

COPING WITH COVID-19: A SUMMARY OF ATLANTIC CANADA'S ECONOMIC RESPONSE PLAN

April 30, 2020

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Notice: The information herein reflects is current as of April 30, 2020, and is subject to change as additional announcements from Canada's federal, provincial and public health authorities are ongoing.

In addition to Canada's Federal response, Atlantic Provinces have implemented several measures to assist businesses and individuals affected by the coronavirus pandemic ("COVID-19"). Below is a summary of the measures implemented by each province.

NEW BRUNSWICK

The Government of New Brunswick (the "NB Government") has implemented a wide range of support for individuals and businesses since COVID-19. The following measures are currently or were in place to assist New Brunswickers.

SUPPORT FOR BUSINESSES

1. Working Capital Loans

- (a) If you are a Small Business operator, employing 1 to 49 employees, with sales less than \$10 million recorded in your most recent fiscal year, you may apply online for a working capital loan, up to \$100,000, through the [NB Small Business Emergency Working Capital Program](#). Some sectors that will benefit from this support, include, but is not limited to, restaurants, fulltime and seasonal tourism operations, service sectors and self-employed business owners directly impacted by COVID-19. The loans will be funded by the NB Government and administered by the Community Business Development Corporation.
- (b) Other business operators may apply directly to Opportunities New Brunswick for a [working capital loan](#) over \$100,000 and up to a maximum of \$1 million. Some sectors that will benefit from this support, include, but is not limited to, manufacturing and processing industries, information technology and related sectors, business-to-business service sectors engaged in export, or import replacement activities, and cultural enterprises.

2. Community Investment Fund ("CIF") COVID-19 Relief. The CIF, announced as part of 2019-2020 budget, was updated to provide COVID-19 relief grants of a minimum of \$500 and a maximum of \$10,000 to small and medium-sized New Brunswick non-profit organizations. Non-profit organizations are required to demonstrate how their operations have been affected by COVID-19 and how they have utilized other government programs. More information is [available here](#).

3. Deferral of Interest and Principal Payments on Existing Loans. If you have an existing business loan from the NB Government, you may request a deferral of your loan and interest repayments for up to six months, directly from the department that issued the loan.

4. Waiver of Late Penalties on Property Taxes. Property taxes are due May 31, 2020 but late penalties will be reviewed on a case-by-case basis and a waiver may be available to businesses that are closed due to COVID-19.

5. Employment Standards Notice of Dismissal, Layoff or Termination Requirements. Per the Department of Post-Secondary Education, Training and Labour's special update regarding COVID-19, employers are not required to provide notice to their employees or pay in lieu thereof, nor are they required to provide notice to the Minister of Post-Secondary Education, Training and Labour for group terminations or layoffs within a four week period (more than 10 employees if they represent at least 25% of the employer's employees). More information is available at: [Notice of Dismissal, Layoff or Termination](#).

6. Commercial Lease Protection. If you are unable to honour your rental payments due to COVID-19, the renewed and revised [Mandatory Order COVID-19](#), provides some protection. Under the Mandatory Order, "no landlord shall, in relation to any commercial and any other type of non-residential lease, whether written or verbal, give any tenant any sort of notice to quit, re-enter or re-possess demised premises, or exercise any right of distress, until May 31, 2020, for non-payment of rent that came due after March 19, 2020."

7. Deferral of Workers' Compensation Premiums. On March 20, 2020, WorkSafeNB announced that assessment premiums related to employer payrolls for February, March and April will be deferred for three months without interest charges. This is a temporary postponement of payment and not a permanent reduction in assessments payable, and applies to employers who pay their premiums on a monthly basis. Read the full news release from WorkSafeNB [here](#).

8. NB Power Deferrals. In addition to suspending disconnections for non-payment, NB Power will:

- (a) defer electricity bill payments for residential, seasonal and small business customers for up to 90 days;
- (b) extend existing payment arrangements; and,
- (c) delay its request for a decision on a rate increase for 2020/21, as well as its request for the implementation of smart meters, which the Energy and Utilities Board has agreed to.

More information is [available here](#) from NB Power.

