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1993—11—06

ONTARIO REGULATION 645/93 made under the PLANNING ACT

Made: October 14, 1993
Filed: October 18, 1993

Amending O. Reg. 25/86
(Zoning Areas—District of Kenora,
Part of the Sioux Lookout Planning Area).

Note: Since January 1, 1993, Ontario Regulation 25/86 has been amended by Ontario Regulations 138/93, 341/93, 423/93 and 424/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 25/86 is amended by adding the following section:

104.—(1) Despite section 4, the land described in subsection (2) is, for the purpose of this Order, land in a General Industrial Zone, to which Part IX applies.

(2) Subsection (1) applies to the land in the geographic Township of Drayton, in the District of Kenora, being part of Lot 2, Range IV in the Reserve in the geographic Township of Drayton designated as Part 1 on Plan 23R-8942 deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23). O. Reg. 645/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 14, 1993.

45/93

ONTARIO REGULATION 646/93 made under the PLANNING ACT

Made: September 29, 1993
Filed: October 18, 1993

Amending O. Reg. 40/85
(Zoning Areas—District of Nipissing,
Part of the Districts of Nipissing and Sudbury)

Note: Since January 1, 1993, Ontario Regulation 40/85 has been amended by Ontario Regulations 186/93, 198/93 and 315/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. The Schedule to Ontario Regulation 40/85 is amended by adding the following section:

29.—(1) Despite section 4, the land described in subsection (2) is, for the purposes of this Order, land in a General Commercial Zone.

(2) Subsection (1) applies to the parcel of land in the geographic Township of Beauceage in the District of Nipissing, being part of Lot 8 in Concession I and more specifically described as the land lying west of Laronde Creek, south of Lot 8 in Concession II, east of Lot 9 in

Concession I and north of the King's Highway Number 17, except the right-of-way of the Canadian National Railways.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on September 29, 1993.

45/93

ONTARIO REGULATION 647/93 made under the PLANNING ACT

Made: October 14, 1993
Filed: October 18, 1993

Amending O. Reg. 25/86
(Zoning Areas—District of Kenora,
Part of the Sioux Lookout Planning Area)

Note: Since January 1, 1993, Ontario Regulation 25/86 has been amended by Ontario Regulations 138/93, 341/93, 423/93, 424/93 and 645/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 25/86 is amended by adding the following section:

105.—(1) Despite section 4, the land described in subsection (3) is, for the purposes of this Order, land in a Neighbourhood Commercial Zone.

(2) Despite subsection 38 (1), the land described in subsection (3) is subject to the following requirements:

Minimum lot area	2,500	square metres
Maximum lot coverage	40	per cent
Minimum lot frontage	50	metres
Minimum front yard	7.5	metres
Minimum rear yard	9	metres
Minimum side yards	3	metres
Maximum height	9	metres
Maximum gross floor area of main building or structure	130.07	square metres

(3) Subsections (1) and (2) apply to the parcel of land in the geographic Township of Drayton in the District of Kenora, being composed of part of Lot 34, Registered Plan M-291, registered in the Land Registry Office for the Land Titles Division of Kenora (No. 23), designated as Part 2 on Plan 23R-7936 deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23). O. Reg. 647/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 14, 1993.

45/93

ONTARIO REGULATION 648/93
made under the
PLANNING ACT

Made: October 15, 1993
Filed: October 19, 1993

ZONING AREAS—DISTRICT OF KENORA,
GEOGRAPHIC TOWNSHIP OF VAN HORNE

INTERPRETATION

1. In this Order,

“accessory”, when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure on the same lot;

“dwelling unit” means one or more habitable rooms capable of being occupied as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

“mobile home” means a structure that is designed to be mobile and containing only one dwelling unit capable of being occupied as a permanent residence, but does not include a travel trailer or tent trailer or trailer otherwise designed. O. Reg. 648/93, s. 1.

APPLICATION

2. This Order applies to those lands in the Township of Van Horne in the District of Kenora being part of Lot 9 in Concession IV, designated as Part 1 on Plan 23R-7419 deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23). O. Reg. 648/93, s. 2.

GENERAL

3.—(1) Every use of land and every erection, location or use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure. O. Reg. 648/93, s. 3.

PERMITTED USES

4. Every use of land and every erection or use of buildings or structures on the land is prohibited except the location and use of mobile homes but the number of mobile homes shall not exceed twelve. O. Reg. 648/93, s. 4.

5. Buildings and structures accessory to a mobile home are permitted. O. Reg. 648/93, s. 5.

BRIAN DOUGLAS RIDDELL
Assistant Deputy Minister
Municipal Operations Division
Ministry of Municipal Affairs

Dated at Toronto on October 15, 1993.

ONTARIO REGULATION 649/93
made under the
TOBACCO TAX ACT

Made: October 20, 1993
Filed: October 21, 1993

SALES OF UNMARKED CIGARETTES
ON INDIAN RESERVES

1. In this Regulation,

“council of the band” has the meaning specified in subsection 2 (1) of the *Indian Act* (Canada);

“Indian” has the meaning specified in subsection 2 (1) of the *Indian Act* (Canada);

“off-reserve community” means all adult members of the band who are recorded as band members in the most current issue of the Indian Register, Population by Sex and Residence, issued by the Department of Indian Affairs and Northern Development, and who do not reside on the reserve;

“reserve” means a reserve as defined in the *Indian Act* (Canada) or an Indian settlement located on Crown land, the Indian inhabitants of which are treated by the Department of Indian Affairs and Northern Development in the same manner as Indians residing on a reserve;

“reserve community” means all adult members of the band who are recorded as band members in the most current issue of the Indian Register, Population by Sex and Residence, issued by the Department of Indian Affairs and Northern Development, and who reside on a reserve;

“reserve retailer” means a retail dealer located on a reserve and who, in the ordinary course of his or her business, sells cigarettes to Indian consumers;

“retail agreement” means an agreement entered into between the Minister and a council of the band by which the council of the band agrees to allocate unmarked cigarettes to reserve retailers and to monitor the sales of those cigarettes to ensure that sales are not made to non-Indians;

“supplier” means a wholesaler who holds a permit to purchase and sell unmarked cigarettes under section 9 of the Act. O. Reg. 649/93, s. 1.

2.—(1) The purpose of this Regulation is,

(a) to ensure that there is a sufficient quantity of unmarked cigarettes available for purchase on a reserve by adult members of a band for their own consumption; and

(b) to prevent the purchase of excess quantities of unmarked cigarettes that could be resold to non-Indians.

(2) This Regulation applies to all reserves unless a specific regulation is passed that exempts a reserve from this Regulation and sets out an alternative method for the distribution of unmarked cigarettes to reserve retailers by incorporating the terms of an agreement that may be entered into between the Minister and a council of the band. O. Reg. 649/93, s. 2.

3.—(1) Subject to subsection (2), beginning on April 1 of a year, the annual quantity of cartons of unmarked cigarettes allocated to a reserve shall be calculated using the following formula:

$$A = [(R \times 2.5 \times 0.423) + (OR \times 2.7 \times 0.423)] \times 12$$

where,

A is the annual quantity;

R is the number of individuals in the reserve community;

OR is the number of individuals in the off-reserve community.

(2) If a reserve is listed in the Schedule, the annual quantity of cartons of unmarked cigarettes allocated to it shall be the greater of,

(a) the annual allocation indicated for the reserve in the Schedule; and

(b) the annual allocation determined under subsection (1).

(3) With respect to the period between the date this Regulation comes into force and March 31, 1994, the annual quantity determined under subsection (1) or (2) shall be reduced to the proportion that the number of days in the period is of 365.

(4) The council of the band may increase the annual quantity determined under subsection (1), (2) or (3),

(a) a maximum of 10 per cent for sale to Indian consumers who are not members of the reserve community or the off-reserve community;

(b) a maximum of 20 per cent if the council has entered into a retail agreement; or

(c) a maximum of 30 per cent where clauses (a) and (b) both apply.

(5) The annual aggregate quantity of unmarked cigarettes allocated to all reserve retailers shall not exceed the annual quantity of unmarked cigarettes allocated to the reserve as determined under this section. O. Reg. 649/93, s. 3.

4.—(1) To facilitate the availability of unmarked cigarettes for purchase by Indian consumers, a council of the band may allocate the annual quantity of unmarked cigarettes as determined under section 3 among each reserve retailer based on the volume of the retailer's sales to the reserve community and the off-reserve community for their own consumption.

(2) The council of the band shall advise the Minister of any allocation it makes.

(3) So long as the council of the band complies with this Regulation, the Minister shall provide to each reserve retailer to whom the council of the band has made an allocation an authorization to purchase the allocated amount of unmarked cigarettes from the supplier chosen by the reserve retailer. O. Reg. 649/93, s. 4.

5.—(1) If a council of the band has not made allocations as described in subsection 4 (1), the Minister may do so instead, in accordance with section 3.

(2) If the Minister makes allocations under subsection (1), the Minister shall make such inquiries as the Minister considers appropriate to determine who are reserve retailers and what is the volume of their business, and the Minister shall make the allocations based on that information.

(3) The Minister shall provide to each reserve retailer, as determined under subsection (2), an authorization to purchase an allocated amount of unmarked cigarettes from the supplier chosen by the reserve retailer. O. Reg. 649/93, s. 5.

6.—(1) Any annual allocation made to a reserve retailer by a council of the band applies for subsequent years until altered by the council of the band.

(2) Any change in the allocation that the council makes for a reserve retailer shall be offset by an equivalent change in the allocation to another reserve or retailers.

(3) If the council cancels a reserve retailer's allocation and wishes to transfer it to another reserve retailer, the council may transfer only the unpurchased portion for that year.

(4) If the Minister makes allocations under section 5, the Minister has the same powers as does the council under this section. O. Reg. 649/93, s. 6.

7.—(1) A reserve retailer may change suppliers only at the beginning of a month.

(2) The changing of a supplier does not affect the reserve retailer's annual allocation.

(3) A reserve retailer may choose more than one supplier if,

(a) the reserve retailer notifies the Minister about the amounts that are to be purchased from each supplier; and

(b) the total amount purchased from all suppliers does not exceed the reserve retailer's allocation. O. Reg. 649/93, s. 7.

8.—(1) If a council of the band has entered into a retail agreement and the Minister receives complaints that any reserve retailer to whom an allocation has been made has sold unmarked cigarettes to non-Indians, the Minister may investigate such complaints.

(2) If, after an investigation under subsection (1), the Minister determines that a reserve retailer has sold unmarked cigarettes to non-Indians, the Minister may advise the council of the band.

(3) If the Minister advises the council of the band under subsection (2) and if the council does not promptly transfer the unpurchased portion of the allocation to another reserve retailer, the Minister may suspend or cancel the retail agreement.

(4) Before any retail agreement is suspended or cancelled, a representative of the council of the band shall be given an opportunity to explain why the retail agreement should not be suspended or cancelled, as the case may be.

(5) If the Minister decides to suspend or cancel a retail agreement for the year, the Minister shall reduce the unpurchased portion of the annual quantity by the following formula:

$$R = \frac{U}{T} \times 0.2A$$

where,

R is the amount of reduction in the annual quantity;

U is the unpurchased amount of the total quantity remaining on the date of suspension or cancellation;

T is the total annual quantity for the year under section 3;

A is the amount determined under subsection 3 (1), (2) or (3).

(6) If the Minister decides to suspend or cancel a retail agreement for a part or all of the following year or years, the increased quantity under clause 3 (4) (b) or (c) shall be cancelled or proportionately reduced, as the case may be.

(7) If a reduction is made under this section to the annual quantity for a reserve, the Minister shall make the necessary corresponding reductions to the allocations given to reserve retailers. O. Reg. 649/93, s. 8.

9.—(1) If a reserve retailer chooses a supplier, the Minister shall inform the supplier of that choice.

(2) After being informed by the Minister, the supplier may sell to the reserve retailer all or any part of the allocation of unmarked cigarettes without collecting an amount equivalent to the tax imposed by the Act at the time of sale.

(3) The quantity of unmarked cigarettes sold by the supplier shall not exceed the quantity specified in the authority to purchase issued by the Minister.

(4) The reserve retailer shall take delivery of the unmarked cigarettes only on the reserve for which the authority to purchase is issued.

(5) The reserve retailer shall purchase the unmarked cigarettes solely for the retailer's own use or for resale on the reserve to Indian consumers. O. Reg. 649/93, s. 9.

Schedule

<i>Band Name</i>	<i>Reserve</i>	<i>Yearly Allocation (cartons/ year)</i>
Couchiching	Couchiching I.R. #16A	15,554
Delaware Nation Council, Moravian of The Thames	Moravian I.R. #47	8,750
Ojibways of Batchewana	Rankin Location I.R. #15D	18,461
Beausoleil	Christian Island I.R. #30	15,092
Akwesasne Mohawk Territory	Akwesasne Mohawk Territory	90,000
Mississaugas of the New Credit	New Credit I.R. #40A	16,615
Walpole Island	Walpole Island I.R. #46	40,717
Wahnapiatae	Wahnapiatae I.R. #11	2,538
Ojibways of Hiawatha	Hiawatha I.R. #36	9,249

O. Reg. 649/93, Sched.

45/93

Publications under the Regulations Act

Publications en vertu de la Loi sur les règlements

1993—11—13

ONTARIO REGULATION 650/93 made under the DRUGLESS PRACTITIONERS ACT

Made: September 21, 1993
Approved: October 21, 1993
Filed: October 25, 1993

Amending Reg. 281 of R.R.O. 1990
(Physiotherapists)

Note: Regulation 281 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 9 (3) of Regulation 281 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(3) The annual fee for renewal of registration as a physiotherapist is \$425. O. Reg. 650/93, s. 1.

BOARD OF DIRECTORS OF PHYSIOTHERAPY:

BARBARA STOKES
Chair

JANET CORNWALL
Registrar

Dated at Toronto on September 21, 1993.

46/93

ONTARIO REGULATION 651/93 made under the DENTAL TECHNOLOGY ACT, 1991

Made: October 6, 1993
Approved: October 21, 1993
Filed: October 25, 1993

COMPOSITION OF STATUTORY COMMITTEE

1.—(1) The Executive Committee shall be composed of,

- (a) the President or Vice-President of the Council as determined by the by-laws of the College;
- (b) two members of the Council who are members of the College; and
- (c) two members of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President or his or her designate on the Executive Committee shall be the chair of the Executive Committee. O. Reg. 651/93, s. 1.

2. The Registration Committee shall be composed of,

- (a) two members of the Council who are members of the College; and

(b) one member of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 651/93, s. 2.

3. The Complaints Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one member of the College who is not a member of the Council. O. Reg. 651/93, s. 3.

4. The Discipline Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two members of the College who are not members of the Council. O. Reg. 651/93, s. 4.

5. The Fitness to Practise Committee shall be composed of,

- (a) two members of the Council who are members of the College; and
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 651/93, s. 5.

6. The Quality Assurance Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one member of the College who is not a member of the Council. O. Reg. 651/93, s. 6.

7. The Patient Relations Committee shall be composed of,

- (a) one member of the Council who is a member of the College; and
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 651/93, s. 7.

8. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTAL TECHNOLOGISTS OF ONTARIO:

JAMES R. DOEL
Chair

EMILY CHEUNG
Registrar

Dated at Toronto on October 6, 1993.

46/93

ONTARIO REGULATION 652/93
made under the
DENTURISM ACT, 1991

Made: October 4, 1993
Approved: October 21, 1993
Filed: October 25, 1993

COMMITTEE COMPOSITION

- 1.—(1) The Executive Committee shall be composed of,
- (a) the President and Vice-President of the Council;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one member of the Council who is a member of the College.
- (2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 652/93, s. 1.
2. The Registration Committee shall be composed of,
- (a) two members of the Council who are members of the College;
 - (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one member of the College. O. Reg. 652/93, s. 2.
3. The Complaints Committee shall be composed of,
- (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one member of the College. O. Reg. 652/93, s. 3.
4. The Discipline Committee shall be composed of,
- (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) two members of the College. O. Reg. 652/93, s. 4.
5. The Fitness to Practise Committee shall be composed of,
- (a) two members of the Council who are members of the College;
 - (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one member of the College. O. Reg. 652/93, s. 5.
6. The Quality Assurance Committee shall be composed of,
- (a) two members of the Council who are members of the College;
 - (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one member of the College. O. Reg. 652/93, s. 6.
7. The Patient Relations Committee shall be composed of,
- (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) one member of the College. O. Reg. 652/93, s. 7.

8. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTURISTS OF ONTARIO:

BRIAN E. MONK
Chair

PATRICIA A. CLARK
Registrar

Dated at Toronto on October 4, 1993.

46/93

ONTARIO REGULATION 653/93
made under the
NURSING ACT, 1991

Made: October 7, 1993
Approved: October 21, 1993
Filed: October 25, 1993

COMMITTEE COMPOSITION

1. In this Regulation, "non-Council member" means a member of the College who is not a member of the Council. O. Reg. 653/93, s. 1.
- 2.—(1) The Executive Committee shall be composed of,
- (a) three members of the Council who are members of the College; and
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council.
- (2) The President and two Vice-Presidents of the Council shall be among the five members of the Executive Committee.
- (3) The President of the Council shall be the chair of the Executive Committee. O. Reg. 653/93, s. 2.
3. The Registration Committee shall be composed of,
- (a) three members of the Council who are members of the College, two of whom are registered nurses and one of whom is a registered practical nurse;
 - (b) four members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) two non-Council members, one of whom is a registered nurse and one of whom is a registered practical nurse. O. Reg. 653/93, s. 3.
4. The Complaints Committee shall be composed of,
- (a) three members of the Council who are members of the College, two of whom are registered nurses and one of whom is a registered practical nurse;
 - (b) four members of the Council appointed to the Council by the Lieutenant Governor in Council; and

ONTARIO REGULATION 654/93
made under the
RESPIRATORY THERAPY ACT, 1991

Made: October 5, 1993
Approved: October 21, 1993
Filed: October 25, 1993

STATUTORY COMMITTEE COMPOSITION

- (c) three non-Council members, two of whom are registered nurses and one of whom is a registered practical nurse. O. Reg. 653/93, s. 4.
5. The Discipline Committee shall be composed of,
- (a) seven members of the Council who are members of the College, five of whom are registered nurses and two of whom are registered practical nurses;
- (b) nine members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) twelve non-Council members, eight of whom are registered nurses and four of whom are registered practical nurses. O. Reg. 653/93, s. 5.
6. The Fitness to Practise Committee shall be composed of,
- (a) two members of the Council who are members of the College, one of whom is a registered nurse and one of whom is a registered practical nurse;
- (b) three members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) five non-Council members, three of whom are registered nurses and two of whom are registered practical nurses. O. Reg. 653/93, s. 6.
7. The Quality Assurance Committee shall be composed of,
- (a) three members of the Council who are members of the College, two of whom are registered nurses and one of whom is a registered practical nurse;
- (b) four members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) four non-Council members, two of whom are registered nurses and two of whom are registered practical nurses. O. Reg. 653/93, s. 7.
8. The Patient Relations Committee shall be composed of,
- (a) two members of the Council who are members of the College, one of whom is a registered nurse and one of whom is a registered practical nurse;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two non-Council members, one of whom is a registered nurse and one of whom is a registered practical nurse. O. Reg. 653/93, s. 8.
9. **This Regulation comes into force on the day the Act comes into force.**

TRANSITIONAL COUNCIL OF THE
COLLEGE OF NURSES OF ONTARIO:

PAT MANDY
President

MARGARET RISK
Executive Director

Dated at Toronto on October 7, 1993.

46/93

1. In this Regulation, "non-Council member" means a member of the College who is not a member of the Council. O. Reg. 654/93, s. 1.

2.—(1) The Executive Committee shall be composed of,

- (a) two members of the Council who are members of the College; and
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President and Vice-President of the Council shall be included in the membership set out in subsection (1).

(3) The President of the Council shall be the chair of the Executive Committee. O. Reg. 654/93, s. 2.

3. The Registration Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) three non-Council members. O. Reg. 654/93, s. 3.

4. The Complaints Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) three non-Council members. O. Reg. 654/93, s. 4.

5. The Discipline Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) three non-Council members. O. Reg. 654/93, s. 5.

6. The Fitness to Practise Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two non-Council members. O. Reg. 654/93, s. 6.

7. The Quality Assurance Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two non-Council members. O. Reg. 654/93, s. 7.

8. The Patient Relations Committee shall be composed of,
- two members of the Council who are members of the College;
 - two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - three non-Council members. O. Reg. 654/93, s. 8.

9. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
RESPIRATORY THERAPISTS OF ONTARIO:

DIANE THOMPSON
Chair

MARGARET CARTER
Vice-Chair

Dated at Toronto on October 5, 1993.

46/93

5.—(1) A candidate for election to the Council shall pay a fee of \$100 for a recount of the election.

(2) The fee shall be refunded to the candidate if the outcome of the election is changed in his or her favour as a result of the recount. O. Reg. 655/93, s. 5.

6. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
DENTAL HYGIENISTS OF ONTARIO:

LYNDA MICKELSON
Chair

LINDA STREVENSON
Registrar

Dated at Toronto on October 7, 1993.

46/93

ONTARIO REGULATION 655/93
made under the
DENTAL HYGIENE ACT, 1991

Made: October 7, 1993
Approved: October 21, 1993
Filed: October 25, 1993

FEEES

1. The fee for an initial application for a certificate of registration of any class is \$75. O. Reg. 655/93, s. 1.

2.—(1) The fees to issue or renew a certificate of registration are,

- \$300 for a general certificate;
- \$50 for a specialty certificate;
- \$200 for an inactive certificate; and
- \$100 for a general certificate if the applicant already holds an inactive certificate.

(2) Subject to subsection (3), the penalty for late payment of a fee set out in subsection (1) is \$50.

(3) A person shall not be required to pay the \$50 penalty more than once in a year, regardless of the number of classes of certificate for which the fee is late in that year. O. Reg. 655/93, s. 2.

3. The fee for reinstatement of a certificate of registration is \$125. O. Reg. 655/93, s. 3.

4.—(1) The fee to take the examinations for entry to practise is \$350.

(2) The fees to take supplemental examinations for entry to practise are,

- \$75 for the written portion; and
- \$275 for the clinical portion.

(3) The fee to file an appeal of examination results is \$100. O. Reg. 655/93, s. 4.

ONTARIO REGULATION 656/93
made under the
DENTAL TECHNOLOGY ACT, 1991

Made: October 6, 1993
Approved: October 21, 1993
Filed: October 25, 1993

FEEES

1. The fee for an initial application for a certificate of registration of any class is \$100. O. Reg. 656/93, s. 1.

2.—(1) The fees to issue or renew a certificate of registration are,

- \$700 for a general certificate;
- \$300 for an inactive certificate; and
- \$100 for a general certificate if the applicant already holds an inactive certificate.

(2) A general or inactive certificate of registration expires on September 1 in every year unless the renewal fee set out in subsection (1) is paid on or before that date.

(3) Subject to subsection (4), the penalty for late payment of a fee set out in subsection (1) is \$100.

(4) A person shall not be required to pay the \$100 penalty more than once in a year, regardless of the number of classes of certificate for which the fee is late in that year. O. Reg. 656/93, s. 2.

3. The fee for reinstatement of a certificate of registration is \$100. O. Reg. 656/93, s. 3.

4.—(1) The fee to take the examinations for entry to practise is \$100 and,

- \$150 for the written portion; and
- \$680 for the clinical portion.

(2) The fee to take the supplemental clinical examination for entry to practise is \$120 for each section retaken.

(3) The fee to file an appeal of examination results is \$200 plus \$50 for each section appealed. O. Reg. 656/93, s. 4.

5.—(1) A candidate for election to the Council shall pay a fee of \$500 for a recount of the election.

(2) The fee shall be refunded to the candidate if the outcome of the election is changed in his or her favour as a result of the recount. O. Reg. 656/93, s. 5.

6. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
DENTAL TECHNOLOGISTS OF ONTARIO:

JAMES R. DOEL
Chair

EMILY CHEUNG
Registrar

Dated at Toronto on October 6, 1993.

46/93

ONTARIO REGULATION 657/93
made under the
DENTURISM ACT, 1991

Made: October 6, 1993
Approved: October 21, 1993
Filed: October 25, 1993

FEES

1.—(1) The fees to issue a certificate of registration are set out in Schedule 1.

(2) Every member shall pay an annual fee as set out in Schedule 1.

(3) The annual fee is due on April 15 in each year.

(4) Despite subsection (3), in 1994 the annual fee is payable on the dates set out in Schedule 2. O. Reg. 657/93, s. 1.

2. The penalty for late payment of the annual fee is set out in Schedule 1. O. Reg. 657/93, s. 2.

3. If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar shall terminate the suspension on the payment of,

- (a) the fee the member failed to pay;
- (b) the fees that would have been payable had the member's certificate not been suspended; and
- (c) any applicable penalties. O. Reg. 657/93, s. 3.

4. This Regulation comes into force on the day the Act comes into force.

Schedule 1

FEES

1. Application fee	\$700.00	46/93
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2. Application fee for certificate of registration that will expire after no more than thirty days

- 3. Annual fee (renewal only),
 - (a) for the holder of a certificate of registration 700.00
 - (b) for the holder of a certificate of registration who does not practise denturism in Ontario
 - (c) for 1994, for a member who paid the annual fee to the predecessor of the College,

in January 1993	870.00
in February 1993	820.00
in March 1993	760.00
in April 1993	700.00
in May 1993	640.00
in June 1993	580.00
in July 1993	530.00
in August 1993	470.00
in September 1993	410.00
in October 1993	360.00
in November 1993	300.00
in December 1993	240.00

- 4. Late payment penalty,
 - (a) if the annual membership fee is paid in full after the due date but before the date the certificate is suspended
 - (b) if the annual membership fee is paid in full after the date the certificate is suspended

10
per cent of
annual fee

20
per cent of
annual fee

O. Reg. 657/93, Sched. 1.

Schedule 2

1994 ANNUAL FEE DUE DATES

- 1. For a member who paid the annual fee to the predecessor of the College,
 - (a) in January 1993
 - (b) in February 1993
 - (c) in March 1993
 - (d) in April, May, June, July, August, September, October, November or December 1993

O. Reg. 657/93, Sched. 2.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
DENTURISTS OF ONTARIO:

BRIAN E. MONK
Chair

PATRICIA A. CLARK
Registrar

Dated at Toronto on October 6, 1993.

ONTARIO REGULATION 658/93
made under the
PHYSIOTHERAPY ACT, 1991

Made: October 8, 1993
Approved: October 21, 1993
Filed: October 25, 1993

FEES

1.—(1) Every member shall pay an annual membership fee as set out in the Schedule.

(2) The annual membership fee is due,

(a) in the case of a certificate of registration being issued, before the certificate is issued; and

(b) in the case of a certificate of registration being renewed, on December 31, 1993, and then on April 1 in each year, starting in 1994. O. Reg. 658/93, s. 1.

2.—(1) If a member fails to pay an annual fee on or before the day on which the fee is due, the member shall pay a penalty in addition to the annual fee.

(2) The penalty for the holder of a certificate of registration authorizing independent practice is \$225.

