is deemed to remain within the care or custody of the adults who had care or custody of the child within that home.
  - c. The persons who were living in the child or youth's home with the child or youth prior to the intervention of the external protection authority may not be evicted from that home, nor have their lease or permission to reside in the home terminated, for reasons that relate to the child or youth not presently living there unless it is in the best interests of the child.
  - d. Subsections (a), (b) and (c) remain in effect:

- i. During the first 3 months after the child or youth's separation from the home; and
  - ii. During the period from 3 to 24 months after the child or youth's separation from the home, unless:
    - 1. the Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat provides its opinion in writing that family reunification is no longer being pursued;
    - 2. a final order has been issued by a court that brings the child or youth into the permanent custody of the external protection authority or related province or territory, and opportunities for appeal have been exhausted or lapsed;
    - 3. the child or youth has been adopted into a new home by custom adoption or other adoption; or
    - 4. a court has issued an order granting custody to a third party, such that the external protection authority no longer has care or custody of the child or youth.
  - e. For greater certainty, subsection (b) affects housing purposes only, and does not affect care or custody for child protection or other purposes.
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