SUPPORT FOR INDIVIDUALS

1. One-time Income Benefit for Unemployed. The NB Government provided a one-time income benefit of \$900 to individuals over 18 years old, who lost their employment and/or self-employed individuals who closed their businesses due to the state of emergency. This one-time benefit was administered through the Canadian Red Cross, and applications for that benefit are now closed.

2. Emergency Bridging Fund for Vulnerable Post-Secondary Students. The NB Government provided a one-time amount of \$750 per student, to students who qualify. Students, regardless of their nationality, may apply directly through their post-secondary institutions, and to qualify, must have been directly affected by COVID-19 and must not qualify for the one-time income benefit of \$900 as of March 30, 2020, or have access to funds through student loans, Employment Insurance, personal savings or other COVID-19 related financial assistance programs. The deadline to apply differed between each post-secondary institution, but most had a deadline of on or before April 30, 2020.

3. Child Care Fees Covered by Department of Education and Early Childhood Development (the "Department")

- (a) The Department will cover the fees of anyone who has lost their income due to COVID-19, and will continue to provide parent subsidies as scheduled. Parents should visit the Department's website to determine if they qualify for this assistance.
- (b) The Department will cover the costs of emergency child care for essential service workers with children attending emergency child care facilities. In addition, essential service workers reserving spaces at their usual child care facilities, will not be charged double child care fees. Parents should notify the Department to ensure they are not double-billed.

4. Relief on Co-Pay for Drug Plans. As of March 21, 2020, and for the duration of the emergency, patients with drug coverage under New Brunswick's public drug plans will only be responsible for the initial co-payment on a prescription fill or refill. For example, a patient with a 90-day prescription will only have a co-payment for the first 30-day fill. There will be no co-payment required for the second and third 30-day fills on the same 90-day prescription. This applies to all New Brunswickers that are on the public drug plan, including many seniors and low-income individuals.

NOVA SCOTIA

The Government of Nova Scotia (the "NS Government"), announced measures to help individuals and businesses affected by COVID-19. On April 2, 2020 they announced the \$20 million Worker Emergency Bridge Fund to support self-employed and people laid off, and the \$20 million Small Business Impact Grant to support eligible small businesses and social enterprises. The \$40 million is part of a \$50 million fund administered by the Dalhousie University, and eligibility for these programs may be available even where persons or business are enrolled in other provincial programs or the federal initiatives. Below are the measures currently or were in place for Nova Scotians.

SUPPORT FOR BUSINESSES

1. COVID-19 Small Business Credit and Support Program. Eligible small businesses and non-profits may apply for a loan of up to \$25,000 through participating provincial credit unions between April 29, 2020 and June 30, 2020. To qualify, the entity's payroll must be under \$20,000 in 2019, and experienced a decline in sales revenue of at least 15% in March 2020 or at least 30% in April, May or June 2020, compared to the same period in 2019. [Click here](#) to learn more about the Program, or [here](#) to check your eligibility.

2. Small Business Impact Grant. Eligible small businesses, non-profits, charities and social enterprises ordered to close or reduce operations because of the [Public Health Order](#), were able to apply for a one-time [Small Business Impact Grant](#) equal to 15% of revenue from sales, either from April 2019 or February 2020, up to a maximum of \$5,000, to be used for any purpose. Applications closed on April 25, 2020.

3. Commercial Rent Deferral and Commercial Lease Protection

- (a) To support small and medium-sized businesses, landlords are encouraged to defer rent payments for commercial tenants for three months, and to spread the deferred rent amounts over the rest of

the lease term. The NS Government has provided a form of deferral agreements to help landlords document deferral arrangements with their tenants.

- (b) Effective as of March 31, 2020, the [Public Health Order](#) prohibits all retail and other commercial landlords from exercising the remedies of notice to quit or distress available under a commercial lease, commercial agreement, the *Tenancy and Distress for Rent Act*, or otherwise, for rent due on or after March 22, 2020, from a retail or commercial tenant who has been required to close their business or their business has been substantially and directly restricted under the Public Health Order.