(3) The penalty for the holder of a certificate of registration authorizing academic practice is \$100. O. Reg. 658/93, s. 2.

3. **This Regulation comes into force on the day the Act comes into force.**

Schedule

1. Annual membership fee (Renewal),

(a) for the holder of a certificate of registration authorizing independent practice \$425.00

(b) for the holder of a certificate of registration authorizing supervised practice 50.00

(c) for the holder of a certificate of registration authorizing academic practice 200.00

(d) for the holder of a certificate of registration authorizing teaching practice of a short duration 25.00

2.—(1) Annual membership fee (initial issuance) for the period ending the following March 31,

(a) if the application for the certificate is received before December 31 425.00

(b) if the application for the certificate is received on or after December 31 115.00

(2) There is no fee for the initial issuance of a certificate of registration authorizing independent practice, if the applicant has successfully completed the most recent administration of the Physiotherapy National Examination.

O. Reg. 658/93, Sched.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
PHYSIOTHERAPISTS OF ONTARIO:

BARBARA STOKES
Chair

CHRISTINE SMITH
Secretary-Treasurer

Dated at Toronto on October 8, 1993.

46/93

ONTARIO REGULATION 659/93
made under the
FARM PRODUCTS GRADES AND SALES ACT

Made: October 13, 1993
Filed: October 25, 1993

EXEMPTION

1.—(1) Contracting parties to a contract for the marketing of grain corn, soybeans or canola are exempt from the application of section 23 of the Act.

(2) Subsection (1) does not apply to parties to a contract for which a notice under subsection 23 (2) of the Act has been given to the Director before the day this Regulation is filed. O. Reg. 659/93, s. 1.

46/93

ONTARIO REGULATION 660/93
made under the
INSURANCE ACT

Made: October 21, 1993
Filed: October 25, 1993

Amending Reg. 672 of R.R.O. 1990
(No-Fault Benefits Schedule)

Note: There are no prior amendments to Regulation 672.

1. **Section 9 of Regulation 672 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:**

(3) For the purpose of subsection (2), a service, benefit or entitlement provided under an Act, the administration of which was transferred from the Ministry of Community and Social Services to the Ministry of Health by Order-in-Council, shall be deemed to be provided under an Act administered by the Ministry of Community and Social Services for Ontario so long as the nature of the service, benefit or entitlement remains substantially the same as it was before the transfer. O. Reg. 660/93, s. 1.

46/93

ONTARIO REGULATION 661/93
made under the
HIGHWAY TRAFFIC ACT

Made: October 22, 1993
Filed: October 25, 1993

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since January 1, 1993, Regulation 619 has been amended by Ontario Regulations 20/93, 63/93, 136/93, 206/93, 277/93, 306/93, 474/93, 488/93 and 520/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) **Paragraph 16 of Part 3 of Schedule 1 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

16. That part of the King's Highway known as No. 2 lying between a point situate 160 metres measured easterly from its intersection with the centre line of the roadway known as Banner Road in the hamlet of Thamesford in the County of Oxford and a point situate 280 metres measured easterly from its intersection with the centre line of the roadway known as West Nissouri Township Concession 1 in the City of London, formerly in the Township of West Nissouri, in the County of Middlesex—
Oxford and Middlesex—
City of London

(2) Paragraphs 36 and 37 of Part 3 of Schedule 1 to the Regulation are revoked and the following substituted:

36. That part of the King's Highway known as No. 2 in the County of Middlesex lying between a point situate 390 metres measured westerly from its intersection with the centre line of the roadway known as Westdel Bourne in the City of London and a point situate 100 metres measured easterly from its intersection with the centre line of the roadway known as Victoria Street in the Village of Delaware.

(3) Paragraph 25 of Part 5 of Schedule 1 to the Regulation is revoked.

(4) Paragraph 5 of Part 6 of Schedule 1 to the Regulation is revoked.

2.—(1) Paragraph 17 of Part 2 of Schedule 13 to the Regulation is revoked and the following substituted:

17. That part of the King's Highway known as No. 11 in the Territorial District of Thunder Bay lying between a point situate 479 metres measured westerly from its intersection with the westerly limit of the Canadian National Railway right-of-way in the Township of Summers and a point situate 600 metres measured northerly from its intersection with the roadway known as Lakeshore Drive in the Lake Helen Indian Reserve No. 53A.

(2) Part 4 of Schedule 13 to the Regulation is amended by adding the following paragraph:

19. That part of the King's Highway known as No. 11 in the Territorial District of Thunder Bay lying between a point situate at its intersection with the junction of the King's Highways known as Nos. 11 and 17 in the Township of Nipigon and a point situate 600 metres measured northerly from its intersection with the roadway known as Lakeshore Drive in the Lake Helen Indian Reserve No. 53A.

3.—(1) Paragraphs 5, 6 and 7 of Part 3 of Schedule 25 to the Regulation are revoked and the following substituted:

5. That part of the King's Highway known as No. 19 in the County of Perth lying between a point situate 450 metres measured northerly from its intersection with the centre line of the roadway known as Concession 8-9 in the Township of North Easthope and a point situate 335 metres measured easterly from its intersection with the centre line of the Canadian National Railways right-of-way in the townships of Ellice and Mornington.
6. That part of the King's Highway known as No. 19 in the County of Perth lying between a point situate 365 metres measured westerly from its intersection with the centre line of the Canadian National Railways right-of-way in the townships of Ellice and Mornington and a point situate 337 metres measured southerly from its intersection with the centre line of the roadway known as Wilfred Street in the Village of Milverton.
7. That part of the King's Highway known as No. 19 in the Township of Mornington in the County of Perth lying between a point situate 180 metres measured northerly from its intersection with the centre line of the roadway known as Sippel Street in the Village of Milverton and a point situate at its intersection with the southerly limit of the King's Highway known as No. 86.

(2) Paragraphs 3, 4 and 5 of Part 4 of Schedule 25 to the Regulation are revoked and the following substituted:

3. That part of the King's Highway known as No. 19 in the townships of Ellice and Mornington in the County of Perth beginning at a point situate 335 metres measured easterly from its intersection with the centre line of the Canadian National Railways right-of-way and extending westerly for a distance of 700 metres.

(3) Paragraph 10 of Part 5 of Schedule 25 to the Regulation is revoked and the following substituted:

10. That part of the King's Highway known as No. 19 in the townships of Ellice and North Easthope in the County of Perth beginning at a point situate 335 metres measured southerly from its intersection with the centre line of the roadway known as North Easthope Concession 8-9 and extending northerly for a distance of 785 metres.
11. That part of the King's Highway known as No. 19 in the Township of Mornington in the County of Perth beginning at a point situate 137 metres measured southerly from its intersection with the centre line of the roadway known as Wilfred Street in the Village of Milverton and extending southerly for a distance of 200 metres.
12. That part of the King's Highway known as No. 19 in the Township of Mornington in the County of Perth beginning at a point situate 30 metres measured northerly from its intersection with the centre line of the roadway known as Sippel Street in the Village of Milverton and extending northerly for a distance of 150 metres.

4.—(1) Paragraph 2 of Part 3 of Schedule 121 to the Regulation is revoked and the following substituted:

2. That part of the King's Highway known as No. 144 in The Regional Municipality of Sudbury lying between a point situate 260 metres measured northerly from its intersection with the centre line of the roadway known as Omer Street in the hamlet of Chelmsford in the Town of Rayside-Balfour and a point situate 150 metres measured southerly from its intersection with the southerly limit of the roadway known as Houle Avenue in the hamlet of Dowling in the Town of Onaping Falls.

(2) Paragraph 1 of Part 4 of Schedule 121 to the Regulation is revoked.

(3) Part 5 of Schedule 121 to the Regulation is amended by adding the following paragraph:

2. That part of the King's Highway known as No. 144 in the hamlet of Chelmsford in the Town of Rayside-Balfour in The Regional Municipality of Sudbury lying between a point situate at its intersection with the northerly limit of the roadway known as Regional Road 35 and a point situate 260 metres measured northerly from its intersection with the centre line of the roadway known as Omer Street.

5. Paragraph 1 of Part 3 of Schedule 229 to the Regulation is revoked and the following substituted:

District of Sudbury—
Town of Massey
District of Algoma—
Twp. of Boon

1. That part of the King's Highway known as No. 553 lying between a point situate 1475 metres measured northerly from its intersection with the northerly limit of the King's Highway known as No. 17 in the Town of Massey in the Territorial District of Sudbury and a point situate at its intersection with the southerly limit of the King's Highway known as No. 810 in the Township of Boon in the Territorial District of Algoma.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on October 22, 1993.

46/93

ONTARIO REGULATION 662/93
made under the
EMPLOYMENT STANDARDS ACT

Made: October 21, 1993
Filed: October 26, 1993

Amending Reg. 325 of R.R.O. 1990
(General)

Note: Regulation 325 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsections 10 (1) and (2) of Regulation 325 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

(1) For the work week in which January 1, 1994 occurs and thereafter, an employer shall pay not less than the following minimum wage:

1. To an employee who is a student under eighteen years of age if the weekly hours of the student are not in excess of twenty-eight hours or if the student is employed during a school holiday, \$6.25 an hour.
2. To an employee who, as a regular part of his or her employment, serves liquor directly to customers, guests, members or patrons in premises for which a licence or permit has been issued under the *Liquor Licence Act*, \$5.80 an hour.
3. For the services of a hunting or fishing guide, \$33.50 for less than five consecutive hours in a day and \$67 for five or more hours in a day whether or not the hours are consecutive.
4. To an employee other than one to whom paragraph 1, 2 or 3 applies, \$6.70 an hour.

(2) For the week in which January 1, 1994 occurs and thereafter, if meals or room or both are taken into account by an employer in calculating the minimum wage of an employee, the maximum amount at which meals or room or both shall be valued for the purposes of determining if the minimum wage has been paid to the person is as follows:

- | | |
|------------------------|---|
| 1. Room | \$31 a week if the room is private and \$15.50 a week if the room is not private. |
| 2. Meals | \$2.50 a meal and not more than \$52.50 a week. |
| 3. Both room and meals | \$83.50 a week if the room is private and \$68 a week if the room is not private. |

O. Reg. 662/93, s. 1.

2. Despite section 1, subsections 10 (1) and (2) of the Regulation, as they read immediately before the day this Regulation is filed,

continue to apply with respect to work weeks up to but not including the work week in which January 1, 1994 occurs.

46/93

ONTARIO REGULATION 663/93
made under the
EMPLOYMENT STANDARDS ACT

Made: October 21, 1993
Filed: October 26, 1993

Amending Reg. 324 of R.R.O. 1990
(Fruit, Vegetable and Tobacco Harvesters)

Note: Regulation 324 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 3 of Regulation 324 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

3. Subject to section 4, every employer shall pay a minimum wage of not less than,

- (a) \$6.25 an hour to an employee who is a student under eighteen years of age if the weekly hours of the student are not in excess of twenty-eight hours or if the student is employed during a school holiday; and
- (b) \$6.70 an hour to an employee other than an employee mentioned in clause (a). O. Reg. 663/93, s. 1.

2. Section 5 of the Regulation is revoked and the following substituted:

5. If housing accommodation, room and meals, or any of them, are taken into account by the employer in calculating the minimum wage of an employee, the maximum amount at which such housing accommodation, room and meals, or any of them, is valued shall be as follows:

- | | |
|-----------------------------------|---|
| 1. Serviced housing accommodation | \$97.15 a week. |
| 2. Housing accommodation | \$71.70 a week. |
| 3. Room | \$31 a week if the room is private and \$15.50 a week if the room is not private. |
| 4. Meals | \$2.50 a meal and not more than \$52.50 a week. |
| 5. Both room and meals | \$83.50 a week if the room is private and \$68 a week if the room is not private. |

O. Reg. 663/93, s. 2.

3. This Regulation comes into force on January 1, 1994.

46/93

ONTARIO REGULATION 664/93
made under the
ONTARIO UNCONDITIONAL GRANTS ACT

Made: October 21, 1993
Filed: October 26, 1993

Amending O. Reg. 384/93
(General)

Note: There are no prior amendments to Ontario Regulation 384/93.

1. Subsection 1 (1) of Ontario Regulation 384/93 is amended by adding the following definitions:

"expenditure control plan reduction" means each upper or lower tier municipality's share of the unconditional grant reduction announced on May 13, 1993 as part of the government's expenditure control plan as set out in Part B of the Schedule;

"social contract reduction" means each upper or lower tier municipality's share of the municipal sector target established under section 7 of the *Social Contract Act, 1993*;

2. Section 10 of the Regulation is revoked and the following substituted:

10.—(1) A revenue guarantee grant is payable for 1993 under section 11 of the Act to any upper or lower tier municipality if the grants entitlement of the municipality is less than 1.02 times the 1992 grants entitlement minus the expenditure control plan reduction and minus the social contract reduction for the municipality.

(2) The amount of the revenue guarantee grant is the amount obtained by subtracting the grants entitlement of the municipality from 1.02 times the 1992 grants entitlement minus the expenditure control plan reduction and minus the social contract reduction for the municipality. O. Reg. 664/93, s. 2.

3. The Schedule is amended by adding the following Part:

PART B

MUNICIPALITY	EXPENDITURE CONTROL PLAN	
	REDUCTION	
	\$	
Adelaide Tp	6,805	
Adjala Tp	14,252	
Admaston Tp	7,700	
Adolphustown Tp	3,780	
Ailsa Craig V	4,626	
Airy Tp	6,134	
Ajax T	110,560	
Albemarle Tp	9,864	
Alberton Tp	7,192	
Aldborough Tp (new)	19,574	
Alexandria T	40,924	
Alfred Tp	11,204	
Alfred V	5,840	
Alice and Fraser Tp	16,036	
Almonte T	37,925	
Alnwick Tp	5,950	
Alvinston V	5,850	
Amabel Tp	37,546	
Amaranth Tp	10,610	
Ameliasburgh Tp	17,287	
Amherst Island Tp	4,198	
Amherstburg T	78,759	
Ancaster T	49,787	
Anderdon Tp	37,850	
Anson Hindon and Minden T	35,506	
Arkona V	2,366	
Armour Tp	14,707	
Armstrong Tp	6,579	
Arnprior T	75,159	
Arran Tp	8,864	
Artemesia Tp	13,161	
Arthur Tp	8,682	
Arthur V	19,921	
Ashfield Tp	9,986	
Asphodel Tp	12,474	
Assiginack Tp	10,211	
Athens V	7,029	
Athol Tp	2,786	
Atikokan Tp	49,919	
Atwood Tp	1,075	

MUNICIPALITY	EXPENDITURE CONTROL PLAN	
	REDUCTION	
	\$	
Augusta Tp	21,049	
Aurora T	65,834	
Aylmer T	73,223	
Bagot and Blythfield Tp	11,683	
Baldwin Tp	4,603	
Bancroft V	15,406	
Bangor Wicklow and McClur	11,701	
Barclay Tp	10,629	
Barrie C	534,362	
Barrie Island Tp	1,223	
Barrie Tp	8,827	
Barry's Bay V	5,866	
Bastard and South Burgess	15,757	
Bath V	5,332	
Bathurst Tp	10,502	
Bayfield V	7,333	
Bayham Tp	19,657	
Beachburg V	3,434	
Beardmore Tp	10,250	
Beckwith Tp	17,087	
Bedford Tp	13,946	
Belle River T	26,351	
Belleville C	634,821	
Belmont and Methuen Tp	18,405	
Belmont V	4,852	
Bentinck Tp	10,283	
Bexley Tp	8,602	
Bicroft Tp	6,667	
Biddulph Tp	13,586	
Billings Tp	6,077	
Black River - Matheson Tp	38,372	
Blandford - Blenheim Tp	18,373	
Blanshard Tp	6,945	
Blenheim T	46,983	
Blind River T	34,317	
Bloomfield V	4,208	
Blue Tp	279	
Blyth V	7,112	
Bobcaygeon V	16,300	
Bonfield Tp	9,211	
Bosanquet Tp	28,909	
Bothwell T	7,447	
Bracebridge T	41,106	
Bradford - West Gwillimbury	120,243	
Braeside V	1,998	
Brampton C	465,651	
Brant Co	28,776	
Brant Tp	19,069	
Brantford C	1,196,391	
Brantford Tp	25,025	
Brethour Tp	968	
Brighton T	15,840	
Brighton Tp	8,801	
Brock Tp	43,074	
Brockville C	358,453	
Bromley Tp	5,622	
Brooke Tp	7,750	
Brougham Tp	2,766	
Bruce Co	146,779	
Bruce Mines T	5,274	
Bruce Tp	10,044	
Brudenell and Lyndoch Tp	5,077	
Brussels V	4,052	
Burford Tp	19,202	
Burk's Falls V	6,888	
Burleigh and Anstruther T	17,321	
Burlington C	358,101	
Burpee Tp	2,058	
Cache Bay T	5,636	
Caldwell Tp	12,466	
Caledon T	78,528	

<u>EXPENDITURE CONTROL PLAN</u>		<u>EXPENDITURE CONTROL PLAN</u>	
<u>MUNICIPALITY</u>	<u>REDUCTION</u>	<u>MUNICIPALITY</u>	<u>REDUCTION</u>
	\$		\$
Caledonia Tp	10,877	Denbigh Abinger and Ashby	4,957
Calvin Tp	6,115	Derby Tp	8,851
Cambridge C	548,402	Deseronto T	17,150
Cambridge Tp	27,210	Dilke Tp	708
Camden East Tp	16,225	Dorion Tp	5,790
Camden Tp	7,707	Douro Tp	14,772
Campbellford T	29,656	Dover Tp	18,381
Capreol T	21,800	Downie Tp	11,561
Caradoc Tp	17,332	Drayton V	7,820
Carden Tp	6,666	Dresden T	26,067
Cardiff Tp	13,530	Drummond Tp	12,294
Cardinal V	19,395	Dryden T	136,674
Carleton Place T	87,306	Dubreuilville Tp	14,482
Carling Tp	26,090	Dufferin Co	40,215
Carlow Tp	3,426	Dummer Tp	16,801
Carnarvon Tp	10,203	Dundalk V	13,661
Carrick Tp	13,281	Dundas T	114,833
Casey Tp	1,748	Dungannon Tp	8,689
Casimir Jennings & Appleby	13,545	Dunnville T	82,135
Casselman V	20,182	Dunwich Tp	12,200
Cavan Tp	18,600	Durham R	2,475,413
Chalk River V	2,390	Durham T	25,460
Chamberlain Tp	3,566	Dutton V	8,278
Chandos Tp	13,043	Dymond Tp	13,036
Chapleau Tp	27,088	Dysart et al Tp	46,720
Chapman Tp	6,379	Ear Falls Tp	13,147
Chapple Tp	7,074	East Ferris Tp	26,703
Charlottenburgh Tp	46,458	East Garafraxa Tp	7,045
Charlton T	1,059	East Gwillimbury T	52,687
Chatham C	671,168	East Hawkesbury Tp	18,783
Chatham Tp	22,689	East Luther Tp	3,649
Chatsworth V	2,855	East Wawanosh Tp	7,219
Chesley T	10,657	East Williams Tp	5,247
Chesterville V	14,557	East York B	392,369
Chisholm Tp	9,758	East Zorra - Tavistock Tp	41,301
Christie Tp	11,076	Eastnor Tp	12,303
Clarence Tp	55,219	Edwardsburgh Tp	19,899
Clarendon and Miller Tp	6,019	Eganville V	7,685
Clarington T	110,422	Egremont Tp	9,685
Clifford V	6,634	Ekfrid Tp	8,612
Clinton T	38,670	Elderslie Tp	7,691
Cobalt T	10,544	Eldon Tp	12,944
Cobden V	5,454	Elgin Co	60,208
Cobourg T	152,637	Elizabethtown Tp	28,842
Cochrane T	36,498	Ellice Tp	15,669
Cockburn Island Tp	1,199	Elliot Lake C	303,816
Colborne Tp	12,039	Elma Tp	21,967
Colborne V	10,331	Elmvale V	8,950
Colchester North Tp	13,741	Elora V	23,111
Colchester South Tp	33,997	Elzevir and Grimsthorpe T	3,485
Coldwater V	13,015	Emily Tp	28,522
Coleman Tp	5,317	Emo Tp	9,817
Collingwood T	146,381	Englehart T	14,099
Collingwood Tp	31,189	Enniskillen Tp	16,084
Conmee Tp	3,352	Ennismore Tp	18,995
Cornwall C	806,708	Eramosa Tp	19,670
Cornwall Tp	39,534	Eric Beach V	1,275
Cosby Mason and Martland	11,627	Erieau V	2,722
Cramahe Tp	12,572	Erin Tp	19,555
Creemore V	10,391	Erin V	11,573
Culross Tp	11,836	Ernestown Tp	49,717
Cumberland Tp	145,049	Espanola T	96,963
Dack Tp	1,985	Essa Tp	21,376
Dalton Tp	2,791	Essex Co	141,536
Darling Tp	5,450	Essex T	50,113
Dawn Tp	9,462	Etobicoke C	935,776
Day and Bright Additional	3,607	Euphemia Tp	6,833
Deep River T	42,250	Euphrasia Tp	7,127
Delaware Tp	8,855	Evanturel Tp	2,867
Delhi Tp	42,293	Exeter T	41,651
Deloro V	984	Faraday Tp	9,604

EXPENDITURE CONTROL PLANREDUCTION

\$

Fauquier-Strickland Tp	5,270
Fenelon Falls V	20,105
Fenelon Tp	29,911
Fergus T	77,580
Field Tp	4,612
Finch Tp	9,157
Finch V	1,907
Flamborough T	60,460
Flesherton V	5,743
Flos Tp	12,107
Foley Tp	28,573
Forest T	25,024
Fort Erie T	219,627
Fort Frances T	192,807
Frankford V	7,379
Front of Escott Tp	6,002
Front of Leeds & Lansdowne	21,733
Front of Yonge Tp	12,915
Frontenac Co	60,991
Fullarton Tp	8,530
Galway and Cavendish Tp	16,306
Gananoque ST	79,783
Gauthier ID	1,516
Georgian Bay Tp	23,994
Georgina T	153,381
Geraldton T	34,217
Gillies Tp	2,813
Glackmeyer Tp	4,489
Glamorgan Tp	8,837
Glanbrook Tp	38,010
Glencoe V	14,884
Glenelg Tp	8,593
Gloucester C	694,489
Goderich T	89,980
Goderich Tp	9,816
Golden Tp	55,681
Gordon Tp	3,846
Gore Bay T	5,631
Gosfield North Tp	16,134
Gosfield South Tp	31,533
Goulbourn Tp	58,827
Grand Bend V	12,493
Grand Valley V	9,539
Grattan Tp	6,153
Gravenhurst T	49,295
Greenock Tp	8,155
Grey Co	102,257
Grey Tp	11,152
Griffith and Matawatchan	3,823
Grimsby T	88,248
Guelph C	779,031
Guelph Tp	10,373
Hagar Tp	8,240
Hagarty and Richards Tp	13,065
Hagerman Tp	10,627
Haileybury T	43,302
Haldimand T	66,718
Haldimand Tp	13,618
Haldimand - Norfolk R	613,968
Haliburton Co	39,528
Hallowell Tp	16,051
Halton Hills T	147,408
Halton R	1,939,052
Hamilton C	1,659,848
Hamilton Tp	46,336
Hamilton - Wentworth R	3,936,034
Hanover T	82,289
Harley Tp	3,080
Harris Tp	1,206
Harriston T	15,236
Harrow T	18,288

MUNICIPALITYEXPENDITURE CONTROL PLANREDUCTION

\$

Harvey Tp	25,796
Harwich Tp	28,466
Hastings Co	113,111
Hastings V	9,271
Havelock V	6,885
Hawkesbury T	118,606
Hay Tp	15,051
Head Clara and Maria Tp	1,971
Hearst T	61,903
Hensall V	9,277
Hepworth V	2,041
Herschel Tp	9,236
Hibbert Tp	10,261
Highgate V	2,329
Hilliard Tp	2,157
Hillier Tp	6,746
Hilton Beach V	2,084
Hilton Tp	3,754
Hinchinbrooke Tp	5,531
Holland Tp	14,593
Hope Tp	12,219
Homepayne Tp	22,709
Horton Tp	9,719
Howard Tp	11,887
Howe Island Tp	2,205
Howick Tp	19,507
Howland Tp	11,312
Hudson Tp	2,601
Hullett Tp	9,209
Humphrey Tp	35,203
Hungerford Tp	8,351
Huntingdon Tp	8,487
Huntsville T	55,454
Huron Co	131,021
Huron Tp	25,805
Ignace Tp	23,980
Ingersoll T	103,765
Innisfil T	201,395
Iron Bridge V	3,469
Iroquois Falls T	98,284
Iroquois V	7,258
Jaffray Melick T	28,203
James Tp	4,005
Jocelyn Tp	4,925
Johnson Tp	7,615
Joly Tp	2,382
Kaladar Anglesea & Effingham	10,837
Kanata C	177,824
Kapuskasing T	140,174
Keamey T	11,602
Keewatin T	18,094
Kemptville T	18,763
Kennebec Tp	5,346
Kenora T	200,484
Kent Co	112,184
Kenyon Tp	19,161
Keppel Tp	18,514
Kerns Tp	1,672
Killaloe V	4,309
Kincardine T	74,425
Kincardine Tp	19,870
King Tp	32,357
Kingston C	999,578
Kingston Tp	248,844
Kingsville T	48,022
Kinloss Tp	5,854
Kirkland Lake T	179,407
Kitchener C	804,818
Kitley Tp	10,239
La Vallee Tp	5,114
Laird Tp	5,285

