

**1 Subsection 2(1) of New Brunswick Regulation 95-61 under the Family Income Security Act is amended by repealing the definition “deaf” and substituting the following:**

“deaf” means, with reference to a person,

(a) being assessed as having an average hearing threshold sensitivity for air conduction of 90 decibels or worse in the person’s better ear and a bone conduction hearing threshold of 60 decibels or worse in the person’s better ear after audiometry testing, in which hearing loss is calculated by averaging the person’s hearing at the sound frequencies of 500 hertz, 1000 hertz and 2000 hertz, or

(b) being assessed as unable to repeat more than 40% of a list of standardized words spoken after word recognition testing; (*sourd*)

**2 Section 8 of the Regulation is amended**

(a) *in subsection (2)*

(i) *in paragraph (n) of the English version by striking out “and” at the end of the paragraph;*

*(ii) in paragraph (o) by striking out the period at the end of the paragraph and substituting “; and”;*

*(iii) by adding after paragraph (o) the following:*

(p) the Canada-New Brunswick Housing Benefit.

*(b) by repealing subsection (5) and substituting the following:*

8(5) Despite subsection (1), the principal sum of compensation or other money paid in a lump sum or a structured settlement to an applicant or recipient shall not be included in the calculation of available resources if the compensation or other money is paid to the applicant or recipient for property or in place of other income under Federal or Provincial agreements of expropriation or recompense and the applicant or recipient provides documentation to the Minister to that effect.

*(c) by repealing subsection (6) and substituting the following:*

8(6) Despite subsection (1), the principal sum of compensation or other money paid in a lump sum or a structured settlement to an applicant or recipient shall not be included in the calculation of available resources if the compensation or other money is paid to the applicant or recipient as compensation for pain and suffering or as general damages due to personal injury caused by the negligence or wrongful act of another, but compensation or other money paid as compensation for lost wages shall be included.

**3 Subsection 9(1) of the Regulation is repealed and the following is substituted:**

9(1) A recipient shall notify the Minister before selling, transferring or assigning any real or personal property, with the exception of property referred to in subsection 8(5) that is the subject of an agreement of expropriation or recompense.