4. Canada Emergency Commercial Rent Assistance for Small Businesses. The NS Government has partnered with the Federal Government to contribute \$9 million to the Canada Emergency Commercial Rent Assistance for Small Businesses. This program will provide rent relief for commercial small businesses that have temporarily ceased operations or lost at least 70% of their revenue due to COVID-19.

5. Changes to Payments

- (a) The NS Government will defer payments on all government loans until June 30, 2020. This deferral applies to all loans from Farm Loan Board, Fisheries and Aquaculture Loan Board, Jobs Fund, Nova Scotia Business Fund, Municipal Finance Corp. and Housing Nova Scotia.
- (b) The Small Business Loan Guarantee Program, administered through 16 provincial credit unions, will defer principal and interest payments until June 30, 2020. The Small Business Loan Guarantee Program continues to provide access to credit for eligible businesses up to \$500,000.
- (c) Small businesses which do business with the NS Government will be paid within five days instead of the standard 30 days.

6. Fee Deferrals. The NS Government is supporting businesses by deferring many program and service fees including workers compensation premiums and licence, permit, registration, renewal and service fees, until June 30, 2020. [Click here](#) to view a comprehensive list of fee deferrals for businesses and to receive more information.

7. Measures for Restaurants. As of March 30, 2020, restaurants may include alcohol purchases with take-out and delivery orders, as long as the alcohol cost is no more than three times the value of food ordered.

8. Funding for High-Speed Internet. The NS Government has provided \$15 million as an incentive to providers to speed up and complete projects under the Internet for Nova Scotia Initiative.

SUPPORT FOR INDIVIDUALS

1. Worker Emergency Bridge Fund. The NS Government will provide a one-time payment of \$1,000 to employed or self-employed Nova Scotians who are laid off or out of work because of COVID-19, and who do not qualify for Employment Insurance and earn between \$5,000 and \$34,000. Nova Scotians can apply by calling the Canadian Red Cross at 1-800-863-6582. Applicants must check their eligibility and gather the required documents and information before calling. More information is [available here](#).

2. Suspension of Student Loan Payments. The NS Government has automatically suspended Nova Scotia Student Loan payments until September 30, 2020. Student Loans will not accrue interest during this period.

3. Income Assistance. As of March 20, 2020, the NS Government started paying an additional \$50 to every individual and family member on income assistance. This payment is automatic and individuals do not need to apply.

4. Residential Tenancy Protection. If an individual's income is affected due to COVID-19 and they are unable to pay their rent, they cannot be evicted until June 30, 2020. Tenants and landlords are encouraged to engage in discussions to work towards a solution.

5. Virtual School Meal Pilot Program. The NS Government has launched a [Virtual School Meal Pilot Program](#), in three Cape Breton communities, to provide meals to students who relied on school meal programs, while schools are closed due to COVID-19. Eligible families are contacted directly by their school principals.

OTHER GOVERNMENTAL SUPPORT

1. Support for Municipalities. The NS Government has partnered with Nova Scotia Federation of Municipalities and the Association of Municipal Administrators to introduce a new loan program to help municipalities with financial losses due to COVID-19. They have set aside \$380 million in loans available through the Municipal Finance Corporation. To apply, Municipalities need to determine their revenue shortfall and will have six months to start repayment and three years to fully repay the loan.

2. Support for Seniors

- (a) The NS Government has set aside \$230,000 to provide support for Community Links and Seniors' Safety Program to aid in expanding their capacity to support seniors and provide services such as volunteers for delivering groceries and technological options for keeping people connected by phone. Seniors who need non-emergency, non-medical help may call 211 or visit <https://ns.211.ca/>.
- (b) The NS Government has distributed 800 iPads to long-term care homes across Nova Scotia, to enable residents to connect with family and friends.
- (c) The NS Government has partnered with the Nova Scotia Health Authority to support the Halifax Campus of the Northwood long-term care facility to implement emergency plans to respond to COVID-19, by:
 - i. establishing a Northwood COVID-19 Recovery Unit at a local hotel to care for recovered residents;
 - ii. having additional staff from organizations across the province help care for residents, manage operations and relieve current staff;
 - iii. receiving additional equipment to support the Northwood COVID-19 Recovery Unit (like electric beds, tables and other supplies from Shannex)
 - iv. redeploying the Halifax Infirmary COVID-19 unit to Northwood to treat COVID-19 positive residents onsite; and,
 - v. testing and treating residents onsite at the facility.