<u>MUNICIPALITY</u>	<u>EXPENDITURE CONTROL PLAN</u>		<u>MUNICIPALITY</u>	<u>EXPENDITURE CONTROL PLAN</u>	
	<u>REDUCTION</u>	<u>\$</u>		<u>REDUCTION</u>	<u>\$</u>
Lake of Bays Tp		17,745	Meaford T		57,030
Lakefield V		41,098	Medonte Tp		22,993
Lambton Co		131,384	Melancthon Tp		6,982
Lanark Co		90,769	Merrickville V		11,375
Lanark Tp		8,669	Mersea Tp		35,119
Lanark V		7,674	Metcalfe Tp		3,317
Lancaster Tp		21,403	Metropolitan Toronto R		19,014,654
Lancaster V		5,312	Michipicoten Tp		102,751
Larder Lake Tp		9,835	Middlesex Co		78,920
LaSalle T		134,333	Midland T		164,563
Latchford T		1,251	Mildmay V		6,984
Lavant Dalhousie et al Tp		8,411	Millbrook V		10,566
Laxton Digby and Longford		8,589	Milton T		74,611
Leamington T		145,219	Milverton V		7,919
Leeds & Grenville Co		60,435	Minto Tp		18,523
Lennox and Addington Co		57,565	Mississauga C		1,031,102
Limerick Tp		4,512	Mitchell T		33,357
Lincoln T		73,837	Monmouth Tp		8,738
Lindsay T		209,411	Mono Tp		16,218
Lindsay Tp		7,478	Montague Tp		16,622
Lion's Head V		5,146	Monteagle Tp		6,285
Listowel T		54,614	Moonbeam Tp		9,087
Little Current T		12,729	Moore Tp		49,019
Lobo Tp		16,399	Moosonee Dev Area Bd		9,479
Lochiel Tp		13,356	Morley Tp		3,841
Logan Tp		12,901	Mornington Tp		13,697
London C		3,564,804	Morris Tp		8,354
London Tp		22,890	Morrisburg V		19,863
Longlac T		25,166	Morson Tp		2,052
Longueuil Tp		6,233	Mosa Tp		5,724
Loughborough Tp		15,454	Mount Forest T		34,032
Lucan V		8,499	Mountain Tp		13,659
Lucknow V		5,953	Mulmur Tp		8,309
Lutterworth Tp		11,122	Murray Tp		23,834
L'Orignal V		10,127	Muskoka D		282,056
Macdonald Meredith et al		9,178	Muskoka Lakes Tp		46,289
Machar Tp		11,726	Naim Tp		5,951
Machin Tp		13,282	Nakina Tp		9,063
Madoc Tp		10,022	Nanticoke C		48,108
Madoc V		12,790	Napanee T		56,928
Magnetawan V		2,278	Neebing Tp		6,468
Maidstone Tp		52,570	Nepean C		609,210
Malahide Tp		19,354	Neustadt V		4,997
Malden Tp		27,219	New Liskeard T		57,464
Manitouwadge Tp		96,761	New Tecumseth T		148,425
Manvers Tp		18,954	Newboro V		2,481
Mara Tp		33,454	Newburgh V		2,577
Marathon T		138,307	Newbury V		2,539
Mariposa Tp		33,088	Newmarket T		141,529
Markdale V		14,195	Niagara Falls C		268,605
Markham T		272,429	Niagara R		3,146,043
Marmora and Lake Tp		16,533	Niagara-on-the-Lake T		44,261
Marmora V		9,551	Nichol Tp		15,883
Maryborough Tp		16,149	Nickel Centre T		55,869
Massey T		7,637	Nipigon Tp		25,348
Matachewan ID		2,573	Nipissing Tp		11,625
Matchedash Tp		6,173	Norfolk Tp		26,568
Matilda Tp		18,129	Normanby Tp		13,118
Mattawa T		19,013	North Algona Tp		3,393
Mattawan Tp		979	North Bay C		751,955
Mattice - Val Cote Tp		9,539	North Burgess Tp		7,520
Maxville V		5,843	North Crosby Tp		6,780
Mayo Tp		2,461	North Dorchester Tp		30,331
McCrosson and Tovell Tp		840	North Dumfries Tp		13,796
McDougall Tp		22,264	North Easthope Tp		6,886
McGarry Tp		11,757	North Elmsley Tp		6,579
McGillivray Tp		8,227	North Fredericksburgh Tp		13,734
McKellar Tp		18,061	North Himsforth Tp		21,333
McKillop Tp		9,340	North Marysburgh Tp		6,578
McMurrich Tp		5,722	North Monaghan Tp		3,354
McNab Tp		18,894	North Plantagenet Tp		17,176

<u>EXPENDITURE CONTROL PLAN</u>		<u>EXPENDITURE CONTROL PLAN</u>	
<u>MUNICIPALITY</u>	<u>REDUCTION</u>	<u>MUNICIPALITY</u>	<u>REDUCTION</u>
	<u>\$</u>		<u>\$</u>
North York C	1,578,319	Port Stanley V	17,813
Northumberland Co	78,981	Portland Tp	13,449
Norwich Tp	53,675	Powassan T	9,202
Norwood V	9,900	Prescott and Russell Co	144,028
Nottawasaga Tp	22,589	Prescott ST	61,743
Oakland Tp	5,692	Prince Edward Co	62,429
Oakville T	287,357	Prince Tp	5,552
Oil Springs V	2,605	Proton Tp	7,866
Olden Tp	5,679	Puslinch Tp	15,066
Oliver Tp	12,773	Radcliffe Tp	5,395
Omeme V	4,520	Raglan Tp	3,494
Onaping Falls T	54,341	Rainy River T	5,465
Onondaga Tp	5,603	Raleigh Tp	21,852
Opasatika Tp	4,769	Rama Tp	10,716
Ops Tp	14,643	Ramsay Tp	14,113
Orangeville T	157,156	Ratter and Dunnet Tp	6,441
Orford Tp	6,015	Rawdon Tp	8,623
Orillia C	413,631	Rayside - Balfour T	59,860
Orillia Tp	38,938	Rear of Leeds & Lansdowne	14,560
Oro Tp	30,940	Rear of Yonge and Escott	5,271
Osgoode Tp	55,714	Red Lake Tp	34,568
Oshawa C	677,350	Red Rock Tp	41,164
Osnabruck Tp	27,816	Renfrew Co	112,486
Oso Tp	9,291	Renfrew T	98,411
Osprey Tp	7,407	Richmond Hill T	210,437
Otonabee Tp	21,339	Richmond Tp	18,058
Ottawa C	2,702,350	Rideau Tp	34,887
Ottawa - Carleton R	3,678,301	Ridgetown T	28,841
Owen Sound C	322,643	Ripley V	3,994
Oxford Co	308,143	Rochester Tp	16,294
Oxford (on Rideau) Tp	13,661	Rockcliffe Park V	18,893
O'Connor Tp	4,084	Rockland T	54,688
Paipoung Tp	18,875	Rolph Buchanan Wylie & McKay	8,347
Paisley V	8,185	Romney Tp	8,219
Pakenham Tp	10,586	Ross Tp	8,895
Palmerston T	22,223	Rosseau V	3,031
Palmerston & N & S Canonto	5,864	Roxborough Tp	22,581
Papineau-Cameron Tp	5,880	Russell Tp	61,187
Paris T	89,799	Rutherford & George Is	3,597
Parkhill T	10,496	Ryerson Tp	7,239
Parry Sound T	97,779	Sandfield Tp	5,043
Peel R	4,229,319	Sandwich South Tp	23,440
Peel Tp	15,608	Sarawak Tp	13,512
Pelee Tp	4,003	Samia C	703,661
Pelham T	56,244	Saugeen Tp	12,913
Pembroke C	224,809	Sault Ste Marie C	1,236,757
Pembroke Tp	3,674	Scarborough C	1,527,060
Penetanguishene T	91,279	Schreiber Tp	24,185
Percy Tp	17,158	Scugog Tp	42,376
Perry Tp	16,940	Seaforth T	25,972
Perth Co	42,218	Sebastopol Tp	5,657
Perth T	80,877	Seymour Tp	19,484
Petawawa Tp	12,345	Shallow Lake V	2,029
Petawawa V	14,827	Shedden Tp	5,447
Peterborough C	909,912	Sheffield Tp	6,057
Peterborough Co	78,554	Shelburne T	35,991
Petrolia T	43,438	Sherborne McClintock et al	6,335
Pickering T	146,424	Sherwood Jones and Bums	10,068
Pickle Lake Tp	16,113	Shuniah Tp	17,325
Picton T	45,545	Sidney Tp	61,322
Pilkington Tp	6,910	Simcoe Co	161,047
Pittsburgh Tp	31,039	Simcoe T	38,397
Plantagenet V	5,935	Sioux Lookout T	39,235
Plummer Additional Tp	4,872	Sioux Narrows Tp	7,925
Plympton Tp	25,747	Smith Tp	41,910
Point Edward V	26,077	Smiths Falls ST	156,915
Port Burwell V	4,051	Smooth Rock Falls T	36,758
Port Colborne C	183,616	Snowdon Tp	4,370
Port Elgin T	83,100	Sombra Tp	22,773
Port Hope T	104,435	Somerville Tp	16,917
Port McNicoll V	14,181	Sophiasburgh Tp	8,356

MUNICIPALITY	EXPENDITURE CONTROL PLAN		MUNICIPALITY	EXPENDITURE CONTROL PLAN	
	REDUCTION	\$		REDUCTION	\$
South Algona Tp		2,780	Tilbury West Tp		13,627
South Crosby Tp		12,196	Tillsonburg T		81,347
South Dorchester Tp		8,276	Timmins C		693,742
South Dumfries Tp		15,989	Tiny Tp		64,716
South Easthope Tp		8,034	Tiverton V		4,324
South Elmsley Tp		12,341	Toronto C		3,481,665
South Fredericksburgh Tp		1,116	Toronto C		10,341
South Gower Tp		7,272	Toronto C		222,418
South Himsforth Tp		13,347	Trenton C		3,304
South Marysburgh Tp		4,589	Trout Creek T		22,268
South Monaghan Tp		7,018	Tuckersmith Tp		3,375
South Plantagenet Tp		18,452	Tudor and Cashel Tp		9,471
South River V		9,178	Turnberry Tp		10,526
South Sherbrooke Tp		5,430	Tweed V		10,328
Southampton T		46,350	Tyendinaga Tp		10,647
Southwold Tp		16,670	Usborne Tp		31,759
South-West Oxford Tp		28,752	Uxbridge Tp		7,647
Springer Tp		15,863	Val Rita-Harty Tp		96,466
Springfield V		2,076	Valley East T		217,545
St Catharines C		865,143	Vanier C		15,397
St Clair Beach V		26,502	Vankleek Hill T		296,525
St Edmunds Tp		10,833	Vaughan C		19,519
St Joseph Tp		7,694	Verulam Tp		19,808
St Marys ST		61,922	Vespra Tp		102,983
St Thomas C		528,553	Victoria Co		18,112
St Vincent Tp		9,701	Victoria Harbour V		2,849
Stafford Tp		13,345	Vienna V		36,955
Stanhope Tp		16,094	Wainfleet Tp		115,259
Stanley Tp		9,092	Walden T		50,765
Stayner T		21,220	Walkerton T		14,716
Stephen Tp		22,449	Wallace Tp		174,692
Stirling V		18,468	Wallaceburg T		2,840
Stoney Creek C		107,580	Wardsville V		9,140
Stormont, Dundas & Glengarry		138,502	Warwick Tp		58,085
Storrington Tp		26,304	Wasaga Beach T		205,107
Stratford C		410,149	Waterloo C		2,350,067
Strathroy T		112,817	Waterloo R		8,649
Strong Tp		13,832	Watford V		2,341
Sturgeon Falls T		75,434	Webbwood T		277,024
Sturgeon Point V		1,142	Welland C		27,376
St. Isidore V		7,291	Wellesley Tp		88,862
Sudbury C		817,074	Wellington Co		9,829
Sudbury R		1,331,524	Wellington V		55,695
Sullivan Tp		8,345	West Carleton Tp		14,376
Sundridge V		13,743	West Garafraxa Tp		13,585
Sunnidale Tp		8,339	West Hawkesbury Tp		45,658
Sydenham Tp		12,521	West Lincoln Tp		5,559
Tara V		2,695	West Lome V		5,789
Tarbutt and Tarbutt Add'n		4,504	West Luther Tp		12,045
Tay Tp		43,778	West Nissouri Tp		5,103
Tecumseh T		66,123	West Wawanosh Tp		8,368
Teeswater V		9,071	West Williams Tp		9,648
Tehkummah Tp		3,252	Westmeath Tp		4,448
Temagami Tp		14,258	Westport V		9,796
Terrace Bay Tp		61,539	Wheatley V		140,034
Thamesville V		7,155	Whitby T		40,654
The Archipelago Tp		46,331	Whitchurch - Stouffville		16,194
The North Shore Tp		6,443	White River Tp		26,244
The Spanish River Tp		9,333	Warton T		9,567
Thedford V		5,648	Wilberforce Tp		14,621
Thessalon T		12,663	Williamsburgh Tp		30,959
Thessalon Tp		5,365	Wilmot Tp		12,622
Thompson Tp		1,864	Winchester Tp		19,612
Thornbury T		22,978	Winchester V		3,239,713
Thomloe V		938	Windsor C		41,609
Thorold C		57,503	Wingham T		9,626
Thunder Bay C		2,159,161	Wolfe Island Tp		5,990
Thurlow Tp		21,220	Wolford Tp		5,657
Tilbury East Tp		11,996	Wollaston Tp		269,492
Tilbury North Tp		15,414	Woodstock C		3,681
Tilbury T		53,440	Woodville V		36,987
			Woolwich Tp		

MUNICIPALITY	EXPENDITURE CONTROL PLAN	
	REDUCTION	
	§	
Worthington Tp	51	
Wyoming V	9,567	
Yarmouth Tp	32,071	
York C	835,508	
York R	2,486,268	
Zone Tp	4,868	
Zorra Tp	20,160	
Zurich V	2,678	

4. This Regulation shall be deemed to have come into force on October 10, 1993.

46/93

ONTARIO REGULATION 665/93
made under the
ASSESSMENT ACT

Made: October 21, 1993
Filed: October 27, 1993

Amending Reg. 46 of R.R.O. 1990
(Pipe Line Rates Under
Subsection 25 (16) of the Act)

Note: Regulation 46 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 1 of Regulation 46 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(4) This Regulation applies with respect to pipe lines located in or on the boundary of the following:

1. The Township of Wollaston in the County of Hastings.
2. The Township of Alnwick in the County of Northumberland.
O. Reg. 665/93, s. 1.

2. Section 2 of the Regulation is amended by adding the following subsection:

(5) For the municipalities listed in subsection 1 (4), the rates set out in Schedule 2 begin in 1993. O. Reg. 665/93, s. 2.

3. This Regulation shall be deemed to have come into force on December 1, 1992.

46/93

ONTARIO REGULATION 666/93
made under the
HEALING ARTS RADIATION PROTECTION ACT

Made: October 27, 1993
Filed: October 28, 1993

Amending Reg. 542 of R.R.O. 1990
(Hospitals Prescribed for
the Installation and Operation of
Computerized Axial Tomography Scanners)

Note: Regulation 542 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The Table to section 1 of Regulation 542 of the Revised Regulations of Ontario, 1990 is amended by adding the following item:

- | | | |
|-------|----------------------------|---|
| 49. | Riverside Hospital, Ottawa | 1 |
| 46/93 | | |

ONTARIO REGULATION 667/93
made under the
HEALTH INSURANCE ACT

Made: October 27, 1993
Filed: October 28, 1993

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 552 has been amended by Ontario Regulations 33/93, 86/93, 203/93, 214/93, 322/93, 375/93, 430/93 and 596/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Part II of Schedule 9 to Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following item:

- | | | |
|-------|--------|--------------------|
| 1.2 | Ottawa | Riverside Hospital |
| 46/93 | | |

ONTARIO REGULATION 668/93
made under the
PUBLIC HOSPITALS ACT

Made: October 13, 1993
Approved: October 27, 1993
Filed: October 28, 1993

Amending Reg. 964 of R.R.O. 1990
(Classification of Hospitals)

Note: Since January 1, 1993, Regulation 964 has been amended by Ontario Regulations 215/93, 305/93 and 330/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The Schedule to Regulation 964 of the Revised Regulations of Ontario, 1990 is amended by adding under the heading "Group M Hospitals" the following item:

- | | | |
|------|--------|--------------------|
| 20.1 | Ottawa | Riverside Hospital |
|------|--------|--------------------|

RUTH GRIER
Minister of Health

Dated at Toronto on October 13, 1993.

46/93

ONTARIO REGULATION 669/93
made under the
PUBLIC HOSPITALS ACT

Made: October 13, 1993
Approved: October 27, 1993
Filed: October 28, 1993

Amending Reg. 964 of R.R.O. 1990
(Classification of Hospitals)

Note: Since January 1, 1993, Regulation 964 has been amended by Ontario Regulations 215/93, 305/93, 330/93 and 668/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Item 78 under the heading "Group C Hospitals" in the Schedule to Regulation 964 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

78. Sioux Lookout Sioux Lookout District
Health Centre

RUTH GRIER
Minister of Health

Dated at Toronto on October 13, 1993.

46/93

ONTARIO REGULATION 670/93
made under the
GAME AND FISH ACT

Made: October 27, 1993
Filed: October 28, 1993

Amending O. Reg. 740/92
(Fishing Licences)

RÈGLEMENT DE L'ONTARIO 670/93
pris en application de la
LOI SUR LA CHASSE ET LA PÊCHE

pris le 27 octobre 1993
déposé le 28 octobre 1993

modifiant le Règl. de l'Ont. 740/92
(Permis de pêche)

Note: Since January 1, 1993, Ontario Regulation 740/92 has been amended by Ontario Regulation 462/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

Remarque : Depuis le 1^{er} janvier 1993, le Règlement de l'Ontario 740/92 a été modifié par le Règlement de l'Ontario 462/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1. Subsection 15 (4) of the French version of Ontario Regulation 740/92 is revoked and the following substituted:

1 Le paragraphe 15 (4) de la version française du Règlement de l'Ontario 740/92 est abrogé et remplacé par ce qui suit :

(4) Le titulaire d'un permis qui se voit délivrer une vignette l'appose au verso du permis approprié, sauf s'il est titulaire d'une Carte Plein air version chasse et pêche, auquel cas il porte la vignette sur sa personne.

46/93

ONTARIO REGULATION 671/93
made under the
**AUDIOLOGY AND SPEECH-LANGUAGE
PATHOLOGY ACT, 1991**

Made: October 14, 1993
Approved: October 27, 1993
Filed: October 28, 1993

COMMITTEE COMPOSITION

1. In this Regulation, "non-Council member" means a member of the College who is not a member of the Council. O. Reg. 671/93, s. 1.

2.—(1) The Executive Committee shall be composed of,

- (a) the President, Vice-President, Treasurer and Secretary of the Council;
- (b) two members of the Council who are members of the College; and
- (c) two members of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 671/93, s. 2.

3. The Registration Committee shall be composed of,

- (a) one member of the Council who is a member of the College; and

(b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) one non-Council member. O. Reg. 671/93, s. 3.

4. The Complaints Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one non-Council member. O. Reg. 671/93, s. 4.

5. The Discipline Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one non-Council member. O. Reg. 671/93, s. 5.

6. The Fitness to Practise Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one non-Council member. O. Reg. 671/93, s. 6.

7. The Quality Assurance Committee shall be composed of,
- one member of the Council who is a member of the College;
 - two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - one non-Council member. O. Reg. 671/93, s. 7.
8. The Patient Relations Committee shall be composed of,
- one member of the Council who is a member of the College;
 - two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - one non-Council member. O. Reg. 671/93, s. 8.

9. **This Regulation comes into force on the day the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF AUDIOLOGISTS
AND SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO:

ALAN C. CHEVERIE
Chair

ISOBEL A. MANZER
Registrar

Dated at Toronto on October 14, 1993.

46/93

ONTARIO REGULATION 672/93
made under the
CHIROPRACTIC ACT, 1991

Made: October 12, 1993
Approved: October 27, 1993
Filed: October 28, 1993

COMMITTEE COMPOSITION

1.—(1) The Executive Committee shall be composed of the following seven persons:

- The President and Vice-President of the Council.
- If the President and Vice-President are members of the College, two additional members of the Council who are members of the College and three members of the Council who are appointed to the Council by the Lieutenant Governor in Council.
- If the President and Vice-President are appointed to the Council by the Lieutenant Governor in Council, four members of the Council who are members of the College and one additional member of the Council appointed to the Council by the Lieutenant Governor in Council.
- If one of the President and Vice-President is appointed to the Council by the Lieutenant Governor in Council, three additional members of the Council who are members of the College and two additional members of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 672/93, s. 1.

- The Registration Committee shall be composed of,
 - two members of the Council who are members of the College; and
 - one member of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 672/93, s. 2.
- The Complaints Committee shall be composed of,
 - two members of the Council who are members of the College;
 - one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - one member of the College who is not a member of the Council. O. Reg. 672/93, s. 3.
- The Discipline Committee shall be composed of,
 - two members of the Council who are members of the College;
 - two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - two members of the College who are not members of the Council. O. Reg. 672/93, s. 4.
- The Fitness to Practise Committee shall be composed of,
 - two members of the Council who are members of the College; and
 - one member of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 672/93, s. 5.
- The Quality Assurance Committee shall be composed of,
 - two members of the Council who are members of the College;
 - two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - one member of the College who is not a member of the Council. O. Reg. 672/93, s. 6.
- The Patient Relations Committee shall be composed of,
 - one member of the Council who is a member of the College;
 - two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - two members of the College who are not members of the Council. O. Reg. 672/93, s. 7.

8. **This Regulation comes into force on the day the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF CHIROPRACTORS OF ONTARIO:

EDWARD R. BURGE
Chair

S.J. PUSEY
Secretary-Treasurer

Dated at Toronto on October 12, 1993.

46/93

ONTARIO REGULATION 673/93
made under the
DIETETICS ACT, 1991

Made: October 13, 1993
Approved: October 27, 1993
Filed: October 28, 1993

COMPOSITION OF STATUTORY COMMITTEES

1. In this Regulation, "non-Council member" means a member of the College who is not a member of the Council. O. Reg. 673/93, s. 1.
- 2.—(1) The Executive Committee shall be composed of,
 - (a) the President and Vice-President of the Council, one of whom must be a member of the College;
 - (b) one member of the Council who is a member of the College; and
 - (c) one member of the Council appointed to the Council by the Lieutenant Governor in Council.
- (2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 673/93, s. 2.
3. The Registration Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one non-Council member. O. Reg. 673/93, s. 3.
4. The Complaints Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one non-Council member. O. Reg. 673/93, s. 4.
5. The Discipline Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) three members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one non-Council member. O. Reg. 673/93, s. 5.
6. The Fitness to Practise Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one non-Council member. O. Reg. 673/93, s. 6.
7. The Quality Assurance Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one non-Council member. O. Reg. 673/93, s. 7.
8. The Patient Relations Committee shall be composed of,
 - (a) two members of the Council who are members of the College;

- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one non-Council member. O. Reg. 673/93, s. 8.

9. This Regulation comes into force on the day the Act comes into force.

**TRANSITIONAL COUNCIL OF THE COLLEGE
OF DIETITIANS OF ONTARIO:**

JUDITH PRATT-JEFFERIES
Chair

YOUNG-JA CHO
for Vice-Chair

Dated at Toronto on October 13, 1993.

46/93

ONTARIO REGULATION 674/93
made under the
OCCUPATIONAL THERAPY ACT, 1991

Made: October 12, 1993
Approved: October 27, 1993
Filed: October 28, 1993

STATUTORY COMMITTEES

1. In this Regulation, "non-Council member" means a member of the College who is not a member of the Council. O. Reg. 674/93, s. 1.
- 2.—(1) The Executive Committee shall be composed of the President, Vice-President, Treasurer and Secretary of the Council, which include,
 - (a) two members of the Council who are members of the College; and
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council.
- (2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 674/93, s. 2.
3. The Registration Committee shall be composed of,
 - (a) two members of the Council who are members of the College; and
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 674/93, s. 3.
4. The Complaints Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one non-Council member. O. Reg. 674/93, s. 4.
5. The Discipline Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one non-Council member. O. Reg. 674/93, s. 5.
6. The Fitness to Practise Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one non-Council member. O. Reg. 674/93, s. 6.

7. The Quality Assurance Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one non-Council member. O. Reg. 674/93, s. 7.

8. The Patient Relations Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council;
- (c) one academic member of the Council; and
- (d) one non-Council member. O. Reg. 674/93, s. 8.

9. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
OCCUPATIONAL THERAPISTS OF ONTARIO:

JAN ROBINSON
Registrar

ELLEN POWIS
Secretary

Dated at Toronto on October 12, 1993.

46/93

ONTARIO REGULATION 675/93
made under the
CHIROPODY ACT, 1991

Made: October 15, 1993
Approved: October 27, 1993
Filed: October 28, 1993

FEES

1.—(1) Every member shall pay an annual fee.

(2) The annual fee is \$375 for a member who holds a General or Academic certificate of registration and \$50 for a member who holds an Educational certificate of registration. O. Reg. 675/93, s. 1.

2.—(1) The annual fee for a year must be paid on or before February 14 in the year.

(2) No later than thirty days before the annual fee is due, the Registrar shall notify the member of the amount of the fee and the day on which the fee is due.

(3) If the member fails to pay an annual fee on or before the day on which the fee is due, the member shall pay a penalty in addition to the annual fee.

(4) The penalty is 15 per cent of the annual fee. O. Reg. 675/93, s. 2.

3. Where a certificate of registration is issued to a person for the first time after August 15 in a year, the annual fee payable for the duration of the year is \$200. O. Reg. 675/93, s. 3.

4. The Registrar may set fees payable by persons for anything the Registrar is required or authorized to do under the Act. O. Reg. 675/93, s. 4.

5. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF CHIROPODISTS OF ONTARIO:

D. A. SPRINGER
Chair

CHRISTINE ROBINSON
Secretary-Treasurer

Dated at Toronto on October 15, 1993.

46/93

ONTARIO REGULATION 676/93
made under the
DIETETICS ACT, 1991

Made: October 13, 1993
Approved: October 27, 1993
Filed: October 28, 1993

FEES

1.—(1) The fee for an application for a certificate of registration is \$75 and is non-refundable.

(2) Subsection (1) applies to applications submitted more than one year after the Act comes into force. O. Reg. 676/93, s. 1.

2.—(1) Every member shall pay an annual fee of \$350.

(2) The annual fee for a year must be paid on or before the member's birthday in that year.

(3) The annual fee paid by a member in the year in which the person is issued a certificate of registration shall be prorated according to the portion of the year between the date the certificate of registration is issued and the person's birthday. O. Reg. 676/93, s. 2.

3.—(1) No later than sixty days before the annual fee is due, the Registrar shall notify the member of the amount of the fee and the date on which the fee is due.

(2) If the member fails to pay on or before the date the annual fee is due, the member shall pay a penalty of 20 per cent of the annual fee, in addition to the annual fee.

(3) If the Registrar suspends a member's certificate of registration for failure to pay the prescribed fee, the Registrar may lift the suspension upon payment of,

(a) the fee the member failed to pay; and

(b) a penalty of 20 per cent of the annual fee. O. Reg. 676/93, s. 3.

4. **This Regulation comes into force on the day the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DIETITIANS OF ONTARIO:

JUDITH PRATT-JEFFERIES
Chair

YOUNG-JA CHO
for Vice-Chair

Dated at Toronto on October 13, 1993.

46/93

ONTARIO REGULATION 677/93
made under the
OPTICIANRY ACT, 1991

Made: October 14, 1993
Approved: October 27, 1993
Filed: October 28, 1993

FEEES

1.—(1) The registration fee for the issue of a certificate of registration in 1994 is as follows:

1. Registered optician – \$225.
2. Registered student optician – \$25.
3. Registered intern optician – \$25.

(2) The registration fee for the issue of a certificate of registration in 1995 and subsequent years is as follows:

1. Registered optician – \$275.
2. Registered student optician – \$25.
3. Registered intern optician – \$25. O. Reg. 677/93, s. 1.

2.—(1) The annual fee for the renewal of a certificate of registration for 1995 is as follows:

1. Registered optician – \$400.
2. Registered student optician – \$50.
3. Registered intern optician – \$50.

(2) The annual fee for the renewal of a certificate of registration for 1996 and subsequent years is as follows:

1. Registered optician – \$375.
2. Registered student optician – \$50.
3. Registered intern optician – \$50.

(3) The penalty for the late payment of an annual fee for renewal of a certificate of registration is as follows:

1. Registered optician – \$100.
2. Registered student optician – \$25.
3. Registered intern optician – \$25. O. Reg. 677/93, s. 2.

