

Clarifications to the 2025 Wilson Moot Problem

1. As stated in the Official Problem, the facts are as found by Justice Langford, writing for the panel of the Divisional Court. Mooters may conduct any research they see fit in developing their arguments. Mooters are also permitted to refer to any domestic or foreign law in their written and/or oral arguments. However, no reference shall be made, in written and/or oral arguments, to any legislative, social, or adjudicative facts beyond those found by Justice Langford.
2. There is no dispute that the *BIB Regulations* and *New BIB Regulations* are *intra vires* the authority of the Lieutenant Governor in Council under the *Growing Northern Ontario Act*.
3. The terms “annual income” and “annual household income” in the *BIB Regulations* and *New BIB Regulations* refer to income earned from employment, business, and investment sources. These terms do not include income earned under a separate social benefits scheme and do not include receipt of the BIB itself.
4. Subsection 4(1) of both the *BIB Regulations* and the *New BIB Regulations* at Schedule “A” of the Official Problem are amended to read:

Basic Income Benefits under section 3 shall be reduced by 50 cents for every dollar of income that exceeds the amount of the Basic Income Benefit set out in section 3 earned by the low income individual or a member of the low-income household through employment, business, and investment sources. For greater certainty, income earned pursuant to an existing social benefit program or scheme shall not reduce the Basic Income Benefits under section 3.

5. The opening words of the definitions of “low-income household” in the *BIB Regulations* and the *New BIB Regulations* are amended to read:

“low-income household” means a household (a person and his or her spouse as defined in Part III of the *Family Law Act*, RSO 1990, c F.3 and dependent children) with an annual household income of...

6. The Ministry of Northern Development publishes a list of programs that qualify as specified workfare programs under section 2(2)(a) of the *New BIB Regulations*. The list of qualifying programs is updated regularly based on community input, program offerings, and government objectives. The Government of Ontario bears the costs of several qualifying programs, which can be enrolled in at no cost. Residents may also elect to participate in qualifying programs at their own expense.
7. Qualifying for the BIB requires the completion of an online or paper application that is processed by Ministry staff. Applicants who are required to participate in a specialized workfare program in order to qualify must verify their continued participation in the program on a monthly basis for continued receipt of the BIB. If deemed ineligible, applicants may re-apply at any time if their circumstances change. There is no appeal mechanism in the *New BIB Regulations* for decisions of ineligibility.