3. Feed Nova Scotia and Community Food Banks. The NS Government set aside \$1 million provide support to help Feed Nova Scotia purchase food and hire more staff, and has set aside \$55,000 to support 12 smaller community food banks.

4. Cellphones for Vulnerable Nova Scotians. The NS Government has partnered with TELUS to provide 100 phones and calling plans to the most vulnerable Department of Community Services clients who have no other means of communication, and who may be self-isolated and alone.

5. Transition Houses. The NS Government has set aside \$535,000 to support transition houses and other organizations that serve vulnerable women and children.

6. Community Support. The NS Government has partnered with Nova Scotia Power and EfficiencyOne, to provide \$3 million to support community organizations that deliver prepared meals, operate soup kitchens, help those experiencing homelessness and provide other services to help vulnerable families, seniors and youth. This amount has been redirected from the HomeWarming Program as follows:

- (a) \$1.36 million for prepared meal delivery service to help hire staff, buy food and make meal deliveries;
- (b) \$1 million for United Way's Atlantic Compassion Fund to help vulnerable families and youth;
- (c) \$400,000 for shelters, soup kitchens and other service organizations to help those experiencing homelessness;
- (d) \$180,000 for the Seniors' Safety Program to help vulnerable older Nova Scotians; and,
- (e) \$60,000 for Community Links to help vulnerable older Nova Scotians.

PRINCE EDWARD ISLAND (PEI)

The Government of Prince Edward Island ("PEI") (the "PEI Government") has established a number of relief funds to support self-employed, workers and businesses. On April 16, 2020, the PEI Government announced a total of \$66 million is provided to support the needs of the tourism industry.

SUPPORT FOR BUSINESSES

1. Tourism Assistance Loan Program. The PEI Government has partnered with Finance PEI and Tourism PEI to develop a [Tourism Assistance Loan Program](#) funding program to support the PEI Tourism Operators. The PEI Government has set aside \$50 million and Finance PEI and Tourism PEI will accept applications from April 18, 2020 to December 31, 2020. To be eligible, applicants must be a "for profit entity" operating within one of the following sectors:

- (a) Licensed tourism accommodations (e.g. hotel, motel, bed and breakfast, inn, resort, cottage operations, campgrounds);
- (b) Licensed tourism accommodations must be used for business activity and not, in whole or in part, for primary residential purposes;
- (c) Food and beverage service (e.g. restaurant, bar, brewery);
- (d) Local artisans and artists (e.g. pottery, artwork);
- (e) Locally-owned retail and gift shops that cater primarily to Tourism;
- (f) Attractions (e.g. museum);

- (g) Tourism service/experience providers;
- (h) Event companies;
- (i) Adventure (e.g. kayaking, amusement park, golf); and/or,
- (j) Tour operator.

2. Emergency Working Capital Financing. The PEI Government will provide [emergency working capital financing](#) to assist PEI's small business affected by COVID-19. Eligible applicants can apply to receive a working capital loan of up to \$100,000 with a fixed interest rate of 4% per annum to be used to assist with fixed operating costs (including payroll, rent, utilities etc.) with principal and interest payments deferred for a minimum of 12 months. To be eligible, the applicant must:

- (a) be an existing small business (start-ups not eligible) located and operating in the Province of PEI, and have been generating revenue on PEI;
- (b) be registered to conduct business within the Province of PEI; and,
- (c) have a satisfactory credit rating and must not have any defaulted outstanding debt obligation on file in the Province's Central Default Registry.

3. Commercial Lease Rent Deferral Program. The PEI Government is encouraging landlords to defer rent payments from their commercial tenants for three months, spreading the deferred rent amount over the rest of the lease term. Under the [Program](#), landlords and tenants deferring rent may be eligible for coverage up to a maximum of \$50,000 per landlord and \$15,000 per tenant, if they are unable to recover the deferred rent.