3.—(1) The application fee for the issue of a new certificate of registration for a person whose certificate of registration has been revoked as a result of disciplinary or incapacity proceedings is \$100.

(2) The reinstatement fee for the reinstatement of a certificate of registration is \$100 for each year or part of a year from the time the certificate was revoked or suspended, to a maximum of \$700. O. Reg. 677/93, s. 3.

4.—(1) The fee for the issue of a Professional Specialist Certificate as a Contact Lens Specialist is \$100 for applicants who are holders of a "Certificate of Proficiency in the Fitting of Contact Lenses" issued by the Board of Ophthalmic Dispensers, and \$225 for all other applicants.

(2) The fee for the renewal of a Professional Specialist Certificate as a Contact Lens Specialist is \$100.

(3) The penalty for the late payment of a renewal fee for a Professional Specialist Certificate as a Contact Lens Specialist is \$50. O. Reg. 677/93, s. 4.

5.—(1) The fee for taking the Council's examinations is \$60 per section.

(2) The fee for taking the Council's supplemental examinations is \$60 per section.

(3) The fee for an examination review by the Registration Committee is \$45 per section. O. Reg. 677/93, s. 5.

6.—(1) The fee for the provision by the Registrar of a duplicate certificate is \$50.

(2) The fee for the provision by the Registrar of any information in the register which a person is entitled to obtain shall be as set by the Registrar.

(3) The fee for the issue of a certificate respecting the information contained in the register is \$50. O. Reg. 677/93, s. 6.

7. The fee for requesting a recount of the ballots in an election to the Council is \$200 but the fee shall be refunded if the recount confirms an error in the counting of ballots in the favour of the candidate who requested the recount. O. Reg. 677/93, s. 7.

8. All the fees set out in this Regulation, except that in section 7, are non-refundable. O. Reg. 677/93, s. 8.

9. **This Regulation comes into force on the day the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OPTICIANS OF ONTARIO:

BARBARA SKINNER
Chair

C. F. COLVEN
Secretary-Treasurer

Dated at Toronto on October 14, 1993.

46/93

ONTARIO REGULATION 678/93
made under the
RESPIRATORY THERAPY ACT, 1991

Made: October 15, 1993
Approved: October 27, 1993
Filed: October 28, 1993

FEEES

1. Every member shall pay an annual fee. O. Reg. 678/93, s. 1.

2.—(1) The annual fee for an active member is \$500.

(2) The annual fee for an inactive member is \$50. O. Reg. 678/93, s. 2.

3. The annual fee must be paid on or before March 1 in the year. O. Reg. 678/93, s. 3.

4. No later than sixty days before the annual fee is due, the Registrar shall notify the member of the amount of the fee and the day on which the fee is due. O. Reg. 678/93, s. 4.

5. If a member fails to pay an annual fee on or before the day on which the fee is due, the member shall pay a penalty of 10 per cent of the annual fee in addition to the annual fee. O. Reg. 678/93, s. 5.

6.—(1) If the Registrar suspends a member's certificate of registration for failure to pay the prescribed fee, the Registrar may lift the suspension upon the payment of,

- (a) the annual fee for the year in which the suspension is lifted; and
- (b) in addition to the fee required by clause (a),
 - (i) if the suspension is lifted in the same year in which it was imposed, a penalty of 20 per cent of the annual fee payable by the member,
 - (ii) if the suspension is lifted in the first year after it was imposed, a penalty of 40 per cent of the annual fee payable by the member,
 - (iii) if the suspension is lifted in the second year after it was imposed, a penalty of 60 per cent of the annual fee payable by the member, or
 - (iv) if the suspension is lifted in the third year after it was imposed, a penalty of 80 per cent of the annual fee payable by the member.

(2) If the member does not pay the fee and penalty by the fourth anniversary of the suspension of the certificate of registration, the certificate is automatically revoked on that day. O. Reg. 678/93, s. 6.

7. If a certificate of registration is revoked under subsection 6 (2), the Registrar may reinstate the certificate if the former member,

- (a) satisfies the requirements for the class of certificate for which reinstatement is sought;
- (b) pays an application fee of \$75;
- (c) pays the annual fee for the year for which reinstatement is sought;
- (d) pays a penalty of 80 per cent of the annual fee payable by the member under clause (c); and
- (e) pays the annual fee for the year in which the certificate was revoked. O. Reg. 678/93, s. 7.

8.—(1) If a member resigns, the Registrar may reinstate the certificate of registration if the former member,

- (a) satisfies the requirements for the class of certificate for which reinstatement is sought;
- (b) pays an application fee of \$75; and
- (c) pays the annual fee for the year for which reinstatement is sought.

(2) If the member resigned after March 1 in a calendar year, the member shall also pay the annual fee for the year in which he or she resigned and a penalty of 10 per cent of that annual fee. O. Reg. 678/93, s. 8.

9. The annual fee paid by a member to the College shall be prorated according to the portion of the year between the date the certificate of registration is issued and March 1. O. Reg. 678/93, s. 9.

10. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF RESPIRATORY THERAPISTS OF ONTARIO:

DIANE THOMPSON
Chair

MARGARET CARTER
Vice-Chair

Dated at Toronto on October 15, 1993.

46/93

ONTARIO REGULATION 679/93
made under the
CHIROPODY ACT, 1991

Made: October 15, 1993
Approved: October 27, 1993
Filed: October 28, 1993

EXAMINATIONS

1.—(1) The College shall conduct or cause to be conducted examinations at least once a year.

(2) The College shall conduct or cause to be conducted supplemental examinations within four months of each examination under subsection (1) or within a longer period as may be reasonably required in the circumstances.

(3) Despite subsection (2), supplemental examinations are not required where there is no candidate eligible to try the examinations. O. Reg. 679/93, s. 1.

2.—(1) The examinations and supplemental examinations shall assess candidates in respect of the knowledge and skills necessary to competently practise chiropody.

(2) Where the examinations and supplemental examinations are conducted by the College, the College shall determine,

- (a) the requirements for passing the examinations and supplemental examinations; and
- (b) the requirements for eligibility to try supplemental examinations. O. Reg. 679/93, s. 2.

3. A person is eligible to try the examinations if he or she satisfies the other prescribed requirements for entry to practise.

4.—(1) An applicant shall file with the College a completed application for examinations in the required form at least 120 days before the date set for the examinations together with the prescribed fee.

(2) The examination fee is \$400.

(3) The fees for the supplemental examinations are,

- (a) \$100 for the written portion;
- (b) \$200 for the practical portion; and
- (c) \$100 for the oral portion. O. Reg. 679/93, s. 4.

5. The Registrar shall notify every applicant of whether he or she is eligible to try the examinations conducted by the College and shall notify every eligible applicant of the time and place fixed for the examinations. O. Reg. 679/93, s. 5.

6.—(1) Where an applicant fails the examinations conducted by the College and is eligible to try the supplemental examinations, the College shall notify the applicant of his or her eligibility and shall notify every eligible applicant of the time and place fixed for the supplemental examinations.

(2) Where an applicant fails the supplemental examinations conducted by the College, he or she is not entitled to try further supplemental examinations but is eligible to try the examinations the following year.

(3) Despite subsection (2), the Registration Committee may require an applicant who has failed the supplemental examinations to submit proof of remediation and upgrading in accordance with policy guidelines issued by the Committee before the applicant may be readmitted to the examination process. O. Reg. 679/93, s. 6.

7. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF CHIROPODISTS OF ONTARIO:

D. A. SPRINGER
Chair

CHRISTINE ROBINSON
Secretary-Treasurer

Dated at Toronto on October 15, 1993.

46/93

ONTARIO REGULATION 680/93
made under the
DIETETICS ACT, 1991

Made: October 13, 1993
Approved: October 27, 1993
Filed: October 28, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND CARE OF,
AND THE RELATIONSHIP WITH, CLIENTS

1. Practising the profession while the member's certificate of registration has been suspended by the Registration Committee for non-payment of fees.
2. Contravening a term, condition or limitation imposed on the member's certificate of registration.
3. Failing to comply with an order of a panel of the Complaints Committee, Discipline Committee or Fitness to Practise Committee.
4. Failing to carry out an undertaking given by the member to the College or an agreement entered into with the College.
5. Failing to maintain a standard of practice of the profession.

6. Doing anything to a client for a therapeutic, preventative, palliative, diagnostic, cosmetic, research or other health-related purpose in a situation in which a consent is required by law, without such a consent.
7. Abusing a client verbally, physically or emotionally.
8. Practising the profession while the member's ability to do so is impaired by any substance.
9. Discontinuing professional services that are needed unless,
 - i. the client requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the client is given reasonable notice to arrange alternative services.
10. Discontinuing professional services without reasonable cause contrary to the terms of an agreement between the member and the member's employer.
11. Practising the profession while the member is in a conflict of interest.
12. Giving information about a client to a person other than the client or his or her authorized representative except with the consent of the client or his or her authorized representative or as required or allowed by law.
13. Breaching an agreement with a client relating to professional services for the client or fees for such services.
14. Recommending vitamins, minerals or nutritional supplements for improper use.
15. Failing to reveal the exact nature of a treatment used by the member following a client's request to do so.
16. Failing to report incidents of unsafe practice or unethical conduct of dietitians.
17. Assigning members, dietetic interns, food service supervisors, dietetic technicians or other health care providers to perform dietetic functions for which they are not adequately trained or that they are not competent to perform.
18. Failing to inform the member's employer of the member's inability to accept specific responsibility in areas where specific training is required or where the member does not feel competent to function without supervision.
19. Treating or attempting to treat a condition that the member knew or ought to have known was beyond his or her expertise or competence.

REPRESENTATIONS ABOUT MEMBERS
AND THEIR QUALIFICATIONS

20. Inappropriately using a term, title or designation in respect of the member's practice.
21. Using a name other than the member's name, as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession.

RECORD KEEPING AND REPORTS

22. Failing to keep records as required.
23. Falsifying a record relating to the member's practice.
24. Failing, without reasonable cause, to provide a report or certificate relating to an assessment or treatment performed by

the member, within a reasonable time after a client or his or her authorized representative has requested such a report or certificate.

25. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.
26. Failing to take reasonable steps before terminating services to a client or resigning as a member, to ensure that, for each client health record for which the member has primary responsibility,
 - i. the record is transferred to another member, or
 - ii. the client is notified that the member intends to resign and that the client can obtain copies of the client health record.

BUSINESS PRACTICES

27. Submitting an account or charge for services that the member knows is false or misleading.
28. Charging a fee that is excessive in relation to the service charged for.
29. Failing to itemize an account for professional services if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services.
30. Offering or giving a reduction for prompt payment of an account.
31. Failing to inform the client of all available payment options.

MISCELLANEOUS ITEMS

32. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of them.
33. Influencing a client to change his or her will or other testamentary instrument.
34. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a facility where a member practices if,
 - i. the purpose of the law, by-law or rule is to protect the public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
35. Failing to co-operate in a College investigation.
36. Engaging in conduct or performing an act that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF DIETITIANS OF ONTARIO:

JUDITH PRATT-JEFFERIES
Chair

YOUNG-JA CHO
for Vice-Chair

Dated at Toronto on October 13, 1993.

ONTARIO REGULATION 681/93 made under the PHARMACY ACT, 1991

Made: October 15, 1993
Approved: October 27, 1993
Filed: October 28, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND RELATIONSHIP WITH, PATIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failing to maintain a standard of practice of the profession.
3. Abusing a patient, verbally or physically.
4. Practising the profession while the member's ability to do so is impaired by any substance.
5. Dispensing or selling drugs for an improper purpose.
6. Discontinuing professional services that are needed, without reasonable cause, unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient is given a reasonable opportunity to arrange alternative services.
7. Practising the profession while the member is in a conflict of interest.
8. Breaching an agreement with a patient relating to professional services for the patient or fees for such services.
9. Failing to reveal the exact nature of a remedy or treatment used by the member following request to do so by a patient or his or her agent.

REPRESENTATIONS ABOUT MEMBERS

10. Inappropriately using a term, title or designation in respect of the member's practice.
11. Inappropriately using a term, title or designation indicating a specialization in the profession.
12. Using a name other than the member's name, as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession.

RECORD KEEPING AND REPORTS

13. Failing to keep records as required respecting the member's patients.
14. Falsifying a record relating to the member's practice.
15. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.

BUSINESS PRACTICES

16. Submitting an account or charge for services that the member knows is false or misleading.

17. Charging a fee that is excessive in relation to the service provided.
18. Providing a prescriber with prescription blanks, a professional diary, an appointment book or other gift, whether or not imprinted with the name of a member or the name of a pharmacy.
19. Sharing fees with any person who has referred a person to a member or to a pharmacy, or receiving fees from any person to whom a member has referred a person.
20. Participating in a lease of premises for a pharmacy that permits any person other than a member or the owner of the pharmacy to participate in the revenue of the pharmacy except by way of a rent normal for the area in which the premises are located.

MISCELLANEOUS MATTERS

21. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
22. Contravening, while engaged in the practice of pharmacy, any federal or provincial law or municipal by-law with respect to the distribution, sale or dispensing of any drug or mixture of drugs.
23. Influencing a patient to change his or her will or other testamentary instrument.
24. Entering into any agreement that restricts a person's choice of a pharmacist without the consent of the person.
25. Returning to stock or again selling or dispensing a drug previously sold or dispensed and delivered.

26. Knowingly permitting the premises in which a pharmacy is located to be used for unlawful purposes.
27. Permitting, consenting to or approving, either expressly or by implication, the commission of an offence against any Act relating to the practice of pharmacy or to the sale of drugs by a corporation of which the member is a director.
28. Refusing to allow a duly appointed inspector to enter, at a reasonable time, the pharmacy in which the member is engaged in the practice of pharmacy for the purpose of an inspection.
29. Offering or distributing, directly or indirectly, a gift, rebate, bonus or other inducement with respect to a prescription or prescription services.
30. Engaging in conduct or performing an act relevant to the practice of pharmacy that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 681/93, s. 1.

2. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE ONTARIO
COLLEGE OF PHARMACISTS:

BARRY S. PHILLIPS
President

A.J. DUNSDON
Registrar

Dated at Toronto on October 15, 1993.

46/93

ONTARIO REGULATION 682/93 made under the MINISTRY OF COLLEGES AND UNIVERSITIES ACT

Made: October 19, 1993
Approved: October 27, 1993
Filed: October 28, 1993

Amending Reg. 770 of R.R.O. 1990
(Colleges of Applied Arts and Technology—
Boards of Governors and Council of Regents)

Note: Regulation 770 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992

1. Section 3 of Regulation 770 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(2.1) In appointing members to a board of governors under clause (1) (a), the Council of Regents shall recognize the importance of ensuring gender balance and the equitable representation of persons with disabilities and persons from the ethnic, racial and linguistic communities served by the college.

(2.2) The Council of Regents shall report to the Minister annually on the composition of each board of governors and, in particular, on the steps taken to comply with subsection (2.1). O. Reg. 682/93, s. 1.

DAVE COOKE
Minister of Education and Training

Dated at Toronto on October 19, 1993.

46/93

RÈGLEMENT DE L'ONTARIO 682/93 pris en application de la LOI SUR LE MINISTÈRE DES COLLÈGES ET UNIVERSITÉS

pris le 19 octobre 1993
approuvé le 27 octobre 1993
déposé le 28 octobre 1993

modifiant le Règl. 770 des R.R.O. de 1990
(Collèges d'arts appliqués et
de technologie—Conseils d'administration et
Conseil des affaires collégiales)

Remarque : Le Règlement 770 n'a pas été modifié en 1993. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 L'article 3 du Règlement 770 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des paragraphes suivants :

(2.1) Lors de la nomination des membres d'un conseil d'administration aux termes de l'alinéa (1) a), le Conseil des affaires collégiales reconnaît l'importance d'assurer un équilibre entre les deux sexes et la représentation équitable des personnes handicapées et des membres des communautés ethniques, raciales et linguistiques que sert le collège.

(2.2) Le Conseil des affaires collégiales présente tous les ans au ministre un rapport sur la composition de chaque conseil d'administration et, en particulier, sur les mesures prises pour que le paragraphe (2.1) soit respecté. Règl. de l'Ont. 682/93, art. 1.

DAVE COOKE
Ministre de l'Éducation et de la Formation

Fait à Toronto le 19 octobre 1993.

ONTARIO REGULATION 683/93
made under the
MINISTRY OF COLLEGES AND
UNIVERSITIES ACT

Made: October 19, 1993
Approved: October 27, 1993
Filed: October 28, 1993

Amending Reg. 770 of R.R.O. 1990
(Colleges of Applied Arts and Technology—
Boards of Governors and Council of Regents)

Note: Since January 1, 1993, Regulation 770 has been amended by Ontario Regulation 682/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 3 of Regulation 770 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(6.1) In addition to the members referred to in clauses (1) (a) and (b), the Conseil d'administration du Collège d'arts appliqués et de technologie du Centre/Sud-Ouest and the Conseil d'administration du Collège d'arts appliqués et de technologie du Nord shall each include four persons appointed by the Council of Regents to represent, respectively, the interests of students, academic staff members, administrative staff members and support staff members. O. Reg. 683/93, s. 1.

DAVE COOKE
Minister of Education and Training

Dated at Toronto on October 19, 1993.

46/93

ONTARIO REGULATION 684/93
made under the
MINISTRY OF COLLEGES AND
UNIVERSITIES ACT

Made: October 19, 1993
Approved: October 27, 1993
Filed: October 28, 1993

Amending Reg. 771 of R.R.O. 1990
(Colleges of Applied Arts and Technology—Colleges)

Note: Regulation 771 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Regulation 771 of the Revised Regulations of Ontario, 1990 is amended by adding the following sections:

COLLÈGE D'ARTS APPLIQUÉS ET DE
TECHNOLOGIE DU CENTRE/SUD-OUEST

4.0.1—(1) A college of applied arts and technology known as "Collège d'arts appliqués et de technologie du Centre/Sud-Ouest" is established for the counties of Brant, Bruce, Dufferin, Elgin, Essex, Grey, Haliburton, Hastings, Huron, Kent, Lambton, Lennox and Addington, Middlesex, Northumberland, Oxford, Perth, Peterborough, Prince Edward, Simcoe, Victoria and Wellington, including any cities and separated towns within those counties, The District Municipality of

RÈGLEMENT DE L'ONTARIO 683/93
pris en application de la
LOI SUR LE MINISTÈRE
DES COLLÈGES ET UNIVERSITÉS

pris le 19 octobre 1993
approuvé le 27 octobre 1993
déposé le 28 octobre 1993

modifiant le Règl. 770 des R.R.O. de 1990
(Collèges d'arts appliqués et
de technologie—Conseils d'administration et
Conseil des affaires Collégiales)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 770 a été modifié par le Règlement de l'Ontario 682/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 L'article 3 du Règlement 770 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction du paragraphe suivant :

(6.1) Outre les membres visés aux alinéas (1) a) et b), le Conseil d'administration du Collège d'arts appliqués et de technologie du Centre/Sud-Ouest et le Conseil d'administration du Collège d'arts appliqués et de technologie du Nord comprennent chacun quatre personnes nommées par le Conseil des affaires collégiales pour représenter, respectivement, les intérêts des étudiants et des membres du corps enseignant, du personnel administratif et du personnel de soutien. Règl. de l'Ont. 682/93, art. 1.

DAVE COOKE
Ministre de l'Éducation et de la Formation

Fait à Toronto le 19 octobre 1993.

Muskoka, The Municipality of Metropolitan Toronto, the regional municipalities of Durham, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Peel, Waterloo and York, and the Territorial District of Parry Sound, including any cities and separated towns within the Territorial District of Parry Sound.

(2) The board of governors of the college shall be known as "Conseil d'administration du Collège d'arts appliqués et de technologie du Centre/Sud-Ouest". O. Reg. 684/93, s. 1, *part.*

COLLÈGE D'ARTS APPLIQUÉS
ET DE TECHNOLOGIE DU NORD

4.0.2—(1) A college of applied arts and technology known as "Collège d'arts appliqués et de technologie du Nord" is established for the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Rainy River, Sudbury, Thunder Bay and Timiskaming, including any cities and separated towns within those districts.

(2) The board of governors of the college shall be known as "Conseil d'administration du Collège d'arts appliqués et de technologie du Nord". O. Reg. 684/93, s. 1, *part.*

DAVE COOKE
Minister of Education and Training

Dated at Toronto on October 19, 1993.

46/93

ONTARIO REGULATION 685/93
made under the
ENVIRONMENTAL ASSESSMENT ACT

Approved: October 27, 1993
Filed: October 28, 1993

**EXEMPTION — MINISTRY OF NATURAL
RESOURCES — MNR-60**

Having received a request from the Minister of Natural Resources that an undertaking, namely,

the activity of the control of deer population, including a herd reduction, and the proposal, program and plans in respect of those activities to reduce the deer population in Rondeau Provincial Park,

be exempt from the application of the Act pursuant to section 29; and

Having been advised by the Minister of Natural Resources that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

- A. The unique Carolinian features, including vegetation and consequently also other valued wildlife species that are dependent on this habitat, within and near the Provincial Park would be damaged in the absence of, or delay in, carrying out the control of the deer population.
- B. Owners of properties adjacent to and in the area of the Provincial Park and their properties, including crops and other vegetation, would continue to be damaged by the deer population.
- C. The Ministry of Natural Resources (MNR) will be damaged by the interference with its resource management strategies, techniques and practices to protect the unique Carolinian features of the Park.
- D. The public will be damaged by the loss of anticipated benefits associated with resource protection including recreational, educational, interpretive and research opportunities and associated tourism and economic benefits to local communities.
- E. The Crown and the public will be interfered with and damaged by the delay required to prepare an amendment to the park management plan for the park activities that are intended to protect the threatened and unique Carolinian features of the Park.

Having weighed such injury, damage or interference against the betterment of the people of the whole or any part of Ontario by the protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

- A. The undertaking is consistent with the goal for Rondeau Provincial Park to protect and enhance the quality of the park environment, especially its unique Carolinian features, and to provide compatible recreational, educational and conservation activities.
- B. The conditions to which this undertaking is subject will ensure that the Ministry of Environment and Energy (MOEE) and the public are notified of MNR's intention to carry out the herd reduction.
- C. The need and rationale for deer population control, including a

herd reduction, was considered during public consultation on, preparation of, and recognized in, the Rondeau Provincial Park Management Plan.

This exemption is subject to the following terms and conditions:

1. The control of deer population, including the herd reduction, will be carried out by the Ministry of Natural Resources, members of the Caldwell Aboriginal and Allied Nations, or both.
2. MNR will, prior to initiating the herd reduction, provide the Director of the Environmental Assessment Branch of MOEE with a written notice of intention to conduct the herd reduction.
3. MNR will, prior to initiating the herd reduction, notify the public of intention to conduct the herd reduction.
4. MNR will, prior to initiating the herd reduction, make available for inspection at the MNR Chatham Area Office upon request a copy of the Caldwell Aboriginal and Allied Nations Deer Herd Reduction Plan Rondeau Provincial Park and the MNR Deer Herd Reduction Plan Rondeau Provincial Park.
5. MNR will, within thirty days of the date provided for under condition 7, or earlier as MNR may deem appropriate, notify the Director of the Environmental Assessment Branch of MOEE of the completion of the herd reduction, outlining when the herd reduction took place, the means by which it was carried out and its results.
6. The plans and notices referred to in conditions 2, 3 and 4 of this Order are not required to contain details which, in the opinion of MNR, could result in threat of damage or harm to property, animal life, plant life or human health or safety.
7. This exemption order shall not apply to herd reduction after,
 - i. one year from the date of its approval, or
 - ii. such later date as the Minister of Environment and Energy may advise in a letter to the Minister of Natural Resources, and specified by Notice in *The Ontario Gazette*. O. Reg. 685/93.

