

Legal Services Provided to British Columbians with a Household Net Income below Certain Thresholds

The British Columbia Court of Appeal has ruled on Mr. Christie's application to vary the March 10, 2006 order of the Court, granting a partial stay with respect to *Christie v. British Columbia*, 2005 BCCA 631. The Court varied the partial stay such that lawyers are not required to collect or remit the 7% tax on legal services under the *Social Service Tax Act* in respect of "legal services related to the determination of rights and obligations by courts of law or independent administrative tribunals" provided to individuals whose household net income is at or below the following thresholds that were in effect at the time of Madam Justice Koenigsberg's decision in *Christie v. AG of B.C. et al* 2005 BCSC 122 on February 8, 2005,(the Thresholds):

Financial Eligibility Test *	
Number of family members**	Annual/Monthly net income***
4 or fewer	\$28,000/\$2,333.33
5	\$33,000/\$2,750.00
6	\$35,000/\$2,916.67
7 or more	\$38,000/\$3,166.67

* Net income amounts are those in place on February 8, 2005, when the decision was rendered.

** "Family members" include a parent or a person looking after the children, and the children who live with that person.

*** "Income" is the person's net income from all sources

Net Income

Your monthly income includes your net income from **all** sources within your family. It includes money from foster care, student loans, court awards of any type, and maintenance payments. It doesn't include the Child Tax Benefit, the BC Family Bonus, GST payments, or tuition or book fees under federal or provincial student loans.

Allowable deductions include the following:

- daycare expenses
- child or spousal maintenance payments - ordered by a court or agreed to in a separation agreement - that you or your partner are paying
- court fines, that if not paid, will mean you or your partner will go to jail
- medication you must personally pay for that a doctor says is necessary for you or your dependants
- the cost of an interpreter's services if you don't speak English and need an interpreter to help prepare for court