4. Broadband Fund for Businesses. The PEI Government is providing financial assistance to local PEI internet service provider, communities and businesses for the installation of infrastructure for enhanced broadband services. [Click here](#) to learn more.

5. Emergency Relief – Worker Assistance Program. This is a temporary program to provide financial support to employers to assist their employed workers who have been impacted by reduced hours at work as a result of COVID-19. Eligible employers include registered private sector businesses or non-profit organizations in PEI where employed workers have experienced a reduction of at least eight hours per week, as compared to pre-COVID-19 hours, during the four-week period March 16, 2020 to April 11, 2020. For more information, [click here](#).

6. COVID-19 Business Adaptation Advice Program. This Program provides a non-repayable contribution to PEI businesses, entrepreneurs, not-for-profits, and non-governmental organizations to access professional advice and support to adapt or recover from the impacts of COVID-19. [Click here](#) for up-to-date information.

SUPPORT FOR INDIVIDUALS

1. COVID-19 Special Situation Fund for Individuals. The PEI Government will provide up to \$1,000 to individuals, who are 16 years and over, and who have experienced income loss and are not eligible for other federal or provincial funding support. Applicants must have been a PEI resident for tax purposes as of December 31, 2019 and not eligible for Employment Insurance. Eligible individuals who have

been impacted between March 13, 2020 and June 16, 2020, can apply online to receive this one-time [Special Situation Fund](#) amount.

2. COVID-19 Income Support Fund. The PEI Government provided financial support by way of an [Income Support Fund](#), offering a one-time lump-sum payment of \$750 to individuals, including students, who lost their job, or were laid off, on or after March 13, 2020, or whose Employment Insurance benefit expired and who did not have a job to return to because of COVID-19. This support was also available to self-employed individuals who lost all revenues due to COVID-19, had not accessed the Emergency Income Relief for Self-Employed. To qualify, individuals must have had earned a minimum of \$5,000 in the last 12 months or last calendar year, lost their primary source of income and a resident of PEI for tax purposes as of December 31, 2019. The deadline to apply for this support was April 30, 2020, and eligible individuals must keep supporting documents proving their eligibility for the program for a period of three years following approval. This [FAQ from the PEI Government](#) also provides helpful information.

3. Emergency Income Relief for the Self-Employed. The PEI Government will provide a maximum of \$500 per week between March 16, 2020 and March 29, 2020 for self-employed individuals who have been significantly affected by COVID-19. To qualify, the self-employed individual must have declared business income on their most recent tax return and business income is their primary source of income. Deadline to apply was April 30, 2020. [Learn more here](#).

4. Employee Gift Card Program. The PEI Government has partnered with Sobeys Inc. to provide a [\\$100 Sobeys gift card](#) to any employee, living and working on PEI, who has received a lay-off notice between April 15, 2020 and April 30, 2020 as a direct result of COVID-19. The employer must submit an [application online](#).

5. COVID-19 Student Financial Supports

- (a) The PEI Government has set aside \$95,000 for a Post-Secondary Student Support Fund, to provide financial assistance to students in immediate need at the University of Prince Edward Island ("UPEI"), Holland College and Collège de l'île through the institutions and/or their student unions.
- (b) The PEI Government will suspend repayment of Provincial Student Loans for a period of March to September 30, 2020.
- (c) Students may be eligible for the Temporary Rental Assistance Benefit which provides \$1000 over three months to help cover the cost of rent, and the COVID-19 Income Support Fund.
- (d) The PEI Government has partnered with UPEI to provide \$75,000 through the Research Fund for UPEI Students to create summer research opportunities for students.
- (e) The PEI Government has expanded a number of programs to create positions for students, including the Farm Team Program.

6. COVID-19 Supports for Renters and Landlords

- (a) The PEI Government, on April 16, 2020, introduced a [Temporary Rental Assistance Benefit](#), which will provide \$1,000 per household to help cover the cost of rent for a three-month period. Eligible Islanders will receive \$500 in the first month and \$250 the following two months.