BUD WILDMAN
Minister of Environment and Energy

46/93

ONTARIO REGULATION 686/93
made under the
FAMILY BENEFITS ACT

Made: October 27, 1993
Filed: October 29, 1993

Amending Reg. 366 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 366 has been amended by Ontario Regulations 44/93, 97/93, 208/93, 218/93, 320/93, 369/93 and 436/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subclause 12 (8) (a) (i) of Regulation 366 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(i) \$26.72 a day, or

2. This Regulation comes into force on November 1, 1993.

46/93

ONTARIO REGULATION 687/93
 made under the
PROVINCIAL OFFENCES ACT

Made: October 27, 1993
 Filed: October 29, 1993

Amending Reg. 950 of R.R.O. 1990
 (Proceedings Commenced by Certificate of Offence)

Note: Since January 1, 1993, Regulation 950 has been amended by Ontario Regulations 9/93, 314/93, 364/93, 365/93, 500/93 and 610/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Schedule 76 to Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following items:

- 27.1 Unlawfully rappel or climb subsection 5.1 (1)
-
- 40.1 Park additional motor vehicle in area not designated for that purpose subsection 10 (3)

(2) Items 43 and 44 of Schedule 76 to the Regulation are revoked and the following substituted:

- 43. Place more than three pieces of shelter equipment on camp-site subsection 13 (1)
- 44. Cause to be placed more than three pieces of shelter equipment on camp-site subsection 13 (1)
- 44.1 Place more than one tent-trailer, house-trailer or self-propelled camping unit on camp-site subsection 13 (2)
- 44.2 Cause to be placed more than one tent-trailer, house-trailer or self-propelled camping unit on camp-site subsection 13 (2)

(3) Schedule 76 to the Regulation is amended by adding the following items:

- 61.1 Fail to display permit on parked vehicle subsection 16 (4)
-
- 65.1 Park vehicle in position or place that prevents movement of vehicles clause 20 (a)
- 65.2 Park vehicle in position or place likely to prevent movement of vehicles clause 20 (a)
- 65.3 Park vehicle in prohibited area clause 20 (b)
-
- 71.1 Unlawfully leave vehicle unattended subsection 25 (1)
- 71.2 Unlawfully permit vehicle to be left unattended subsection 25 (1)
- 71.3 Unlawfully leave all-terrain vehicle unattended subsection 25 (1)
- 71.4 Unlawfully permit all-terrain vehicle to be left unattended subsection 25 (1)

(4) Item 74 of Schedule 76 to the Regulation is revoked and the following substituted:

- 74. Use water ski or like thing (Algonquin) section 26

(5) Schedule 76 to the Regulation is amended by adding the following items:

- 77.1 Unlawfully possess power saw or similar device (Algonquin) section 28.1
- 77.2 Unlawfully operate power saw or similar device (Algonquin) section 28.1
- 77.3 Unlawfully possess generator (Algonquin) subsection 28.2 (1)
- 77.4 Unlawfully use generator (Algonquin) subsection 28.2 (1)
- 77.5 Unlawfully possess radio or other electronic device (Algonquin) subsection 28.2 (1)
- 77.6 Unlawfully use radio or other electronic device (Algonquin) subsection 28.2 (1)

ONTARIO REGULATION 688/93
made under the
PROVINCIAL OFFENCES ACT

Made: October 27, 1993
Filed: October 29, 1993

Amending Reg. 950 of R.R.O. 1990
(Proceedings Commenced by Certificate of Offence)

Note: Since January 1, 1993, Regulation 950 has been amended by Ontario Regulations 9/93, 314/93, 364/93, 365/93, 500/93, 610/93 and 687/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedules:

Schedule 21.1

Regulation 474 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Aylmer Hunting Area	section 2

O. Reg. 688/93, s. 1, part.

Schedule 21.2

Regulation 475 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Aylmer Lagoon Hunting Area	section 2

O. Reg. 688/93, s. 1, part.

Schedule 21.3

Regulation 476 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Take more than one black bear on licence	section 3
2.	Possess more than one black bear on licence	section 3

O. Reg. 688/93, s. 1, part.

Schedule 21.4

Regulation 477 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Beaver Meadow Hunting Area	section 2

O. Reg. 688/93, s. 1, part.

Schedule 23.1

Regulation 481 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Calton Swamp Hunting Area	section 2

O. Reg. 688/93, s. 1, part.

Schedule 23.2Regulation 482 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Camden Lake Hunting Area	section 2

O. Reg. 688/93, s. 1, *part.***Schedule 23.3**Regulation 483 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Copeland Forest Hunting Area	section 3

O. Reg. 688/93, s. 1, *part.***Schedule 24.1**Regulation 487 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Fingal Hunting Area	section 2

O. Reg. 688/93, s. 1, *part.***Schedule 24.2**Regulation 488 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Possess illegal ammunition	section 1
2.	Unlawfully possess rifle greater than .22 calibre	subsection 2 (1)

O. Reg. 688/93, s. 1, *part.*

2. Schedule 26 to the Regulation is revoked and the following substituted:

Schedule 26Ontario Regulation 740/92 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Possess more than one outdoors card	subsection 2 (8)
2.	Fail to notify Ministry of change of information	subsection 2 (10)
3.	Fail to make daily return	clause 5 (1) (a)
4.	Fail to make monthly return	clause 5 (1) (b)
5.	Fail to make return for every sale of fish	clause 5 (1) (c)
6.	Fail to make annual return	clause 5 (1) (d)
7.	Fail to make annual baitfish return	subsection 5 (4)
8.	Submit more than one application	subsection 15 (3)

ITEM	COLUMN 1	COLUMN 2
9.	Possess more than one tag	subsection 15 (3)
10.	Fail to attach tag	subsection 15 (4)
11.	Fail to properly attach seal to jaw of lake trout	subsection 15 (5)
12.	Fail to keep seal attached to jaw of lake trout	subsection 15 (5)

O. Reg. 688/93, s. 2.

3. Schedule 29 to the Regulation is revoked and the following substituted:

Schedule 29

Ontario Regulation 300/93 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Apply for more than one outdoors card	subsection 5 (1)
2.	Possess more than one outdoors card	subsection 5 (1)
3.	Fail to notify Ministry of change of information	subsection 5 (2)
4.	Fail to return card	subsection 5 (3)
5.	Unlawfully apply for re-examination for hunting licence	subsection 8 (5)
6.	Fail to provide information on seal	subsection 11 (4)
7.	Fail to have seal	subsection 11 (5)
8.	Fail to produce seal	subsection 11 (5)
9.	Unlawfully use rifle	section 12
10.	Unlawfully use shotgun	section 12
11.	Unlawfully use illegal shot	section 12
12.	Fail to be registered guest of tourist outfitter	subsection 15 (7)
13.	Unlawfully issue a validation tag	subsection 15 (8)
14.	Submit more than one application	subsection 15 (9)
15.	Unlawfully hunt moose	subsection 16 (1)
16.	Fail to properly attach seal to lower jaw of calf moose	clause 17 (1) (a)
17.	Fail to properly attach seal to adult moose	clause 17 (1) (b)
18.	Fail to immediately attach seal to moose	subsection 17 (2)
19.	Transport moose without seal attached	subsection 17 (2)
20.	Unlawfully attach seal to bull moose	subsection 17 (3)
21.	Unlawfully attach seal to cow moose	subsection 17 (4)
22.	Use unlicensed dog to hunt moose	section 18
23.	Unlawfully hunt deer	subsection 19 (3)
24.	Submit more than one application	subsection 19 (5)
25.	Possess more than one tag	subsection 19 (5)
26.	Unlawfully attach seal	subsection 19 (6)
27.	Submit more than one application	section 20
28.	Possess more than one controlled deer hunt tag	section 20
29.	Fail to properly attach seal to deer	section 23
30.	Transport deer without seal	section 23
31.	Use unlicensed dog to hunt deer	section 24
32.	Unlawfully hunt in wildlife management unit	subsection 26 (2)

ITEM	COLUMN 1	COLUMN 2
33.	Unlawfully issue certificate	subsection 26 (4)
34.	Unlawfully issue certificate to non-resident	subsection 26 (6)
35.	Unlawfully issue certificate to non-resident	subsection 26 (7)
36.	Fail to submit report	subsection 26 (10)
37.	Fail to properly attach seal to bear	section 27
38.	Transport bear without seal attached	section 27
39.	Hunt raccoon without licensed dog	subsection 28 (5)
40.	Possess more than one wild turkey seal	subsection 29 (3)
41.	Fail to properly attach seal to wild turkey	clause 29 (4) (a)
42.	Fail to keep seal attached to wild turkey	clause 29 (4) (b)
43.	Attach seal to wild turkey killed by another person	subsection 29 (5)
44.	Fail to carry seal on person	subsection 29 (6)
45.	Fail to show seal to officer	subsection 29 (6)
46.	Possess rifle greater than .22 calibre	clause 30 (1) (a)
47.	Use rifle greater than .22 calibre	clause 30 (1) (a)
48.	Possess shells loaded with prohibited ball or shot	clause 30 (1) (b)
49.	Use shells loaded with prohibited ball or shot	clause 30 (1) (b)
50.	Carry rifle greater than .275 calibre in designated area	subsection 30 (2)
51.	Use rifle greater than .275 calibre in designated area	subsection 30 (2)
52.	Carry other than .22 calibre rim-fire rifle when hunting raccoon	clause 30 (3) (a)
53.	Unlawfully possess loaded and unencased firearm in vehicle or vessel	clause 30 (3) (b)
54.	Use shotgun loaded with prohibited shot	clause 30 (4) (b)
55.	Unlawfully take fox	clause 32 (2) (a)
56.	Unlawfully capture fox	clause 32 (2) (a)
57.	Unlawfully possess firearm	clause 32 (2) (b)
58.	Unlawfully use firearm	clause 32 (2) (b)
59.	Use other than designated number of dogs	clause 32 (2) (c)
60.	Be accompanied by other than designated number of dogs	clause 32 (2) (c)

O. Reg. 688/93, s. 3.

4. Items 2, 3 and 4 of Schedule 30 to the Regulation are revoked.

5. The Regulation is amended by adding the following Schedules:

Schedule 30.1

Regulation 503 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Lake St. Lawrence Hunting Area	section 2

O. Reg. 688/93, s. 5, part.

Schedule 30.2Regulation 506 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Luther Marsh Hunting Area	section 2

O. Reg. 688/93, s. 5, part.

Schedule 30.3Regulation 507 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Nashville Tract Hunting Area	section 3

O. Reg. 688/93, s. 5, part.

6.—(1) Items 9 and 10 of Schedule 31 to the Regulation are revoked and the following substituted:

- | | | |
|-----|---------------------------------------|------------|
| 9. | Take more than three bob-white quail | section 11 |
| 10. | Possess more than six bob-white quail | section 11 |

(2) Schedule 31 to the Regulation is amended by adding the following items:

- | | | |
|-----|-----------------------------|------------|
| 12. | Unlawfully possess pheasant | section 13 |
| 13. | Unlawfully hunt turkey | section 14 |

7. The Regulation is amended by adding the following Schedules:

Schedule 33.1Regulation 514 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Take more than two snapping turtles	section 4
2.	Possess more than five snapping turtles	section 5
3.	Unlawfully take turtles	section 6
4.	Unlawfully remove upper shell	subsection 7 (1)

O. Reg. 688/93, s. 7, part.

Schedule 33.2Regulation 515 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Orangeville Reservoir Hunting Area	section 2

O. Reg. 688/93, s. 7, part.

Schedule 33.3Regulation 518 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully possess firearm	clause 1 (1) (a)
2.	Unlawfully use firearm	clause 1 (1) (b)
3.	Unlawfully possess loaded firearm within eight metres of thoroughfare	subsection 1 (3)
4.	Unlawfully possess loaded firearm	subsection 1 (4)

O. Reg. 688/93, s. 7, *part.***Schedule 35.1**Regulation 523 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Stag Island Hunting Area	section 2

O. Reg. 688/93, s. 7, *part.***Schedule 35.2**Regulation 524 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully hunt in Tiny Marsh Hunting Area	section 2

O. Reg. 688/93, s. 7, *part.***Schedule 35.3**Regulation 525 of Revised Regulations of Ontario, 1990 under the *Game and Fish Act*

ITEM	COLUMN 1	COLUMN 2
1.	Fail to record in register as prescribed	subsection 5 (1)
2.	Fail to submit report	subsection 5 (2)
3.	Fail to keep register as prescribed	subsection 5 (3)

O. Reg. 688/93, s. 7, *part.*

8. Schedule 36 to the Regulation is amended by adding the following item:

17. Unlawfully possess trap subsection 2 (1)

ONTARIO REGULATION 689/93
made under the
PROVINCIAL OFFENCES ACT

Made: October 27, 1993
Filed: October 29, 1993

Amending Reg. 950 of R.R.O. 1990
(Proceedings Commenced by Certificate of Offence)

Note: Since January 1, 1993, Regulation 950 has been amended by Ontario Regulations 9/93, 314/93, 364/93, 365/93, 500/93, 610/93, 687/93 and 688/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Schedule 21 to Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following items:

13.1	Unlawfully have loaded firearm	clause 21 (1) (a)
13.2	Unlawfully discharge loaded firearm	clause 21 (1) (a)

13.1	Avoir illégalement une arme à feu chargée	alinéa 21 (1) a)
13.2	Décharger illégalement une arme à feu	alinéa 21 (1) a)

(2) Item 23 of Schedule 21 to the Regulation is revoked and the following substituted:

23.	Hunt with shotgun not permanently plugged or altered	section 25
-----	--	------------

23.	Chasser avec un fusil qui n'a pas été bouché ni transformé de façon permanente	article 25
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(3) Schedule 21 to the Regulation is amended by adding the following items:

36.1	Trap with body-gripping or leg-hold trap	subsection 30 (2)
36.2	Attempt to trap with body-gripping or leg-hold trap	subsection 30 (2)
83.1	Unlawfully take game bird for educational or scientific purpose	subsection 60 (1)
90.1	Unlawfully deal in live fur-bearing animal or wolf	subsection 62 (4)
90.2	Unlawfully sell fur-bearing animal	subsection 62 (8)

36.1	Piéger au moyen d'un piège à mâchoires ou d'un piège à pattes	paragraphe 30 (2)
36.2	Essayer de piéger au moyen d'un piège à mâchoires ou d'un piège à pattes	paragraphe 30 (2)
83.1	Prendre illégalement du gibier à plume à des fins pédagogiques ou scientifiques	paragraphe 60 (1)
90.1	Faire illégalement le commerce d'un animal à fourrure ou d'un loup vivants	paragraphe 62 (4)
90.2	Vendre illégalement un animal à fourrure	paragraphe 62 (8)

(4) Items 98, 99 and 100 of Schedule 21 to the Regulation are revoked and the following substituted:

98.	Unlawfully hunt fur-bearing animal for transfer to fur farm	clause 67 (a)
99.	Unlawfully trap fur-bearing animal for transfer to fur farm	clause 67 (a)
100.	Unlawfully attempt to trap fur-bearing animal for transfer to fur farm	clause 67 (a)
100.1	Unlawfully hunt fur-bearing animal for educational or scientific purpose	clause 67 (b)
100.2	Unlawfully trap fur-bearing animal for educational or scientific purpose	clause 67 (b)
100.3	Unlawfully attempt to trap fur-bearing animal for educational or scientific purpose	clause 67 (b)

RÈGLEMENT DE L'ONTARIO 689/93
pris en application de la
LOI SUR LES INFRACTIONS PROVINCIALES

pris le 27 octobre 1993
déposé le 29 octobre 1993

modifiant le Règl. 950 des R.R.O. de 1990
(Instances introduites au moyen du dépôt
d'un procès-verbal d'infraction)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 950 a été modifié par les Règlements de l'Ontario 9/93, 314/93, 364/93, 365/93, 610/93, 687/93 et 688/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 (1) L'annexe 21 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est modifiée par adjonction des numéros suivants :

(2) Le numéro 23 de l'annexe 21 du Règlement est abrogé et remplacé par ce qui suit :

(3) L'annexe 21 du Règlement est modifiée par adjonction des numéros suivants :

(4) Les numéros 98, 99 et 100 de l'annexe 21 du Règlement sont abrogés et remplacés par ce qui suit :

98.	Chasser illégalement un animal à fourrure en vue de le transporter dans une ferme d'élevage d'animaux à fourrure	alinéa 67 a)
99.	Piéger illégalement un animal à fourrure en vue de le transporter dans une ferme d'élevage d'animaux à fourrure	alinéa 67 a)
100.	Essayer illégalement de piéger un animal à fourrure en vue de le transporter dans une ferme d'élevage d'animaux à fourrure	alinéa 67 a)
100.1	Chasser illégalement un animal à fourrure à des fins pédagogiques ou scientifiques	alinéa 67 b)
100.2	Piéger illégalement un animal à fourrure à des fins pédagogiques ou scientifiques	alinéa 67 b)
100.3	Essayer illégalement de piéger un animal à fourrure à des fins pédagogiques ou scientifiques	alinéa 67 b)

46/93

CORRECTIONS

1. Regulation 518 of the Revised Regulations of Ontario, 1990 under the *Game and Fish Act*.

Subsections 1 (2), (3), (4), (5) and (6) of Regulation 518 should have been numbered as subsections 2 (1), (2), (3), (4) and (5), respectively.

2. Ontario Regulation 519/93 under the *Highway Traffic Act* published in the September 18, 1993 issue of *The Ontario Gazette*.

Section "5", as set out in section 1 of Ontario Regulation 519/93, should have been numbered as section "5.1".

46/93

Publications under the Regulations Act

Publications en vertu de la Loi sur les règlements

1993—11—20

ONTARIO REGULATION 690/93 made under the ENVIRONMENTAL ASSESSMENT ACT

Approved: October 21, 1993
Filed: November 1, 1993

EXEMPTION — NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY — CU-AA-05

Having received a request from the Niagara College, a public body reporting to the Minister of Education and Training, that an undertaking, namely,

the proposal to establish and operate a permanent college of applied arts and technology on Part of Lot 2, Concession 10 (formerly in the Township of Grantham) in the Town of Niagara-on-the-Lake,

be exempt from the application of the Act pursuant to section 29; and

Having been advised that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

- A. The College will be subject to delay which will force the College to accommodate essential activities and academic programs in premises inadequate for those purposes, with the result that students, staff and members of the community will be without adequate academic facilities; and
- B. The College will be unable to meet the existing expansion needs of the St. Catharines Campus, since there is insufficient expansion area on the existing Campus, with the result that the Campus area will be congested and improperly used.

Having weighed such injury, damage or interference against the betterment of the people of the whole or any part of Ontario by the protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

- A. The requirements of the *Planning Act* and planning process will adequately address environmental concerns and ensure opportunities for adequate public consultation. This process consists of complete public review of development issues of local and provincial scope and interest, as well as potential sources of environmental (natural, social, cultural, economic and technical) impact.
- B. The proponent has carried out presubmission consultation with the Ministry of Environment and Energy, and the proposal was circulated to appropriate ministries, agencies and local municipalities for comment.

- C. The new Niagara College Campus is viewed as a catalyst to the development of the Glendale Industrial Area. This area has been planned for redevelopment in the past and is supported by The Corporation of the Town of Niagara-on-the-Lake as an appropriate location for such development.
- D. Copies of documents related to the foregoing reasons may be found in the Public Record files maintained under section 30 of the *Environmental Assessment Act*.

This exemption is subject to the following terms and conditions:

1. Where any activity which otherwise would be exempt under this order is being carried out as or is part of an undertaking for which an environmental assessment has been accepted and approval to proceed received, the activity shall be carried out in accordance with any terms or conditions in the approval to proceed as well as the conditions of this order.
2. Where any activity which is the subject of this order is being carried out as or is part of another undertaking which is the subject of an exemption order under the Act, the activity exempt under this order shall be carried out in accordance with any terms or conditions in the other exemption order as well as the conditions in this order.
3. The stormwater management plan to be prepared for this development shall be designed in accordance with the Glendale Industrial Area Stormwater Management Plan covering the subject property and surrounding lands. The stormwater management plan for the new Niagara College Campus must receive the approval of the Niagara Peninsula Conservation Authority and the Ministry of Natural Resources — Niagara Peninsula District before any work commences on site preparation. Copies of the approvals will be provided to the Environmental Assessment Branch of the Ministry of Environment and Energy for placing in the Public Record Files.
4. The proponent will undertake an archaeological assessment of the lands in question. The assessment must be conducted by a consultant licensed by the Ministry of Culture, Tourism and Recreation (MCTR). Prior to the initiation of constructing activity, any impacts to archaeological sites found in the study area will be mitigated to the satisfaction of the Regulatory and Operations Office, Southwestern Region, MCTR. The proponent shall also provide that Office with an opportunity to review the results of these field activities.
5. The proponent shall abide by the commitments which have been made to the agency reviewers, as outlined in the February, 1993 final report, entitled *Request Pursuant to Section 29 of the Environmental Assessment Act New Niagara College Campus Background Information*. O. Reg. 690/93.

BUD WILDMAN
Minister of Environment and Energy

47/93

ONTARIO REGULATION 691/93
made under the
PLANNING ACT

Made: October 27, 1993
Filed: November 1, 1993

Amending O. Reg. 25/86
(Zoning Areas—District of Kenora, Part of the
Sioux Lookout Planning Area)

Note: Since January 1, 1993, Ontario Regulation 25/86 has been amended by Ontario Regulations 138/93, 341/93, 423/93, 424/93, 645/93 and 647/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 25/86 is amended by adding the following sections:

106.—(1) Despite paragraphs 1 and 2 of subsection 65 (1), the following requirements apply to the land described in subsection (2):

Minimum lot area	0.184 hectares
Minimum lot frontage	29.5 metres

(2) This section applies to that land in the Reserve in the geographic Township of Drayton, in the Territorial District of Kenora, in part of Location SN 150 and part of Lot 1 in Range VI, designated as Part 1 on Reference Plan 23R-8058 deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23). O. Reg. 691/93, s. 1, *part*.

107.—(1) Despite paragraphs 1 and 2 of subsection 65 (1), the following requirements apply to the land described in subsection (2):

Minimum lot area	0.194 hectares
Minimum lot frontage	41.5 hectares

(2) This section applies to that land in the Reserve in the geographic Township of Drayton, in the Territorial District of Kenora, in part of Reference Plan 23R-8058 deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23). O. Reg. 691/93, s. 1, *part*.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 27, 1993.

47/93

ONTARIO REGULATION 692/93
made under the
PLANNING ACT

Made: October 21, 1993
Filed: November 1, 1993

Amending O. Reg. 672/81
(Restricted Areas—District of Manitoulin, Geographic townships of Campbell, Dawson, Mills and Robinson)

Note: Since January 1, 1993, Ontario Regulation 672/81 has been amended by Ontario Regulations 78/93, 82/93, 96/93, 184/93, 185/93, 196/93, 222/93, 340/93 and 482/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 672/81 is amended by adding the following section:

168.—(1) Despite section 17 and subsection 50 (1), one seasonal dwelling may be erected and used on the land described in subsection (2), if the following requirements are met:

Minimum lot frontage	30 metres
Minimum lot area	1,858 square metres
Maximum lot coverage	15 per cent
Minimum front yard setback	10 metres
Minimum rear yard setback	7.5 metres
Minimum side yard setback	15 metres
Maximum height	9 metres

(2) Subsection (1) applies to those lands in the geographic Township of Robinson in the Territorial District of Manitoulin being that part of Lot 37, Concession XII described as follows:

Commencing at the southeast angle of Lot 37, Concession XII;

Thence northerly along the east limit of the said lot a distance of 3,300 feet more or less to the northeast angle of the said lot;

Thence westerly along the north limit of the said lot a distance of 330 feet to a point;

Thence southerly along a line drawn parallel to the east limit of the said lot a distance of 3,300 feet more or less to a point in the south limit of the said lot distant 330 feet from the southeast angle thereof;

Thence easterly 330 feet to the point of commencement. O. Reg. 692/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 21, 1993.

47/93

ONTARIO REGULATION 693/93
made under the
PLANNING ACT

Made: October 21, 1993
Filed: November 1, 1993

Amending O. Reg. 834/81
(Restricted Areas—Territorial District of Sudbury)

Note: Since January 1, 1993, Ontario Regulation 834/81 has been amended by Ontario Regulations 141/93, 192/93, 200/93, 201/93, 202/93, 274/93, 390/93, 428/93, 446/93, 484/93, 485/93, 486/93, 530/93 and 644/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:

131.—(1) Despite subsection 19 (1), a pit and quarry may be established and buildings and structures accessory to it may be erected and used on the land described in subsection (3), if the following requirements are met:

Minimum east yard setback from property line	200 metres
Minimum north, west and south setbacks from property lines	18 metres

(2) Despite subsection 5 (3), the accessory buildings and structures referred to in subsection (1) may include one single dwelling existing on the lands on the day this section comes into force.

(3) Subsections (1) and (2) apply to that parcel of land in the Township of Dill in the Territorial District of Sudbury, being part of the north half of Lot 4, Concession 1 and described as Parcel 24227, Sudbury East Section.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 21, 1993.

47/93

ONTARIO REGULATION 694/93
made under the
PLANNING ACT

Made: November 1, 1993
Filed: November 2, 1993

DELEGATION OF AUTHORITY OF MINISTER
UNDER SECTION 4 OF THE PLANNING ACT—
CONDOMINIUM PLANS—CITY OF TRENTON

1. Subject to sections 2 and 3, all authority of the Minister under section 50 of the Condominium Act is hereby delegated to the council of The Corporation of the City of Trenton in respect of land situate in the City of Trenton. O. Reg. 694/93, s. 1.

2. The delegation made in section 1 does not apply to,

- (a) any application for approval or exemption of a description received by the Minister before the day this Order comes into force; or
(b) any matter referred to in subsections 51 (20), (21) and (22) of the Planning Act, unless the matter relates to land that is within a draft plan approved by the council under subsection 51 (13) of the Act. O. Reg. 694/93, s. 2.

3.—(1) The council, in exercising the authority delegated by section 1, shall comply with the following conditions:

- 1. The council shall adopt an application form that is approved by the Ministry of Municipal Affairs for the receipt of applications under subsection 51 (1) of the Act.
2. The council shall assign to each application received a file number consisting of the appropriate code used by the Ministry of Municipal Affairs, the letters "CDM", the last two figures of the year in which the application is received and a number corresponding to the order in which the application is received, commencing with "501", and a new series of numbers shall be commenced each year.
3. If the council decides to confer, as referred to in subsection 51 (3) of the Act, in respect of an application for approval of a description, the council shall send a copy of the application and of the draft plan to which it relates to such officials, commissions, authorities and other persons as the council considers appropriate.
4. If the council decides not to confer in respect of an application for approval of a description, the council shall send notice in writing to the applicant giving the reasons why it has decided not to confer.
5. In conferring, the council shall allow sixty days for the making of written comments in respect of the application, commencing from the date that a copy of the application is sent to the party conferred with, but the time for making comments may be

extended by the council if it is satisfied that there is good reason to do so.

- 6. If the council has not given or refused approval to an application for approval of a description or for exemption of a description or part thereof within ninety days of receipt of the application, the council shall immediately provide the applicant with a report on the status of the application.
7. If the council gives approval to a draft plan under subsection 51 (13) of the Planning Act and section 50 of the Condominium Act, the approval shall be shown on the draft plan in the following form:

Subject to the conditions, if any, set forth in our letter dated....., 19..... this draft plan is approved under section 51 of the Planning Act and section 50 of the Condominium Act, this day of, 19.....

- 8. If the council gives approval to a final plan under subsection 51 (20) of the Planning Act and section 50 of the Condominium Act, the approval shall be shown on the final plan in the following form:

Parts approved and Part exempted under section 50 of the Condominium Act and section 51 of the Planning Act by the council of the this day of, 19.....

- 9. If the final plan is to be registered under the Land Titles Act, the council shall not approve the final plan for registration until the examiner of surveys appointed under the Land Titles Act has advised that the plan is acceptable for registration.

- 10. The original of the final plan as approved together with all copies required for registration under the Registry Act or the Land Titles Act, as the case may be, shall be forwarded by the council to the appropriate land registry office.

(2) The delegation of authority set out in this Order is not terminated by reason only that the council has failed to comply with a condition set out in subsection (1). O. Reg. 694/93, s. 3.

- 4. If the council proposes to, in turn, delegate to a committee of council or an appointed officer under subsection 5 (1) of the Act any of the authority delegated by section 1, the council shall give notice to the Minister of the proposed delegating by-law not later than thirty days before the date that the proposed delegating by-law is to be passed. O. Reg. 694/93, s. 4.

5. This Order shall be deemed to have come into force on November 1, 1993.

ED PHILIP
Minister of Municipal Affairs

Dated at Toronto on November 1, 1993.

47/93

ONTARIO REGULATION 695/93
made under the
PLANNING ACT

Made: November 1, 1993
Filed: November 2, 1993

DELEGATION OF AUTHORITY OF MINISTER
UNDER SECTION 4 OF THE PLANNING ACT—
SUBDIVISION PLANS—CITY OF TRENTON

1. Subject to sections 2 and 3, all authority of the Minister under section 51 of the Act is hereby delegated to the council of The Corporation of the City of Trenton in respect of land situate in the City of Trenton. O. Reg. 695/93, s. 1.

2. The delegation made in section 1 does not apply to,

- (a) any application for approval under subsection 51 (1) of the Act or a predecessor of it received by the Minister before the day this Order comes into force; or
- (b) any matter referred to in subsections 51 (20), (21) and (22) of the Act, unless the matter relates to land that is within a draft plan approved by the council under subsection 51 (13) of the Act. O. Reg. 695/93, s. 2.

