

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: H. Ontario Works	Effective Date: July 1, 2009
Topic: 11.Administration	Replaces: November 2004
Subject: 11.5.Garnishment of Assistance	
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POLICY

Authority **OW Act: Sec. 23(2)**
 OW Directives: Dir. 6.15

The Ontario Works Act prohibits any creditor from seizing or garnishing a participant’s financial assistance to satisfy a debt.

Corresponding changes have been made to the Courts of Justice Act (Ontario) at Section 143.1.

The courts have now ruled that monies deposited by Social Assistance **cannot be garnisheed** as per MCSS Directive 6.15

A banking institution may be able to take monies owing to them from a line of credit or due to an overdraft however if they recover any other funds from an applicant’s account, the institution should be referred to the “Courts of Justice Act” which protects an individuals Social Assistance funds. A copy of Directive 53 may also be sent to the institution.

In the event that the institution still refuses to reimburse the applicant for funds that were seized, the case should be discussed with your supervisor and/or the Program Manager and the local MCSS office should be advised accordingly.