- (b) The PEI housing Corporation has placed a moratorium on evictions from provincially-owned social housing units until June 2020.
- (c) The Island Regulatory Appeals Commission has suspended all rental hearings, including eviction hearings until further notice.
- (d) Enforcement of eviction orders have been suspended until the courts can resume regular operations, and the Rental Office will only hold hearings for urgent matters, such as serious threats to the health and safety of tenants and landlords. No hearings for non-payment of rent will be held.

OTHER SUPPORT

Property Tax Relief. On April 27, 2020, the PEI Government introduced the following [property tax relief measures](#):

- (a) deferring provincial property tax and fee payments until December 31, 2020;
- (b) extending property assessment appeal deadlines for assessment year 2020 to December 31, 2020;
- (c) providing interest relief for tax year 2020, including all past due amounts;
- (d) suspending tax sale processes for the remainder of 2020; and
- (e) delaying mailing of provincial tax bills for 2020 until June.

NEWFOUNDLAND AND LABRADOR

The Government of Newfoundland and Labrador (the “NL Government”) has established a number of relief funds to support self-employed, workers and businesses. These measures are detailed below.

SUPPORT FOR INDIVIDUALS AND BUSINESSES

1. Compensation Available for Private Sector Employers. On April 29, 2020, the NL Government announced it would pay private sector employers who continue to pay employees who were required to self-isolate for 14 days due to the COVID-19 travel restrictions. This includes individuals who are self-employed. The NL Government will pay employers a maximum of \$500 per week for each employee. [Click here](#) to learn more.

2. Changes to Credit Union Regulations. On April 24, 2020, the NL Government announced it would amend the Credit Union Regulations, 2009, to allow credit unions to be able to issue loans to their commercial clients, under the Canada Emergency Business Account program. The amendment will provide all of the province's credit unions with the ability to access federal commercial loan programs to help provincial businesses deal with the financial impacts from the COVID-19 public health emergency. [Click here for more information.](#)

3. WorkplaceNL Premiums Relief. WorkplaceNL is automatically deferring the collection of premiums paid by employers, and waiving interest charges and penalties, until June 30, 2020.

4. Tax Return Filing Deadlines and Remission of Interest and Penalties

- (a) International Fuel Tax Agreement returns for the first quarter of 2020 (January 1 to March 31, 2020) due on April 30, 2020 from inter-jurisdictional carriers, under section 8 of the *Revenue Administration Regulations*, are now due and payable on June 1, 2020.

- (b) With the exception of tax returns required from inter-jurisdictional carriers, all other tax returns falling under the purview of the *Revenue Administration Act* and Regulations, which would otherwise be due March 20, 2020 to May 31, 2020, are now due June 23, 2020. These include: gasoline tax; carbon tax; health and post-secondary tax; insurance companies tax; mining and mineral rights tax; tax on insurance premiums; and tobacco tax.
- (c) Taxpayers unable make payments when due, file a return on time or otherwise comply with a tax obligation may submit a written request to the Department of Finance, Tax Administration Division, to seek remission of interest and penalties.

5. Automatic Pause on Student Loan Repayments. A six month moratorium on NL student loan repayments from March 30, 2020 to September 30, 2020. The NL Government does not charge interest on its student loans and so no interest will accrue.

6. Property Tax Relief. The NL Government will waive interest on late property tax payments until June 30, 2020 in Paradise, Torbay and Conception Bay South; August 31, 2020 in St. John's and until the September 30, 2020 in Mount Pearl.

7. Water Bill Relief. The NL Government will waive interest on water meter taxes in St. John's and water bills on Mount Pearl until September 30, 2020.

8. Hydro Bill Relief. NL Hydro and NL Power will not disconnect service for non-payment of bills. To apply, call 1-888-737-1296 (NL Hydro) or call 1-800-663-2802 (NL Power).

9. Eviction Protection for Rental Properties. To protect tenants from eviction if they are unable to pay rent, [eviction notice periods will be extended by a minimum of 30 days](#). This is available to tenants who have received a termination notice for non-payment of rent after March 26, 2020 and have experienced loss of income due to the loss of employment or reduction in work because of COVID-19.

*Please contact your McInnes Cooper lawyer or any member of our **McInnes Cooper Tax Team** to discuss this topic or any other legal issue.*

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