3.—(1) The council, in exercising the authority delegated by section 1, shall comply with the following conditions:

- 1. The council shall adopt an application form that is approved by the Ministry of Municipal Affairs for the receipt of applications under subsection 51 (1) of the Act.
- 2. The council shall assign to each application received a file number consisting of the appropriate code used by the Ministry of Municipal Affairs, the letter "T", the last two figures of the year in which the application is received and a number corresponding to the order in which the application is received, commencing with "501", and a new series of numbers shall be commenced each year.
- 3. The council shall send one copy of each application received by the council and one copy of the draft plan that is the subject of the application to the Ministry of Municipal Affairs not later than ten days after the receipt of the completed application.
- 4. If the council decides to confer, as referred to in subsection 51 (3) of the Act, in respect of an application, the council shall send to the Ministry of Municipal Affairs a list of the officials of municipalities and ministries of the public service, commissions, authorities or other persons conferred with or to be conferred with on the application, and shall send a copy of the application and of the draft plan to which it relates to such officials of municipalities and ministries of the public service, commissions, authorities and other persons as the Minister may direct.
- 5. If the council decides not to confer in respect of an application, the council shall send notice in writing to the applicant and the Ministry of Municipal Affairs, giving the reasons why it has decided not to confer.
- 6. If an application is withdrawn, the council shall send notice, in writing, to the Ministry of Municipal Affairs giving the reason or reasons why the application was withdrawn, if known.
- 7. If an application is revised or altered, a copy of the revised or altered application shall be sent to the applicant and the Ministry of Municipal Affairs.
- 8. In conferring, as referred to in paragraph 4, the council shall allow sixty days for the making of written comments in respect of the application for approval, commencing from the date that a copy of the application is sent to the party conferred with, but

the time for making comments may be extended by the council where the council is satisfied that there is good reason to do so.

- 9. If the council has not given or refused approval of an application within ninety days of receipt of the application, the council shall immediately provide the applicant and the Ministry of Municipal Affairs with a report on the status of the application.
- 10. If the council gives approval or proposes to refuse to give approval to a draft plan under subsection 51 (13) or (14) of the Act, the council shall send notice to the applicant, the Ministry of Municipal Affairs and any other person or agency that has requested notification and, where approval is given to a draft plan, the notice shall be accompanied by a copy of the draft plan and of the conditions imposed on the approval.
- 11. If land that is the subject of an application is affected by a proposed amendment to an official plan incorporating policies and designations relating to the land, the council shall not make any decision concerning the application until the amendment to the official plan has been approved or not approved by the Minister or the Municipal Board, as the case may be.
- 12. If a matter is referred to the Municipal Board under subsection 51 (15) or (17) of the Act, the council shall notify the applicant and the Ministry of Municipal Affairs.
- 13. If the council gives approval to a draft plan under subsection 51 (13) of the Act, the approval shall be shown on the draft plan in the following form:

Subject to the conditions, if any, set forth in our letter dated....., 19....., this draft plan is approved under section 51 of the *Planning Act* this day of, 19.....

.....
.....
- 14. If, after approval of a draft plan and before approval of a final plan, the council varies substantially any condition of the draft plan or withdraws its approval of the draft plan, the council shall send notice thereof within fifteen days to all parties that were sent notice under paragraph 10.
- 15. If the council gives approval to a final plan under subsection 51 (20) of the Act, the approval shall be shown on the final plan in the following form:

Approved under section 51 of the *Planning Act* this day of, 19.....

.....
.....
- 16. If the final plan is to be registered under the *Land Titles Act*, the council shall not approve the final plan for registration until the examiner of surveys appointed under the *Land Titles Act* has advised that the plan is acceptable for registration.
- 17. The original of the final plan, as approved, together with all copies required for registration under the *Registry Act* or the *Land Titles Act*, as the case may be, shall be forwarded by the council to the appropriate land registry office.
- 18. The council shall forward one copy of each final plan approved for registration to the Ministry of Municipal Affairs.

(2) The director of the plans administration branch (north and east), of the Ministry of Municipal Affairs may waive in writing any require-

ment imposed by paragraph 3, 4, 5, 6, 7, 9, 10, 14 or 18 in so far as it applies to the Ministry of Municipal Affairs.

(3) The delegation of authority set out in this Order is not terminated by reason only that the council has failed to comply with a condition set out in subsection (1). O. Reg. 695/93, s. 3.

4. If the council proposes to, in turn, delegate to a committee of council or an appointed officer under subsection 5 (1) of the Act any of the authority delegated by section 1 of this Order, the council shall give notice to the Minister of the proposed delegating by-law not later than thirty days before the date that the proposed delegating by-law is to be passed. O. Reg. 695/93, s. 4.

5. This Order shall be deemed to have come into force on November 1, 1993.

ED PHILIP
Minister of Municipal Affairs

Dated at Toronto on November 1, 1993.

47/93

ONTARIO REGULATION 696/93
made under the
FARM PRODUCTS MARKETING ACT

Made: October 6, 1993
Filed: November 2, 1993

Amending Reg. 413 of R.R.O. 1990
(Fresh Potatoes—Plan)

Note: There are no prior amendments to Regulation 413.

1. Section 4 of the Schedule to Regulation 413 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. There shall be a local board to be known as "Fresh Potato Growers of Ontario".

47/93

ONTARIO REGULATION 697/93
made under the
FARM PRODUCTS MARKETING ACT

Made: October 14, 1993
Filed: November 2, 1993

Amending Reg. 412 of R.R.O. 1990
(Fresh Potatoes—Marketing)

Note: Regulation 412 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The definition of "local board" in section 1 of Regulation 412 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"local board" means Fresh Potato Growers of Ontario;

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on October 14, 1993.

47/93

ONTARIO REGULATION 698/93
made under the
RETAIL SALES TAX ACT

Made: October 27, 1993
Filed: November 2, 1993

Amending Reg. 1013 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 1013 has been amended by Ontario Regulations 19/93 and 131/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 5 (17) of Regulation 1013 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(17) If proper payment has not been made with a return as required by subsection (1) or by section 7, an officer of the Ministry of Revenue holding any of the positions set out in the following paragraphs may, for any purpose related to the administration and enforcement of the Act, by registered letter or by a demand served personally, require that the vendor remit to the Minister the tax collectable and payable by the vendor during the month within such reasonable time as is stipulated in the letter or demand:

1. Director, Retail Sales Tax Branch.
2. Director, Collections Branch.
3. Senior Manager, Audit, Retail Sales Tax Branch.
4. Senior Manager, Services and Revenue Control, Retail Sales Tax Branch.
5. Regional Audit Manager, Audit, Retail Sales Tax Branch.
6. Regional Manager, Services and Revenue Control, Retail Sales Tax Branch.
7. Regional Service Manager, Services and Revenue Control, Retail Sales Tax Branch.
8. Service Manager, Services and Revenue Control, Retail Sales Tax Branch.
9. Regional Collection Manager, Collections Branch.
10. Collection Manager, Collections Branch.
11. Operations Officer, Services and Revenue Control, Retail Sales Tax Branch.
12. Operations Officer, Collections Branch. O. Reg. 698/93, s. 1.

2. This Regulation shall be deemed to have come into force on June 1, 1993.

47/93

ONTARIO REGULATION 699/93
made under the
RETAIL SALES TAX ACT

Made: October 27, 1993
Filed: November 2, 1993

Amending Reg. 1013 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 1013 has been amended by Ontario Regulations 19/93, 131/93 and 698/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Regulation 1013 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

10.1 Where a package or arrangement of items of tangible personal property referred to in subsection 3.1 (1) of Regulation 1012 of the Revised Regulations of Ontario, 1990 contains liquor, beer or wine, and subsections 3.1 (2), (3) and (4) of that Regulation do not apply, the vendor shall collect the tax under clause 2 (2) (b) of the Act on the fair value referred to in subsection 3.1 (1) of that Regulation. O. Reg. 699/93, s. 1.

2. Section 18 of the Regulation is revoked and the following substituted:

18.—(1) Subject to subsections (3) and (6), where a vendor has loaned money or given credit to a purchaser with respect to the purchase price of tangible personal property or a taxable service, or a price of admission, together with the tax imposed by the Act on the transaction, and the vendor has paid that tax to the Minister on behalf of the purchaser, the Minister may rebate to the vendor any or all of the tax paid if the purchaser is shown to have defaulted in repaying to the vendor any or all of the amount payable.

(2) Subject to subsections (3) and (6), where a purchaser has tendered a cheque to a vendor in payment of the purchase price of tangible personal property or a taxable service, or a price of admission, together with the tax imposed by the Act on the transaction, and the vendor has paid that tax to the Minister on behalf of the purchaser, the Minister may rebate to the vendor any or all of the tax paid if,

- (a) the purchaser tendered the cheque to the vendor in respect of a sale of tangible personal property or a taxable service, or a payment of a price of admission that is made on or after July 1, 1993;
- (b) the drawee of the cheque refused to cash the cheque; and
- (c) the purchaser is shown to have defaulted in repaying to the vendor any or all of the amount payable.

(3) No rebate of tax shall be made to a vendor under subsection (1) or (2) if,

- (a) the tangible personal property, taxable service or price of admission on which the tax was imposed was purchased by the purchaser through the use of a credit card or other credit arrangement that permitted credit purchases from persons other than the vendor who made the sale or collected the price of admission; or
- (b) at the time of the claim for rebate, the indebtedness of the purchaser to the vendor in respect of the purchase price of the tangible personal property or the taxable service, or the price of admission together with the tax imposed by the Act on the transaction is still included as an asset of the vendor's business or as an account receivable by the vendor in the vendor's books of account.

(4) Subject to subsections (5) and (6), where a vendor has leased tangible personal property to a purchaser and has paid to the Minister on behalf of the purchaser the tax imposed by the Act on any lease payments, the Minister may rebate to the vendor any or all of the tax paid if the purchaser is shown to have defaulted in repaying to the vendor any or all of the amount payable.

(5) No rebate of tax shall be made to a vendor under subsection (4) if,

- (a) the tangible personal property was leased by the purchaser through the use of a credit card or other credit arrangement that permitted credit purchases from persons other than the vendor who leased the tangible personal property; or
- (b) at the time of the claim for rebate, the indebtedness of the purchaser to the vendor in respect of the lease payments and the tax imposed by the Act on the lease payments is still included

as an asset of the vendor's business or as an account receivable by the vendor in the vendor's books of account.

(6) No rebate of tax shall be made to a vendor under this section in respect of an indebtedness of a purchaser to the vendor if,

- (a) the vendor does not claim the rebate within four years from the end of the fiscal year in which the indebtedness of the purchaser ceased to be included as an asset of the vendor's business or as an account receivable by the vendor in the vendor's books of account;
- (b) at the time of the sale of the tangible personal property or the taxable service, or at the time of the payment of the price of admission, as applicable,
 - (i) the vendor does not hold a valid permit issued under section 5 of the Act, or
 - (ii) the vendor and the purchaser are not dealing at arm's length;
- (c) the vendor may offset the indebtedness of the purchaser against an account payable by the vendor to the purchaser; or
- (d) the vendor has assigned, without recourse and for consideration, other than for security purposes, the collectable or uncollectable portion of the indebtedness of the purchaser, whether or not the assignee and the vendor are related persons.

(7) The tax that may be rebated to a vendor under this section shall be determined by the following formula:

$$\text{Rebate} = \frac{A \times B}{C}$$

where,

A is the tax paid by the vendor to the Minister on behalf of the purchaser with respect to a transaction referred to in subsection (1), (2) or (4),

B is the unpaid indebtedness of the purchaser to the vendor on the transaction, and

C is,

- (a) in the case of a rebate under subsection (1) or (2), the selling price of the tangible personal property or the taxable service sold in the transaction, or the price of admission collected in the transaction, together with the tax imposed by the Act on the transaction; and
- (b) in the base of a rebate under subsection (4), the total lease payments under the lease of the tangible personal property leased in the transaction together with the tax imposed by the Act on the lease payments.

(8) For the purpose of calculating the amount of the unpaid indebtedness of a purchaser to a vendor under subsection (7), the following rules apply:

- 1. The amount of the unpaid indebtedness shall not include any amount of interest, finance, carrying, collection or similar charges by the vendor with respect to the transaction on which the indebtedness arose.
- 2. If the tangible personal property is repossessed and sold by the vendor on account of the indebtedness, the amount of the unpaid indebtedness shall be reduced by the proceeds of sale received by the vendor.
- 3. If the tangible personal property is repossessed and leased by the vendor or is taken out of inventory and used by the vendor, the amount of the unpaid indebtedness shall be reduced by the

fair value of the tangible personal property at the time of leasing or change of use.

(9) A vendor may claim a rebate or rebates under this section by making an adjustment to the vendor's sales tax liability account for the amount claimed.

(10) Subject to subsection (12), the vendor may not make more than one adjustment to the vendor's sales tax liability account for each twelve-month period during which the vendor claims a rebate or rebates under this section.

(11) For the purpose of verifying the amount of any rebate claimed, the vendor shall retain in his, her or its records such information as is necessary to satisfy the Minister of the vendor's claim.

(12) The Minister may, upon application in writing by a vendor, allow the vendor to make an adjustment for further rebates under this section before the expiry of the twelve-month period referred to in subsection (10).

(13) No vendor may claim more than one rebate of tax in respect of the same transaction.

(14) If, after claiming a rebate of tax under this section, a vendor recovers from a purchaser or any other person any of the unpaid indebtedness in respect of which the rebate of tax was claimed, including any proceeds from the sale of tangible personal property repossessed and sold on account of the unpaid indebtedness, the vendor shall repay to the Minister by way of adjustment to the vendor's sales tax liability account the percentage of the rebate claimed that is equal to the percentage of the indebtedness recovered by the vendor from the purchaser or other person or from the sale of the repossessed tangible personal property. O. Reg. 699/93, s. 2.

3. Section 2 shall be deemed to have come into force on July 1, 1993.

47/93

ONTARIO REGULATION 700/93
made under the
PLANNING ACT

Made: October 27, 1993
Filed: November 4, 1993

Amending O. Reg. 672/81

(Restricted Areas—District of Manitoulin, Geographic townships of Campbell, Dawson, Mills and Robinson)

Note: Since January 1, 1993, Ontario Regulation 672/81 has been amended by Ontario Regulations 78/93, 82/93, 96/93, 184/93, 185/93, 196/93, 222/93, 340/93, 482/93 and 692/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 672/81 is amended by adding the following section:

169.—(1) Despite subsection 47 (1), one dwelling together with accessory buildings and structures are permitted on the land described in subsection (2) if the following requirements are met:

Minimum lot frontage	30 metres
Minimum lot area	1,858 square metres
Maximum lot coverage	15 per cent
Minimum front yard setback	15 metres
Minimum rear yard setback	7.5 metres
Minimum east side yard setback	9.1 metres

Minimum west side yard setback	15 metres
Maximum height	9 metres

(2) Subsection (1) applies to those lands in the geographic Township of Campbell in the District of Manitoulin being part of Lot 17 in Concession XII, designated as Part 1 on Plan 31R-2520 deposited in the Land Registry Office for the Registry Division of Manitoulin (No. 31). O. Reg. 700/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 27, 1993.

47/93

ONTARIO REGULATION 701/93
made under the
PLANNING ACT

Made: October 29, 1993
Filed: November 4, 1993

Amending O. Reg. 672/81

(Restricted Areas—District of Manitoulin, Geographic townships of Campbell, Dawson, Mills and Robinson)

Note: Since January 1, 1993, Ontario Regulation 672/81 has been amended by Ontario Regulations 78/93, 82/93, 96/93, 184/93, 185/93, 196/93, 222/93, 340/93, 482/93, 692/93 and 700/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 672/81 is amended by adding the following section:

170.—(1) Despite subsection 50 (1), one seasonal dwelling together with buildings and structures accessory to it may be erected, located and used on the land described in subsection (2) if the following requirements are met:

Minimum lot frontage	30 metres
Minimum lot area	1,858 square metres
Maximum lot coverage	15 per cent
Minimum front yard setback	15 metres
Minimum rear yard setback	7.5 metres
Minimum side yard setback	8 metres
Maximum height	9 metres

(2) Subsection (1) applies to that parcel of land in the geographic Township of Mills in the District of Manitoulin, being part of Lot 14, Concession XI, described as follows:

- Commencing at the northwesterly angle of said Lot;
- Thence easterly along the said northerly limit 165 feet;
- Thence southerly and parallel to the westerly limit of the said Lot, 2,440 feet, more or less, to the southerly limit of the said Lot;
- Thence westerly along the said southerly limit 165 feet, more or less, to the southwest angle of the said Lot;

Thence northerly 2,440 feet, more or less, along the westerly limit of the said Lot to the point of commencement. O. Reg. 701/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 29, 1993.

47/93

ONTARIO REGULATION 702/93
made under the
PLANNING ACT

Made: October 29, 1993
Filed: November 4, 1993

Amending O. Reg. 25/86
(Zoning Areas—District of Kenora, Part of the
Sioux Lookout Planning Area)

Note: Since January 1, 1993, Ontario Regulation 25/86 has been amended by Ontario Regulations 138/93, 341/93, 423/93, 424/93, 645/93, 647/93 and 691/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 25/86 is amended by adding the following section:

108.—(1) Despite section 4, the land described in subsection (2) is, for the purposes of this Order, land in a Rural Residential Zone.

(2) Subsection (1) applies to that parcel of land in the geographic Township of Drayton in the District of Kenora, being part of Lot 5, in Range III, of the Reserve in the Township of Drayton, being Parcel 24644, District of Kenora, designated as parts 1 and 2 on a plan of survey K.R. 720 deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23). O. Reg. 702/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 29, 1993.

47/93

ONTARIO REGULATION 703/93
made under the
PLANNING ACT

Made: October 27, 1993
Filed: November 4, 1993

Amending O. Reg. 834/81
(Restricted Areas—Territorial District of Sudbury)

Note: Since January 1, 1993, Ontario Regulation 834/81 has been amended by Ontario Regulations 141/93, 192/93, 200/93, 201/93, 202/93, 274/93, 390/93, 428/93, 446/93, 484/93, 485/93, 486/93, 530/93, 644/93 and 693/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Schedule I to Ontario Regulation 834/81 is amended by adding the following section:

132.—(1) Despite section 8 and subsection 22 (1) of this Regulation,

a commercial hunting and fishing camp may be erected, located and used on the land described in subsection (3) if the total floor area of all structures does not exceed 300 square metres.

(2) A retail use is not permitted on the land described in subsection (3).

(3) Subsections (1) and (2) apply to that parcel of land in the geographic Township of Hess in the Territorial District of Sudbury, being part of Lot 5, Concession VI, described as Parcel 7713, Sudbury West Section.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on October 27, 1993.

47/93

ONTARIO REGULATION 704/93
made under the
HEALTH DISCIPLINES ACT

Made: September 20, 1993
Approved: November 3, 1993
Filed: November 4, 1993

Amending Reg. 551 of R.R.O. 1990
(Pharmacy)

Note: Since January 1, 1993, Regulation 551 has been amended by Ontario Regulation 290/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Schedule C to Regulation 551 of the Revised Regulations of Ontario, 1990 is amended by adding the following items:

Astemizole

.

Terfenadine

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS:

BARRY S. PHILLIPS
President

A. J. DUNSDON
Registrar

Dated at Toronto on September 20, 1993.

47/93

ONTARIO REGULATION 705/93
made under the
HEALTH DISCIPLINES ACT

Made: September 27, 1993
Approved: November 3, 1993
Filed: November 4, 1993

Amending Reg. 548 of R.R.O. 1990
(Medicine)

Note: Since January 1, 1993, Regulation 548 has been amended by Ontario Regulations 153/93, 308/93 and 366/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 13(2) of Regulation 548 of the Revised Regulations of Ontario, 1990 is amended by striking out "Part 1" in the third line and substituting "Parts 1 and 2".
2. Subsection 16(3) of the Regulation is amended by inserting after "licence" in the fifth line "issued before October 31, 1992".
3. This Regulation shall be deemed to have come into force on July 1, 1993.

COUNCIL OF THE COLLEGE OF PHYSICIANS
AND SURGEONS OF ONTARIO:

GARY JOHNSON
President

MICHAEL DIXON
Registrar

Dated at Toronto on September 27, 1993.

47/93

ONTARIO REGULATION 706/93
made under the
MEDICAL LABORATORY TECHNOLOGY ACT, 1991

Made: October 22, 1993
Approved: November 3, 1993
Filed: November 4, 1993

FEES

1. All applicants to the College shall pay a registration fee, payable at a time to be determined by the Registrar. O. Reg. 706/93, s. 1.
- 2.—(1) Every member shall pay an annual fee on or before December 31 of each year.
 - (2) The annual fee payable by a member in the first year of application shall be prorated according to the portion of the year between the date the certificate is issued and December 31 of that membership year.
 - (3) At least sixty days before an annual fee is due, the Registrar shall notify the member of the amount of the fee and the date on which it is due.
 - (4) A member who fails to pay the annual fee on or before the due date shall pay a penalty of 20 per cent of the annual fee, in addition to the annual fee. O. Reg. 706/93, s. 2.
- 3.—(1) If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar shall lift the suspension on the payment of,
 - (a) the fee the member failed to pay;
 - (b) the fees that would have been payable had the member's certificate not been suspended; and
 - (c) any applicable penalties.
- (2) The Registrar may waive any of the requirements of subsection (1) in cases of exceptional economic hardship. O. Reg. 706/93, s. 3.
4. An applicant or member shall pay a fee to take any examinations required by the College. O. Reg. 706/93, s. 4.
- 5.—(1) A member shall pay a fee set by the Registrar for a letter verifying the member's credentials.

(2) A member shall pay a fee for replacement of a certificate of registration previously issued by the College. O. Reg. 706/93, s. 5.

6. All the fees referred to in this Regulation, except subsection 5(1), are set out in the Schedule. O. Reg. 706/93, s. 6.

7. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule

FEES

1. Registration fee	\$100.00
2. Annual fee,	
(a) General member	95.00
(b) Temporary member	95.00
(c) Inactive member	47.50
3. Examination fee	200.00
4. Certificate replacement fee	25.00

O. Reg. 706/93, Sched.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO:

NANCY E. MCBRIDE
Chair

SHEILA R. WOODCOCK
Registrar

Dated at Toronto on October 22, 1993.

47/93

ONTARIO REGULATION 707/93
made under the
OCCUPATIONAL THERAPY ACT, 1991

Made: October 20, 1993
Approved: November 3, 1993
Filed: November 4, 1993

FEES

- 1.—(1) Every member shall pay an annual fee.
- (2) The annual fee is,
 - (a) \$350 for general and provisional practising certificates;
 - (b) \$150 for non-practising certificates;
 - (c) \$50 for temporary certificates.
- (3) The annual fee for a year must be paid on or before June 1 in the year.
- (4) The annual fee paid by the member in the year of his or her first application shall be prorated according to the portion of the year between the date the certificate is issued and May 31 of that membership year. O. Reg. 707/93, s. 1.
2. No later than sixty days before an annual fee is due, the Registrar shall notify the member of the amount of the fee and the day on which the fee is due. O. Reg. 707/93, s. 2.

3.—(1) If a member fails to pay an annual fee on or before the day on which the fee is due, the member shall pay a penalty in addition to the annual fee.

(2) The penalty is 20 per cent of the annual fee. O. Reg. 707/93, s. 3.

4. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF
OCCUPATIONAL THERAPISTS OF ONTARIO:

JAN ROBINSON
Registrar

ELLEN POWIS
Secretary

Dated at Toronto on October 20, 1993.

47/93

ONTARIO REGULATION 708/93
made under the
CHIROPODY ACT, 1991

Made: October 22, 1993
Approved: November 3, 1993
Filed: November 4, 1993

COMMITTEE COMPOSITION

1.—(1) The Executive Committee shall be composed of five persons as follows:

1. The President and Vice-President of the Council.
2. If the President and Vice-President are members of the College, one additional member of the Council who is a member of the College and two members of the Council who are appointed to the Council by the Lieutenant Governor in Council.
3. If the President and Vice-President are appointed to the Council by the Lieutenant Governor in Council, three members of the Council who are members of the College.
4. If one of the President or Vice-President is appointed to the Council by the Lieutenant Governor in Council, two additional members of the Council who are members of the College and one additional member of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 708/93, s. 1.

2. The Registration Committee shall be composed of,
 - (a) one member of the Council who is a member of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council.
 - (c) one academic member. O. Reg. 708/93, s. 2.
3. The Complaints Committee shall be composed of,
 - (a) two members of the Council who are members of the College;
 - (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
 - (c) one member of the College who is not a member of the Council. O. Reg. 708/93, s. 3.

4. The Discipline Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) three members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one member of the College who is not a member of the Council. O. Reg. 708/93, s. 4.

5. The Fitness to Practise Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one member of the College who is not a member of the Council. O. Reg. 708/93, s. 5.

6. The Quality Assurance Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council;
- (c) two members of the College who are not members of the Council; and
- (d) one academic member. O. Reg. 708/93, s. 6.

7. The Patient Relations Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one member of the College who is not a member of the Council. O. Reg. 708/93, s. 7.

8. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF
CHIROPODISTS OF ONTARIO:

D.A. SPRINGER
Chair

CHRISTINE ROBINSON
Secretary-Treasurer

Dated at Toronto on October 22, 1993.

47/93

ONTARIO REGULATION 709/93
made under the
MEDICAL LABORATORY TECHNOLOGY ACT, 1991

Made: October 22, 1993
Approved: November 3, 1993
Filed: November 4, 1993

COMPOSITION OF STATUTORY COMMITTEES

1.—(1) The Executive Committee shall be composed of,

- (a) the President and Vice-President of the Council;

(b) two members of the Council who are members of the College; and

(c) two members of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 709/93, s. 1.

2. The Registration Committee shall be composed of,

(a) two members of the Council who are members of the College;

(b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) three members of the College who are not members of the Council. O. Reg. 709/93, s. 2.

3. The Complaints Committee shall be composed of,

(a) two members of the Council who are members of the College, and who are not members of the Discipline Committee;

(b) two members of the Council appointed to the Council by the Lieutenant Governor in Council, and who are not members of the Discipline Committee; and

(c) three members of the College who are not members of the Council appointed by the Council, and who are not members of the Discipline Committee. O. Reg. 709/93, s. 3.

4. The Discipline Committee shall be composed of,

(a) two members of the Council who are members of the College, and who are not members of the Complaints Committee;

(b) two members of the Council appointed to the Council by the Lieutenant Governor in Council, and who are not members of the Complaints Committee; and

(c) three members of the College who are not members of the Council, and who are not members of the Complaints Committee. O. Reg. 709/93, s. 4.

5. The Fitness to Practise Committee shall be composed of,

(a) two members of the Council who are members of the College;

(b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) three members of the College who are not members of the Council. O. Reg. 709/93, s. 5.

6. The Quality Assurance Committee shall be composed of,

(a) two members of the Council who are members of the College;

(b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) four members of the College who are not members of the Council. O. Reg. 709/93, s. 6.

7. The Patient Relations Committee shall be composed of,

(a) two members of the Council who are members of the College;

(b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) one member of the College who is not a member of the Council. O. Reg. 709/93, s. 7.

8.—(1) The President of the Council shall be a non-voting member of each of the committees referred to in sections 2 to 7.

(2) The Registrar shall be a non-voting member of each of the committees referred to in sections 1 to 7. O. Reg. 709/93, s. 8.

9. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF
MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO:

NANCY E. MCBRIDE
Chair

SHEILA R. WOODCOCK
Registrar

Dated at Toronto on October 22, 1993.

47/93

ONTARIO REGULATION 710/93
made under the
DENTAL HYGIENE ACT, 1991

Made: October 19, 1993
Approved: November 3, 1993
Filed: November 4, 1993

EXAMINATIONS

1. In setting the examinations to be taken by applicants to the College for registration, the College shall specify the general areas of competency to be examined and shall ensure that the examinations provide a reliable and valid measure of a candidate's competency in knowledge, skills and ability for the practice of dental hygiene in Ontario. O. Reg. 710/93, s. 1.

2. Written and practical examinations shall be offered at least once yearly and at such other times as the Council considers necessary. O. Reg. 710/93, s. 2.

3.—(1) A candidate who fails the examinations may apply for re-examination twice.

(2) A candidate who fails a third attempt of the examinations must submit to the Registration Committee proof of remediation and upgrading in accordance with policy guidelines issued by the Committee before the candidate may retake the examinations.

(3) A candidate who fails the examinations may retake them not more than two years after the failure, but if the candidate presents to the Registration Committee proof of remediation and upgrading in accordance with policy guidelines issued by the Committee, he or she may retake the examinations more than two years after the failure. O. Reg. 710/93, s. 3.

4. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF
DENTAL HYGIENISTS OF ONTARIO:

LYNDA MICKELSON
Chair

LINDA STREVENSON
Registrar

Dated at Toronto on October 19, 1993.

47/93

ONTARIO REGULATION 711/93
made under the
DENTAL TECHNOLOGY ACT, 1991

Made: October 19, 1993
Approved: November 3, 1993
Filed: November 4, 1993

EXAMINATIONS

1. In setting the examinations to be taken by applicants to the College for registration, the College shall specify the general areas of competency to be examined and shall ensure that the examinations provide a reliable and valid measure of a candidate's competency in knowledge, skills and ability for the practice of dental technology in Ontario. O. Reg. 711/93, s. 1.

2. Written and practical examinations shall be offered at least once yearly and at such other times as the Council considers necessary. O. Reg. 711/93, s. 2.

3.—(1) A candidate who fails the examinations may apply for re-examination twice.

(2) A candidate who fails a third attempt of the examinations must submit to the Registration Committee proof of remediation and upgrading in accordance with policy guidelines issued by the Committee before the candidate may retake the examinations.

(3) A candidate who fails the examinations may retake them not more than two years after the failure, but if the candidate presents to the Registration Committee proof of remediation and upgrading in accordance with policy guidelines issued by the Committee, he or she may retake the examinations more than two years after the failure. O. Reg. 711/93, s. 3.

4. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF
DENTAL TECHNOLOGISTS OF ONTARIO:

JAMES R. DOEL
Chair

EMILY CHEUNG
Registrar

Dated at Toronto on October 19, 1993.

47/93

ONTARIO REGULATION 712/93
made under the
MASSAGE THERAPY ACT, 1991

Made: October 21, 1993
Approved: November 3, 1993
Filed: November 4, 1993

EXAMINATIONS

1. In setting the examinations to be taken by applicants to the College for registration, the College shall specify the general areas of competency to be examined and shall ensure that the examinations provide a reliable and valid measure of a candidate's competency in knowledge, skills and ability for the practice of dental hygiene in Ontario. O. Reg. 712/93, s. 1.

2. Written and practical examinations shall be offered at least twice

yearly and at such other times as the Council considers necessary. O. Reg. 712/93, s. 2.

3.—(1) A candidate who fails the examinations may apply for re-examination twice.

(2) A candidate who fails a third attempt of the examinations must submit to the Registration Committee proof of remediation and upgrading in accordance with policy guidelines issued by the Committee before the candidate may retake the examinations.

(3) A candidate who fails the examinations may retake them not more than two years after the failure, but if the candidate presents to the Registration Committee proof of remediation and upgrading in accordance with policy guidelines issued by the Committee, he or she may retake the examinations more than two years after the failure. O. Reg. 712/93, s. 3.

4. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF
MESSAGE THERAPISTS OF ONTARIO:

E. E. S. COWALL
Chair

NEIL ANDERSON
Secretary-Treasurer

Dated at Toronto on October 21, 1993.

47/93

ONTARIO REGULATION 713/93
made under the
OPTICIANRY ACT, 1991

Made: October 21, 1993
Approved: November 3, 1993
Filed: November 4, 1993

EXAMINATIONS

1.—(1) The Council shall conduct or cause to be conducted examinations for registration candidates at least once a year, and shall fix the time and place of the examinations.

(2) The examinations each year shall consist of a maximum of ten sections.

(3) No examination question shall be submitted to a candidate for examination until it has been approved by the Council. O. Reg. 713/93, s. 1.

2. A person may apply to take the Council's examinations by submitting an application to the Registrar in the form supplied by the Council and paying the prescribed fee. O. Reg. 713/93, s. 2.

3. It is a requirement for eligibility to take the Council's examinations that,

- (a) the applicant must be a registered intern optician who has completed at least 1,000 hours of verified dispensing experience; or
- (b) the applicant must be a person who has been ordered to take and pass the Council's examinations by the Registration Committee as a condition of being registered as a registered optician. O. Reg. 713/93, s. 3.

4. A candidate for examination who has taken the Council's examinations and who wishes to have his or her results reviewed by the Registration Committee is entitled to such a review upon payment of the prescribed examination review fee. O. Reg. 713/93, s. 4.

5.—(1) A candidate who fails one or more sections of the examination shall be entitled to no more than two supplemental attempts to pass each of the sections failed.

(2) Further supplemental attempts will require proof of remediation and upgrading in accordance with policy guidelines issued by the Registration Committee. O. Reg. 713/93, s. 5.

6. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF
OPTICIANS OF ONTARIO:

MARLENE BLOOM
for Chair

C. F. COLVEN
Secretary-Treasurer

Dated at Toronto on October 21, 1993.

47/93

ONTARIO REGULATION 714/93
made under the
SOCIAL CONTRACT ACT, 1993

Made: November 3, 1993
Filed: November 4, 1993

FINANCIAL INFORMATION

1.—(1) The financial information to be made available to employees under subsection 27 (4) of the Act is as follows:

1. A statement of total revenue of the employer for its last complete financial year, including any money borrowed by the employer by way of loan, mortgage or other indebtedness.
2. A statement of projected total revenue of the employer for the current financial year, including any money borrowed by the employer by way of loan, mortgage or other indebtedness.
3. A statement of total expenses of the employer for its last complete financial year, including any amounts spent to repay a loan, mortgage or other indebtedness and specifying the total expenses attributable to salary or wages, including overtime, paid to employees and costs of other employment benefits paid to or on behalf of employees.
4. A statement of projected total expenses of the employer for the current financial year, including any amounts spent to repay a loan, mortgage or other indebtedness and specifying the total expenses attributable to salary or wages, including overtime, to be paid to employees and costs of other employment benefits to be paid to or on behalf of employees.
5. A statement of all funds that the employer has received from or provided to any foundation in the employer's last complete financial year and the projected funds that the employer will receive from or provide to any foundation in the employer's current financial year.
6. The expenditure reduction target or targets established under

subsection 7 (1) or (2) or 38 (1) of the Act by the Minister for the employer.

7. The extent to which the program developed under section 27 of the Act achieves the expenditure reduction targets expressed as a percentage of the target and as an amount of money.
8. The number of employees who earn less than \$30,000 annually, excluding overtime pay.
9. The number of employees whose total annual earnings, excluding overtime pay, for the period of time covered by the program will fall into the following ranges:
 - i. Under \$30,000.
 - ii. \$30,000 but not over \$40,000.
 - iii. Over \$40,000 but not over \$50,000.
 - iv. Over \$50,000 but not over \$65,000.
 - v. Over \$65,000 but not over \$80,000.
 - vi. Over \$80,000.
10. The extent that the total annual earnings, excluding overtime pay, of the employees in each range in paragraph 9 will decrease as a result of the implementation of the program, expressed as a percentage of the total reduction in total annual earnings, excluding overtime pay, for the employees of the employer.

(2) If there is only one employee in any of the ranges specified in paragraph 9 of subsection (1), the range in which the employee is found may be combined with another range either immediately above or below it so that there are at least two employees in each range.

(3) The statements required under paragraphs 1 to 5 shall be broken down so that each item mentioned in those paragraphs, including overtime pay, is listed separately. O. Reg. 714/93, s. 1.

2. The employer shall take all reasonable steps to update the financial information in section 1 upon receipt of a timely objection made by an employee or bargaining agent who objects to the program or amended program developed by the employer under the Act. O. Reg. 714/93, s. 2.

3. For the purposes of the Act and this Regulation, "employees" in subsection 27 (4) of the Act includes a person who was an employee at the time an objection to the program was made under subsection 29 (3) of the Act. O. Reg. 714/93, s. 3.

47/93

ONTARIO REGULATION 715/93
made under the
MINISTRY OF HEALTH ACT

Made: October 21, 1993
Approved: November 3, 1993
Filed: November 4, 1993

Amending O. Reg. 127/92
(Grants Relating to Pre-Internship Programs)

Note: Since January 1, 1993, Ontario Regulation 127/92 has been amended by Ontario Regulation 83/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 2 (3) of Ontario Regulation 127/92 is revoked and the following substituted:

(3) The grant shall not exceed \$1,378,826 and is for the period from April 1, 1993 to March 31, 1994. O. Reg. 715/93, s. 1.

2. The Schedule to the Regulation is revoked and the following substituted:

Schedule

Grants for residencies and internships for persons who have completed pre-internship programs

Period: April 1, 1993 to March 31, 1994

COLUMN 1	COLUMN 2	COLUMN 3
Group	Grants for persons each of whom has completed a pre-internship program	Grants for persons each of whom has completed a pre-internship program and an internship
University of Ottawa Group	\$ 166,228	\$ 79,714
McMaster University Group	110,743	110,629
Queen's University Group	166,866	64,027
University of Toronto Group	649,083	408,533
University of Western Ontario Group	152,613	124,113
	1,245,533	787,016

O. Reg. 715/93, s. 2.

RUTH GRIER
Minister of Health

Dated at Toronto on October 21, 1993.

47/93

ONTARIO REGULATION 716/93 made under the MINISTRY OF HEALTH ACT

Made: October 21, 1993
Approved: November 3, 1993
Filed: November 4, 1993

Amending O. Reg. 363/92
(Grants for Internships)

Note: Since January 1, 1993, Ontario Regulation 363/92 has been amended by Ontario Regulation 84/93. There are no prior amendments.

1. The Schedule to Ontario Regulation 363/92 is revoked and the following substituted:

Schedule

Grants for internship programs
Number of positions: up to 610

Period: April 1, 1993 to March 31, 1994

COLUMN 1	COLUMN 2
Group	Grant
University of Ottawa Group	\$ 3,564,250
McMaster University Group	3,153,741
Queen's University Group	2,164,134
University of Toronto Group	13,291,713
University of Western Ontario Group	3,347,059

O. Reg. 716/93, s. 1.

RUTH GRIER
Minister of Health

Dated at Toronto on October 21, 1993.

47/93

ONTARIO REGULATION 717/93 made under the PLANNING ACT

Made: November 4, 1993
Filed: November 5, 1993

Amending O. Reg. 102/72
(Restricted Areas—County of Ontario (now The Regional Municipality of Durham), Township of Pickering (now the Town of Pickering))

Note: Since January 1, 1993, Ontario Regulation 102/72 has been amended by Ontario Regulations 316/93, 470/93, 471/93, 472/93 and 584/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 102/72 is amended by adding the following section:

85.—(1) Despite section 4, one single dwelling together with accessory structures may be erected, located and used on the lands described in subsection (3) if the following requirements are met:

Minimum Lot Frontage	80 metres
Minimum Lot Area	0.80 hectares
Minimum Front Yard	15 metres
Minimum Rear Yard	15 metres
Minimum Southerly Side Yard	15 metres
Minimum Northerly Side Yard	3 metres
Minimum Floor Area	139 metres
Maximum Lot Coverage	10 per cent

(2) No person shall erect or locate any building or structure, or excavate any of the land located within the front yard, rear yard or southerly side yard, except excavation for the purpose of altering the driveway existing on the date this section comes into force.

(3) Subsections (1) and (2) apply to that parcel of land in the Town of Pickering in The Regional Municipality of Durham, being part of Lot 19 in Concession VIII, designated as Part 1 on Plan 40R-14953 deposited in the Land Registry Office for the Registry Division of Durham Region (No. 40). O. Reg. 717/93, s. 1.

DIANA LINN JARDINE
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs

Dated at Toronto on November 4, 1993.

47/93

ONTARIO REGULATION 718/93
made under the
PRIVATE VOCATIONAL SCHOOLS ACT

Made: November 3, 1993
Filed: November 5, 1993

Amending Reg. 939 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 939 has been amended by Ontario Regulation 223/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Clause 3 (2) (b) of Regulation 939 of the Revised Regulations of Ontario, 1990 is amended by striking out "the 1st day of December, 1993" in the first line and substituting "the 1st day of January, 1994".

2. Subsections 4 (1) and (2) of the Regulation are revoked and the following substituted:

(1) An applicant for registration to conduct or operate a private vocational school shall pay the following fees:

1. An application fee of \$390.
2. A registration fee of \$650 for the school and one course of instruction plus, for each additional course of instruction,
 - i. \$390, if subparagraph ii does not apply, or
 - ii. \$39, if the school is a branch or franchise of another school that offers the same course and has paid a fee under this section in respect of that course.
3. An inspection fee of \$260.

(2) An applicant for renewal of registration to conduct or operate a private vocational school shall pay the following fees:

1. A registration fee of \$650 for the school and one course of instruction plus, for each additional course of instruction,
 - i. \$39, if a fee was paid in respect of the course at the time of the last application for registration or renewal of registration,
 - ii. \$390, if no fee was paid in respect of the course at the time of the last application for registration or renewal of registration and subparagraph iii does not apply, or
 - iii. \$39, if no fee was paid in respect of the course at the time of the last application for registration or renewal of registration and the school is a branch or franchise of another school that offers the same course and has paid a fee under this section in respect of that course.

2. An inspection fee of \$260 for each inspection of the school's facilities that was conducted under section 13 of the Act after the last application for registration or renewal of registration, other than an inspection conducted as part of the Superintendent's review of an application for registration. O. Reg. 718/93, s. 2.

47/93

ONTARIO REGULATION 719/93
made under the
MINISTRY OF COLLEGES AND UNIVERSITIES ACT

Made: October 20, 1993
Approved: November 3, 1993
Filed: November 5, 1993

Amending Reg. 772 of R.R.O. 1990
(Graduate Scholarship Awards)

Note: Since January 1, 1993, Regulation 772 has been amended by Ontario Regulation 152/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) The definition of "eligible institution" in section 1 of Regulation 772 of the Revised Regulations of Ontario, 1990 is amended by adding "Nipissing University" after "McMaster University" and by adding "Ryerson Polytechnic University" after "Queen's University".

(2) Section 1 of the Regulation is amended by adding the following definition:

"eligible program" means a program of full-time study leading to a masters or doctoral degree that has been approved by the ministry and the enrolments of which are counted for purposes of calculating annual operating grants entitlements;

(3) The definition of "graduate study" in section 1 of the Regulation is revoked.

2. Subsection 2 (5) of the Regulation is amended by striking out "graduate study" in the second line and in the third line and substituting in each case "an eligible program".

3. Subsection 3 (10) of the Regulation is amended by striking out "a program of graduate study" at the end and substituting "an eligible program at an eligible institution".

4. Section 4 of the Regulation is revoked and the following substituted:

4. If the average number of open awards granted to applicants enrolled or intending to enrol in an eligible program at an eligible institution over the previous three years is less than thirty, the eligible institution may nominate other persons enrolled or intending to enrol in an eligible program at the eligible institution for the awards. O. Reg. 719/93, s. 4.

5. Subsection 5 (1) of the Regulation is amended by striking out "and" at the end of clause (b), by adding "and" at the end of clause (c) and by adding the following clause:

(d) is enrolled in an eligible program at an eligible institution.

DAVE COOK
Minister of Education and Training

Dated at Toronto on October 20, 1993.

47/93

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1993—11—27

ONTARIO REGULATION 720/93 made under the PLANNING ACT

Made: October 29, 1993
Filed: November 8, 1993

Amending O. Reg. 672/81

(Restricted Areas—District of Manitoulin, Geographic townships of Campbell, Dawson, Mills and Robinson)

Note: Since January 1, 1993, Ontario Regulation 672/81 has been amended by Ontario Regulations 78/93, 82/93, 96/93, 184/93, 185/93, 196/93, 222/93, 340/93, 482/93, 692/93, 700/93 and 701/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 672/81 is amended by adding the following section:

171.—(1) Despite section 4, the land described in subsection (3) is, for the purposes of this Order, land in a Shoreline Residential Zone.

(2) Despite subsection 24 (5), a seasonal dwelling on the land described in subsection (3) shall be located not less than 10 metres from the high-water mark of Lake Huron.

(3) Subsections (1) and (2) apply to that parcel of land in McGregor Bay of Georgian Bay in the District of Manitoulin, being Island TP765 and more particularly described as Parcel 565. O. Reg. 720/93, s. 1.

BRYAN O. HILL
Director

*Plans Administration Branch
North and East
Ministry of Municipal Affairs*

Dated at Toronto on October 29, 1993.

48/93

ONTARIO REGULATION 721/93 made under the PLANNING ACT

Made: October 29, 1993
Filed: November 8, 1993

Amending O. Reg. 672/81

(Restricted Areas—District of Manitoulin, Geographic townships of Campbell, Dawson, Mills and Robinson)

Note: Since January 1, 1993, Ontario Regulation 672/81 has been amended by Ontario Regulations 78/93, 82/93, 96/93, 184/93, 185/93, 196/93, 222/93, 340/93, 482/93, 692/93, 700/93, 701/93 and 720/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 672/81 is amended by adding the following section:

172.—(1) Despite subsection 5 (3), one guest cabin having a gross floor area not exceeding 54 square metres may be erected and used on the land described in subsection (3).

(2) Despite subsection 24 (5), the guest cabin referred to in subsection (1) shall be located not less than 13 metres from the high-water mark of a lake or river.

(3) Subsections (1) and (2) apply to that parcel of land in the District of Manitoulin being composed of summer resort location M.A. 69 comprising part of Burnt Island on Island TP1801 in McGregor Bay of Georgian Bay and designated as Parcel 708. O. Reg. 721/93, s. 1.

BRYAN O. HILL
Director

*Plans Administration Branch
North and East
Ministry of Municipal Affairs*

Dated at Toronto on October 29, 1993.

48/93

ONTARIO REGULATION 722/93 made under the FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT, 1993

Made: October 26, 1993
Filed: November 8, 1993

FILING DATES

1. For the purpose of subsection 2 (4) of the Act, the date for filing a farming business registration form is determined by applying the following:

1. The fifth digit of the postal code of the farming business's mailing address determines the day by which the form is to be filed:

i. If the fifth digit is an "A" or a "J" or any letter falling between those two letters, the form shall be filed on or before January 15 in each year.

ii. If the fifth digit is a "K" or an "S" or any letter falling between those two letters, the form shall be filed on or before February 15 in each year.

iii. If the fifth digit is a "T" or a "Z" or any letter falling between those two letters, the form shall be filed on or before March 15 in each year.

2. If the farming business's mailing address is outside Canada, the form shall be filed on or before March 15 in each year.

3. Despite paragraphs 1 and 2, if the farming business is not sent a registration form by the Ministry of Agriculture and Food before the day determined under paragraphs 1 and 2, the form shall be filed by the sixtieth day after the form was sent by the Ministry to the farming business's mailing address. O. Reg. 722/93, s. 1.

ELMER BUCHANAN

Minister of Agriculture and Food

Dated at Toronto on October 26, 1993.

48/93

ONTARIO REGULATION 723/93
made under the
FARM REGISTRATION AND FARM ORGANIZATIONS
FUNDING ACT, 1993

Made: November 3, 1993
Filed: November 8, 1993

GENERAL

1.—(1) A person who carries on a farming business shall file with the Minister a completed farming business registration form in every year in respect of which the annual gross income of the farming business equals or exceeds \$7,000.

(2) The annual gross income of a farming business shall be determined in the same manner as the gross income from farming of the farming business is determined under the *Income Tax Act* (Canada) for the most recent taxation year for which a tax return was filed in relation to the farming business during the eighteen-month period preceding the date on which the annual registration form is required. O. Reg. 723/93, s. 1.

2. A farming business registration form, in addition to the information mentioned in subsection 2 (3) of the Act, must contain the following information:

1. The name and location of the farms operated by the farming business.
2. The name, address and telephone number of an individual who can be contacted concerning the contents of the registration form and the operation of the farming business.
3. The form of business organization that is used in carrying on the farming business.
4. If an individual carries on the farming business, his or her name, address, telephone number, approximate age with reference to the age ranges specified in the form and educational background.
5. If a partnership carries on the farming business, the name, address, telephone number, approximate age with reference to the age ranges specified in the form, proportionate interest and educational background of each of the three partners with the largest interests.
6. If a corporation carries on the farming business,
 - i. in the case of a business corporation that does not offer its shares to the public, the name, address, telephone number, approximate age with reference to the age ranges specified in the form, shareholdings and educational background of each of three shareholders with the largest shareholdings, and
 - ii. in the case of a business corporation that offers its shares to the public, a co-operative corporation incorporated under the *Co-operative Corporations Act*, or a non-profit corporation incorporated under Part III of the *Corporations Act*, the name, address, telephone number, approximate age with reference to the age ranges specified in the form and educational background of each of three most senior officers of the corporation.
7. The approximate annual gross income of the farming business with reference to the income ranges specified in the form.
8. The approximate number of individuals employed on a part-time, regular full-time and seasonal full-time basis with reference to the ranges specified in the form.

9. The type of crops, livestock or poultry raised or the type of animal or other agricultural products produced in the farming business.
10. The area of the land used in the farming business, the amount, if any, of that area that is cultivated, the amount, if any, that is owned and the amount, if any, that is rented.
11. The name and position within the farming business of the individual signing the form. O. Reg. 723/93, s. 2.

3.—(1) For the purposes of subsection 21 (1) of the Act, "cheque" has the same meaning as in the *Bills of Exchange Act* (Canada), but does not include an undated, stale-dated or post-dated cheque.

(2) The amount of the payment to be provided to the Ministry under subsection 21 (1) of the Act is \$150. O. Reg. 723/93, s. 3.

4. A farm organization referred to in section 7 of the Act is deemed accredited for three years starting on the day this Regulation comes into force. O. Reg. 723/93, s. 4.

5.—(1) Subject to the other provisions of this section, a farm organization qualifies for accreditation if it meets the following criteria:

1. It has at least 250 members who,
 - i. carry on a farming business in Ontario, and
 - ii. have paid the membership fee.
2. The majority of the members of the farm organization carry on a farming business for which there is a current farming business registration.
3. It has an annual membership fee, including applicable taxes, of at least \$150 for each member.
4. It is incorporated under a general or special Act of the Legislature.
5. Its purpose is to represent persons carrying on farming businesses.
6. It provides education or training in respect of agricultural matters.
7. It has an executive body at the provincial level that is elected by its members or by electors chosen by members.
8. It has an established process whereby individual members have the right to make submissions on relevant issues of concern and the executive body has the duty to consider the submissions and respond.
9. It provides advice and analysis to governments, administrative tribunals or advisory bodies concerning agricultural issues and the development of programs or policies that are of interest to persons carrying on farming businesses.
10. If it is an unaccredited organization, it has submitted to the Tribunal audited financial statements for its most recent completed fiscal year and the auditor's report on those financial statements.
11. It has at least twelve local affiliates each of which represents members carrying on farming businesses in a different area of Ontario.
12. It contributes to the local affiliates referred to in paragraph 11 an amount that equals or exceeds 25 per cent of,
 - i. in the case of a farm organization that is not accredited, the amount that is obtained when the number of mem-

bers it had in the most recent completed fiscal year before the day in which application for accreditation is made is multiplied by \$150 less the amount that would be payable in taxes if this amount were being charged as a membership fee, or

- ii. in the case of a farm organization that is accredited, the amount that is obtained in the most recent completed fiscal year under subsection 21 (3) of the Act for which no refund was given under subsection 21 (5) of the Act less the amount that would be payable in taxes if this amount were being charged as a membership fee.
13. If it is an accredited organization, it has submitted to the Tribunal, on an ongoing basis during the period of its accreditation, its audited financial statements and audited report within ten days after each annual general meeting.
 14. It has entered into, or agreed to enter into, an agreement with the Minister and the accredited farm organizations to provide special funding to the francophone organization that is eligible for special funding under section 12 or 13 of the Act.

(2) A farm organization does not meet the criterion prescribed in paragraph 5 of subsection (1) if it represents only persons carrying on a farming business in which only certain crops, livestock or poultry are raised or in which only certain agricultural products are produced.

(3) A farm organization does not meet the criteria prescribed in paragraphs 10 and 13 of subsection (1) unless,

- (a) the financial statements include a balance sheet, a statement of members' equity, a statement of revenues and expenses and a statement of changes in financial position, however those statements are entitled;
- (b) the financial statements and auditor's report are prepared in accordance with the standards set forth in the Handbook of the Canadian Institute of Chartered Accountants; and
- (c) the financial statements show the amount received under subsection 21 (3) of the Act and the number of refunds made by the organization under subsection 21 (8) of the Act during the fiscal year and the per cent of the applicable amounts received under paragraph 12 of subsection (1) that the organization has contributed to branches referred to in paragraph 11 of subsection (1) during the fiscal year.

(4) A farm organization does not meet the criterion prescribed in paragraph 11 of subsection (1) unless each local affiliate,

- (a) has at least ten members, each of whom has paid the membership fee, carrying on farming businesses in the area concerned;
- (b) has a local affiliate executive elected by the affiliate's members;
- (c) has an annual general meeting; and
- (d) is entitled to send a representative to any meeting of the farm organization to which representatives of local affiliates are invited. O. Reg. 723/93, s. 5.

6. An accredited farm organization may apply for renewal of its accreditation only during the period that is no sooner than nine months and no later than six months before the expiry of its accreditation. O. Reg. 723/93, s. 6.

7. Union des cultivateurs franco-ontariens is eligible for special funding for three years starting on the day this Regulation comes into force. O. Reg. 723/93, s. 7.

8.—(1) Subject to the other provisions of this section, a francophone organization representing farmers in Ontario may be eligible for special

funding if, in addition to meeting the criteria set out in clauses 11 (a) and (b) of the Act, it meets the following criteria:

1. It promotes knowledge of agriculture and agricultural issues amongst francophones in agricultural and rural areas of Ontario.
2. It provides advice and analysis to governments, administrative tribunals or advisory bodies concerning agricultural issues and the development of programs or policies that are of interest to francophones carrying on farming businesses in Ontario.
3. It provides education or training in respect of agricultural matters or provides information on obtaining such education or training to francophones carrying on farming businesses in Ontario.
4. It plans, promotes or implements or assists in planning, promoting or implementing economic development projects in agricultural and rural areas of Ontario.
5. It maintains a liaison with the accredited organizations and other francophone organizations representing farmers.
6. It has an executive body that is elected by its members or by electors chosen by members.
7. If it is an organization that is eligible for special funding, it has submitted to the Tribunal, on an ongoing basis during the period of its eligibility, within ten days after each annual general meeting,
 - i. an annual report describing its objectives and activities and the number of members it has during its most recently completed fiscal year, and
 - ii. its audited financial statements and audited report for its most recently completed fiscal year.
8. If it is an organization that is not eligible for special funding, it has submitted to the Tribunal,
 - i. an annual report describing its objectives and activities and the number of members it has during its most recently completed fiscal year, and
 - ii. its audited financial statements and audited report for its most recently completed fiscal year.
9. It is incorporated under a general or special Act of the Legislature.
10. It has at least forty members who,
 - i. carry on a farming business in Ontario, and
 - ii. have paid the membership fee.
11. It has at least twenty-one members who carry on a farming business for which there is a current farming business registration.

(2) A francophone organization does not meet the criteria prescribed in paragraphs 7 and 8 of subsection (1) unless,

- (a) the financial statements include a balance sheet, a statement of members' equity, a statement of revenues and expenses and a statement of changes in financial position, however those statements are entitled; and
- (b) the financial statements and auditor's report are prepared in accordance with the standards set forth in the Handbook of the Canadian Institute of Chartered Accountants, O. Reg. 723/93, s. 8.

9. A francophone organization eligible for special funding may apply for renewal of its eligibility only during the period that is no sooner than nine months and no later than six months before the expiry of its eligibility. O. Reg. 723/93, s. 9.

10. In the Act and this Regulation, "special funding" means the funding accredited organizations have agreed to pay to the eligible francophone organization. O. Reg. 723/93, s. 10.

11. For the purpose of subsection 21 (7) of the Act, the time prescribed for applying for a refund is the ninety-day period starting with the day the registration form is required to be filed. O. Reg. 723/93, s. 11.

12. For the purpose of subsection 11 (7) of the Act, the time prescribed for resubmitting a payment is the thirty-day period starting with the day the Ministry returns the first payment pursuant to subsection 11 (6) of the Act. O. Reg. 723/93, s. 12.

48/93

ONTARIO REGULATION 724/93
made under the
HIGHWAY TRAFFIC ACT

Made: November 5, 1993
Filed: November 9, 1993

Amending Reg. 604 of R.R.O. 1990
(Parking)

Note: Since January 1, 1993, Regulation 604 has been amended by Ontario Regulations 23/93, 106/93, 181/93, 275/93, 487/93 and 633/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Paragraphs 5, 6 and 10 of Schedule 2 of Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 are revoked.

2. Paragraphs 1 and 4 of Schedule 18 of Appendix A to the Regulation are revoked.

3. Paragraph 3 of Schedule 62 of Appendix A to the Regulation is revoked and the following substituted:

3. That part of the King's Highway known as No. 48 in the Town of Georgina in The Regional Municipality of York beginning at a point situate 126 metres measured westerly from its intersection with the westerly limit of the roadway known as Virginia Boulevard and extending westerly for a distance of 110 metres.

4. Schedule 11 of Appendix C to the Regulation is amended by adding the following paragraph:

2. That part of the King's Highway known as No. 417 in The Regional Municipality of Ottawa-Carleton lying between a point situate at its intersection with the structure known as the Canadian National Railway overhead in the City of Nepean and a point situate at its intersection with the roadway known as Eagleson Road in the City of Kanata.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on November 5, 1993.

48/93

ONTARIO REGULATION 725/93
made under the
HIGHWAY TRAFFIC ACT

Made: November 5, 1993
Filed: November 9, 1993

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since January 1, 1993, Regulation 619 has been amended by Ontario Regulations 20/93, 63/93, 136/93, 206/93, 277/93, 306/93, 474/93, 488/93, 520/93 and 661/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Paragraph 23 of Part 3 of Schedule 1 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

23. That part of the King's Highway known as No. 2 in the Municipality of Clarington in The Regional Municipality of Durham lying between a point situate 1250 metres measured easterly from its intersection with the easterly limit of the roadway known as Durham Regional Road No. 14 and a point situate 1220 metres measured westerly from its intersection with the easterly limit of the roadway known as Durham Regional Road No. 17.

(2) Part 5 of Schedule 1 to the Regulation is amended by adding the following paragraph:

42. That part of the King's Highway known as No. 2 in the Municipality of Clarington in The Regional Municipality of Durham beginning at a point situate 790 metres measured westerly from its intersection with the easterly limit of the roadway known as Durham Regional Road No. 17 and extending westerly for a distance of 430 metres.

2. Paragraph 1 of Part 3 of Schedule 3 to the Regulation is revoked and the following substituted:

1. That part of the King's Highway known as No. 4 in the Township of London in the County of Middlesex beginning at a point situate 310 metres measured southerly from its intersection with the centre line of the roadway known as Medway Road (County Road 28) and extending southerly for a distance of 405 metres.

3.—(1) Paragraphs 16 and 17 of Part 2 of Schedule 21 to the Regulation are revoked and the following substituted:

16. That part of the King's Highway known as No. 17 in the Territorial District of Algoma lying between a point situate 50 metres measured westerly from its intersection with the easterly limit of the road allowance for Palmer Street in the Town of Bruce Mines and a point situate 240 metres measured easterly from its intersection with the roadway known as Lake Huron Drive in the hamlet of Desbarats in the Township of Johnson.

17. That part of the King's Highway known as No. 17 in the Territorial District of Algoma lying between a point situate 470 metres measured westerly from its intersection with the roadway known as Lake Huron Drive in the hamlet of Desbarats in the Township of Johnson and a point situate 790 metres measured westerly from its intersection with the King's High-

way known as No. 638 and the roadway known as Church Street in the Township of Macdonald.

(2) Part 4 of Schedule 21 to the Regulation is amended by adding the following paragraph:

- 33. That part of the King's Highway known as No. 17 in the hamlet of Desbarats in the Township of Johnson in the Territorial District of Algoma lying between a point situate 240 metres measured easterly from its intersection with the roadway known as Lake Huron Drive and a point situate 470 metres measured westerly from its intersection with the said roadway.

4. Part 4 of Schedule 120 to the Regulation is amended by adding the following paragraph:

- 1. That part of the King's Highway known as No. 141 in the Township of Humphrey in the Territorial District of Parry Sound lying between a point situate 100 metres measured westerly from its intersection with the centre line of the roadway known as Sandy Plains Road and a point situate 990 metres measured easterly from its intersection with the centre line of the said roadway.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on November 5, 1993.

48/93

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1993—12—04

ONTARIO REGULATION 726/93 made under the PLANNING ACT

Made: November 4, 1993
Filed: November 16, 1993

Amending O. Reg. 279/80
(Restricted Areas—District of Algoma,
Sault Ste. Marie North Planning Area)

Note: Since January 1, 1993, Ontario Regulation 279/80 has been amended by Ontario Regulations 60/93, 140/93, 170/93, 389/93, 415/93 and 597/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 279/80 is amended by adding the following section:

131.—(1) Despite paragraph 2 of subsection 53 (1), the minimum lot area for the lands described in subsection (2) is 0.45 hectares.

(2) This section applies to each of the lands in the geographic Township of Deroche in the Territorial District of Algoma, in part of Lot 4 in Concession III, each designated as parts 2, 5, 8 and 11 on Reference Plan 1R-8207 deposited in the Land Registry Office for the Land Titles Division of Algoma (No. 1). O. Reg. 726/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on November 4, 1993.

49/93

ONTARIO REGULATION 727/93 made under the PLANNING ACT

Made: November 4, 1993
Filed: November 16, 1993

Amending O. Reg. 834/81
(Restricted Areas—Territorial District of Sudbury)

Note: Since January 1, 1993, Ontario Regulation 834/81 has been amended by Ontario Regulations 141/93, 192/93, 200/93, 201/93, 202/93, 274/93, 390/93, 428/93, 446/93, 484/93, 485/93, 486/93, 530/93, 644/93, 693/93 and 703/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:

133.—(1) Despite subsections 19 (1) and 22 (1), the lands described in each paragraph of subsection (5) may be used as a pit and quarry if the requirements set out in subsections (2) and (3) are met.

(2) The minimum lot line setback requirement for the lands described in paragraphs 1 to 5, inclusive, of subsection (5) is 18 metres.

(3) The minimum lot line setback requirements for the land described in paragraph 6 of subsection (5) are as follows:

South lot line setback	400 metres
West lot line setback	200 metres
North and east lot line setback	18 metres

(4) Despite subsections (2) and (3), where a pit and quarry is located on a lot that is adjacent to a lot on which a pit and quarry is located, the setback requirements described in subsections (2) and (3) do not apply to the common lot line.

(5) This section applies to the land in the geographic Township of Dill in the Territorial District of Sudbury, described as follows:

1. part of the south half of Lot 5, Concession V, described as Parcel 15684, Sudbury East Section; and
2. part of the southwest quarter of Lot 4, Concession V, described as parcel 23993, Sudbury East Section; and
3. part of the north half of Lot 4, Concession IV, described as Parcel 3628, Sudbury East Section; and
4. part of the south half of Lot 4, Concession IV, described as Parcel 38486, Sudbury East Section; and
5. part of the south half of Lot 3, Concession IV, described as Parcel 9795, Sudbury East Section; and
6. part of the north half of Lot 3, Concession III, described as Parcel 6018, Sudbury East Section.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on November 4, 1993.

49/93

ONTARIO REGULATION 728/93
made under the
CROP INSURANCE ACT (ONTARIO)

Made: July 14, 1993
Approved: November 3, 1993
Filed: November 17, 1993

Amending Reg. 252 of R.R.O. 1990
(Crop Insurance Plan—Sweet Corn)

Note: Since January 1, 1993, Regulation 252 has been amended by Ontario Regulation 270/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 12 (1) of the Schedule to Regulation 252 of the Revised Regulations of Ontario, 1990 is amended by striking out "\$27" in the amendment of 1992 and substituting "\$28.60".

2.—(1) Subparagraph 10 (2) of Form 1 of the Regulation is amended by striking out "\$35" in the third line and substituting "\$55".

(2) Subparagraph 10 (3) of Form 1 of the Regulation is amended by striking out "\$40" in the amendment of 1991 and substituting "\$55".

3.—(1) Subparagraph 5 (1) of Form 2 of the Regulation is amended by striking out "\$2" in the amendment of 1992 and substituting "\$6".

(2) Subparagraph 5 (2) of Form 2 of the Regulation is amended by striking out "\$12" in the amendment of 1992 and substituting "\$16.80".

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN
Chair

MATT TULLOCH
Secretary

Dated at Toronto on July 14, 1993.

49/93

ONTARIO REGULATION 729/93
made under the
CROP INSURANCE ACT (ONTARIO)

Made: September 23, 1993
Approved: November 3, 1993
Filed: November 17, 1993

Amending Reg. 229 of R.R.O. 1990
(Crop Insurance Plan—Hay and Pasture)

Note: Since January 1, 1993, Regulation 229 has been amended by Ontario Regulation 252/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 3 of the Schedule to Regulation 229 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

"rain card" means a card upon which an insured person records the hours of rainfall which occur during the months of May, June, July and August for the area in which his or her insured acreage is situate. ("fiche de pluviosité")

RÈGLEMENT DE L'ONTARIO 728/93
pris en application de la
LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)

pris le 14 juillet 1993
approuvé le 3 novembre 1993
déposé le 17 novembre 1993

modifiant le Règl. 252 des R.R.O. de 1990
(Régime d'assurance-récolte sur le maïs sucré)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 252 a été modifié par le Règlement de l'Ontario 270/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 Le paragraphe 12 (1) de l'annexe du Règlement 252 des Règlements refondus de l'Ontario de 1990 est modifié par substitution, à la somme de «27 \$» dans la modification de 1992, de la somme de «28,60 \$».

2 (1) La sous-disposition 10 (2) de la formule 1 du Règlement est modifiée par substitution, à la somme de «35 \$» à la troisième ligne, de la somme de «55 \$».

(2) La sous-disposition 10 (3) de la formule 1 du Règlement est modifiée par substitution, à la somme de «40 \$» dans la modification de 1991, de la somme de «55 \$».

3 (1) La sous-disposition 5 (1) de la formule 2 du Règlement est modifiée par substitution, à la somme de «2 \$» dans la modification de 1992, de la somme de «6 \$».

(2) La sous-disposition 5 (2) de la formule 2 du Règlement est modifiée par substitution, à la somme de «12 \$» dans la modification de 1992, de la somme de «16,80 \$».

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN
Président

MATT TULLOCH
Secrétaire

Fait à Toronto le 14 juillet 1993.

RÈGLEMENT DE L'ONTARIO 729/93
pris en application de la
LOI SUR L'ASSURANCE-RÉCOLTE (ONTARIO)

pris le 23 septembre 1993
approuvé le 3 novembre 1993
déposé le 17 novembre 1993

modifiant le Règl. 229 des R.R.O. de 1990
(Régime d'assurance-récolte sur le foin et le pâturage)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 229 a été modifié par le Règlement de l'Ontario 252/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 L'article 3 de l'annexe du Règlement 229 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la définition suivante :

«fiche de pluviosité» Fiche sur laquelle l'assuré inscrit les heures de pluviosité pendant les mois de mai, de juin, de juillet et d'août dans la région où se trouve sa superficie assurée. («rain card»)

2. Form 1 of the Regulation is amended by adding the following paragraph:

3.1—(1) An insured person shall complete a rain card for each of the months of May, June, July and August and shall provide it to the Commission on or before October 1 in each crop year.

(2) An insured person who has not provided his or her rain card to the Commission by October 1 in each crop year shall have his or her indemnity reduced according to the following Table:

TABLE

No. of months for which rain card in provided	Reduction in indemnity, per cent
0	20
1	20
2	10
3	10
4	0

THE CROP INSURANCE COMMISSION OF ONTARIO:

WILLIAM JONGEJAN
Chair

MATT TULLOCH
Secretary

Dated at Toronto on September 23, 1993.

2 La formule 1 du Règlement est modifiée par adjonction de la disposition suivante :

3.1 (1) L'assuré remplit une fiche de pluviosité par mois pour les mois de mai, de juin, de juillet et d'août et la soumet à la Commission au plus tard le 1^{er} octobre de chaque année de récolte.

(2) L'assuré qui n'a pas soumis sa fiche de pluviosité à la Commission le 1^{er} octobre de chaque année de récolte voit son indemnité réduite selon la table suivante :

TABLE

N ^b re de mois pour lesquels une fiche de pluviosité a été soumise	Réduction de l'indemnité, en pourcentage
0	20
1	20
2	10
3	10
4	0

COMMISSION ONTARIENNE DE L'ASSURANCE-RÉCOLTE :

WILLIAM JONGEJAN
Président

MATT TULLOCH
Secrétaire

Fait à Toronto le 23 septembre 1993.

49/93

ONTARIO REGULATION 730/93
made under the
PLANNING ACT

Made: November 16, 1993
Filed: November 19, 1993

Amending O. Reg. 25/86
(Zoning Areas—District of Kenora,
Part of the Sioux Lookout Planning Area)

Note: Since January 1, 1993, Ontario Regulation 25/86 has been amended by Ontario Regulations 138/93, 341/93, 423/93, 424/93, 645/93, 647/93, 691/93 and 702/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 25/86 is amended by adding the following section:

109.—(1) Despite section 4, the land described in subsection (2) is for purposes of this Order, land in a Rural Residential Zone to which Part III applies.

(2) Subsection (1) applies to that parcel of land in the geographic Township of Drayton in the District of Kenora, being Lot 5 in Range 2 of the Reserve described as Parcel 15111 and Lot 5 in Range 1 of the Reserve described as Parcel 16042. O. Reg. 730/93, s. 1.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on November 16, 1993.

49/93

ONTARIO REGULATION 731/93
made under the
UNIVERSITY FOUNDATIONS ACT, 1992

Made: November 19, 1993
Filed: November 19, 1993

GENERAL

PRESCRIBED INSTITUTIONS

1.—(1) Each institution listed in Column 1 of the Table is prescribed as a university for which a foundation shall be established by the Act.

(2) The name listed in Column 2 of the Table opposite an institution listed in Column 1 is prescribed as the name of the foundation established by the Act for that institution. O. Reg. 731/93, s. 1.

ADDITIONS TO SCHEDULE

2. The following post-secondary educational institution is added to the Schedule to the Act:

Nipissing University. O. Reg. 731/93, s. 2.

TABLE

PRESCRIBED INSTITUTIONS

COLUMN 1	COLUMN 2
1. Brock University	Brock University Foundation
2. Carleton University	Carleton University Foundation
3. Lakehead University	Lakehead University Foundation
4. Queen's University at Kingston	Foundation at Queen's University at Kingston
5. Trent University	Trent University Foundation
6. University of Guelph	University of Guelph Foundation
7. University of Toronto	University of Toronto Foundation
8. University of Waterloo	University of Waterloo Foundation
9. Wilfrid Laurier University	Wilfrid Laurier University Foundation
10. York University	York University Foundation

O. Reg. 731/93, Table.

49/93

ONTARIO REGULATION 732/93
made under the
ONTARIO DRUG BENEFIT ACT

Made: November 19, 1993
Filed: November 19, 1993

Amending Reg. 868 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 868 has been amended by Ontario Regulations 85/93, 99/93, 100/93, 102/93, 317/93,

379/93, 452/93, 523/93 and 525/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Section 1 of Regulation 868 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(3) For the purposes of this Regulation, item 1154 of Part III of the Formulary (as amended by paragraph 2 of section 2 of Supplement No. 2 to the Formulary) shall be deemed to have been replaced by the following:

1154	Prednisone 5mg Tab	00021695 Novo-Prednisone 00210188 Deltasone (Not a Benefit) 00312770 Apo-Prednisone 00610623 Prednisone	.0093 NOP UPJ APX KNR
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O. Reg. 732/93, s. 1 (1).

(2) Section 1 of the Regulation is amended by adding the following subsection:

(4) For the purposes of this Regulation, the reference to items "3064 and 3065" in section 3 (i) of Supplement No. 3 to the Formulary shall be deemed to have been replaced with a reference to items "3065 and 3066". O. Reg. 732/93, s. 1 (2).

2. Subsection 3 (3) of the Regulation is revoked and the following substituted:

(3) For the purposes of subsection 5 (3) of the Act, the Minister shall pay to a physician for dispensing a listed drug product for an eligible person the amount provided for by this Regulation with respect to the listed drug product and a dispensing service fee that shall be,

- (a) in the case of a physician whose office is within 20 kilometres of an accredited pharmacy, \$3.79; and
- (b) in any other case, \$4.52. O. Reg. 732/93, s. 2.

3.—(1) Subsection 1 (1) shall be deemed to have come into force on September 2, 1993.

(2) Subsection 1 (2) shall be deemed to have come into force on September 16, 1993.

(3) Section 2 shall be deemed to have come into force on November 1, 1993.

49/93

ONTARIO REGULATION 733/93
made under the
PRESCRIPTION DRUG COST REGULATION ACT

Made: November 19, 1993
Filed: November 19, 1993

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 935 has been amended by Ontario Regulations 101/93, 318/93, 453/93, 524/93 and 526/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 1 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(5) For the purposes of this Regulation, item 1154 of Part III of the Formulary (as amended by paragraph 2 of section 2 of Supplement No. 2 to the Formulary) shall be deemed to have been replaced by the following:

1154	Prednisone 5mg Tab	00021695 Novo-Prednisone 00210188 Deltasone (Not a Benefit) 00312770 Apo-Prednisone 00610623 Prednisone	.0093 NOP UPJ APX KNR
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(6) For the purposes of this Regulation, the reference to items "3064 and 3065" in section 3 (i) of Supplement No. 3 to the Formulary shall be deemed to have been replaced with a reference to items "3065 and 3066". O. Reg. 733/93, s. 1.

2. The conditions to designating a product as interchangeable set out in subsection 6 (1) of the Regulation do not apply to the designation as interchangeable of the product Prednisone as described in subsection 1 (5) of the Regulation.

49/93

ONTARIO REGULATION 734/93
made under the
ONTARIO DRUG BENEFIT ACT

Made: November 19, 1993
Filed: November 19, 1993

Amending Reg. 868 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 868 has been amended by Ontario Regulations 85/93, 99/93, 100/93, 102/93, 317/93, 379/93, 452/93, 523/93, 525/93 and 732/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The definition of "Formulary" in section 1 of Regulation 868 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 33)" and dated 1993 with the changes to that publication set out in subsections (2), (3) and (4) and as amended by,

- the Ministry of Health publication titled "Supplement No. 1 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)",
- the Ministry of Health publication titled "Supplement No. 2 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)",
- the Ministry of Health publication titled "Supplement No. 3 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)", and
- the Ministry of Health publication titled "Supplement No. 4 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)".

2. This Regulation comes into force on December 1, 1993.

49/93

ONTARIO REGULATION 735/93
made under the
PRESCRIPTION DRUG COST REGULATION ACT

Made: November 19, 1993
Filed: November 19, 1993

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 935 has been amended by Ontario Regulations 101/93, 318/93, 453/93, 524/93, 526/93 and 735/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The definition of "Formulary" in section 1 of Regulation 935 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 33)" and dated 1993 with the changes to that publication set out in subsections (2), (3), (4), (5) and (6) and as amended by,

- the Ministry of Health publication titled "Supplement No. 1 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)",
- the Ministry of Health publication titled "Supplement No. 2 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)",
- the Ministry of Health publication titled "Supplement No. 3 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)", and
- the Ministry of Health publication titled "Supplement No. 4 to the 1993 Ontario Drug Benefit Formulary/Comparative Drug Index (No. 33)".

2. This Regulation comes into force on December 1, 1993.

49/93

ONTARIO REGULATION 736/93
made under the
HEALTH INSURANCE ACT

Made: November 19, 1993
Filed: November 19, 1993

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 552 has been amended by Ontario Regulations 33/93, 86/93, 203/93, 214/93, 322/93, 375/93, 430/93, 596/93 and 667/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Item 12 of Table 2 of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

12.	On or after August 1, 1993, but before November 1, 1993	Person with no dependants — maximum estimated income \$922.27	Estimated income less \$112.00	Estimated income less \$112.00, divided by 30.4
		Person with one dependant — maximum aggregate estimated incomes \$5,159.00	Aggregate estimated incomes less \$2,728.00, divided by 3	Aggregate estimated incomes less \$2,728.00, divided by 91.2
		Person with two dependants — maximum aggregate estimated incomes \$5,550.00	Aggregate estimated incomes less \$3,119.00, divided by 3	Aggregate estimated incomes less \$3,119.00, divided by 91.2
		Person with three dependants — maximum aggregate estimated incomes \$5,904.00	Aggregate estimated incomes less \$3,474.00, divided by 3	Aggregate estimated incomes less \$3,474.00, divided by 91.2
		Person with four or more dependants — maximum aggregate estimated incomes \$6,222.00	Aggregate estimated incomes less \$3,791.00, divided by 3	Aggregate estimated incomes less \$3,791.00, divided by 91.2
		Person not referred to elsewhere in this item	\$810.27	\$26.64
13.	On or after November 1, 1993	Person with no dependants — maximum estimated income \$924.79	Estimated income less \$112.00	Estimated income less \$112.00, divided by 30.4
		Person with one dependant — maximum aggregate estimated incomes \$5,167.00	Aggregate estimated incomes less \$2,728.00, divided by 3	Aggregate estimated incomes less \$2,728.00, divided by 91.2
		Person with two dependants — maximum aggregate estimated incomes \$5,558.00	Aggregate estimated incomes less \$3,119.00, divided by 3	Aggregate estimated incomes less \$3,119.00, divided by 91.2
		Person with three dependants — maximum aggregate estimated incomes \$5,913.00	Aggregate estimated incomes less \$3,474.00, divided by 3	Aggregate estimated incomes less \$3,474.00, divided by 91.2
		Person with four or more dependants — maximum aggregate estimated incomes \$6,230.00	Aggregate estimated incomes less \$3,791.00, divided by 3	Aggregate estimated incomes less \$3,791.00, divided by 91.2
		Person not referred to elsewhere in this item	\$812.79	\$26.72

2. This Regulation shall be deemed to have come into force on November 1, 1993.

49/93

ONTARIO REGULATION 737/93
made under the
HEALTH INSURANCE ACT

Made: November 19, 1993
Filed: November 19, 1993

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 552 has been amended by Ontario Regulations 33/93, 86/93, 203/93, 214/93, 322/93, 375/93, 430/93, 596/93, 667/93 and 736/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The Table to section 38.2 of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following item:

October 1, 1993 to March 31, 1994

4.8%

49/93

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1993—12—11

ONTARIO REGULATION 738/93 made under the LANDLORD AND TENANT ACT

Made: November 19, 1993
Filed: November 22, 1993

Amending Reg. 705 of R.R.O. 1990
(Classes of Accommodation Deemed
not to be Residential Premises)

Note: There are no prior amendments to Regulation 705.

1. Regulation 705 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

CATÉGORIES DE LOGEMENTS RÉPUTÉS NE PAS ÊTRE DES LOCAUX D'HABITATION

1 Dans le présent règlement, «coopérative de logement sans but lucratif» s'entend d'une personne morale constituée sans capital-actions en vertu de la *Loi sur les sociétés coopératives* ou d'une loi qu'elle remplace, ou en vertu d'une loi analogue du Canada ou d'une province, dont le but et la fonction consistent principalement à fournir le logement à ses membres et dont la charte ou les règlements administratifs prévoient ce qui suit :

- a) l'exercice de ses activités est fait sans but lucratif pour ses membres;
- b) si elle est dissoute, ses biens sont distribués, après acquittement de ses dettes, à des organismes sans but lucratif ou à des oeuvres de bienfaisance;
- c) les frais de logement, les autres charges analogues au loyer et les autres charges payables par les membres sont fixés par un vote de ces derniers ou d'un groupe dûment élu ou nommé par les membres ou par un comité de ce groupe;
- d) il ne peut être mis fin aux droits d'occupation d'un membre que

RÈGLEMENT DE L'ONTARIO 738/93 pris en application de la LOI SUR LA LOCATION IMMOBILIÈRE

pris le 19 novembre 1993
déposé le 22 novembre 1993

modifiant le Règl. 705 des R.R.O. de 1990
(Catégories de logements réputés ne pas être des locaux d'habitation)

Remarque : Aucune modification antérieure n'a été apportée au Règlement 705.

1 Le Règlement 705 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la version française suivante :

par un vote des membres ou d'un groupe dûment élu ou nommé par les membres ou par un comité de ce groupe. Ce membre a le droit de comparaître et de faire ses observations avant le vote. Règl. de l'Ont. 738/93, art. 1, *en partie*.

2 Les catégories de logements suivants sont réputées ne pas être des locaux d'habitation pour l'application de la Loi :

1. Les lieux qu'occupent les membres d'une coopérative de logement sans but lucratif.
2. Les lieux loués comme lieux de vacances pendant une période saisonnière ou temporaire n'excédant pas quatre mois.
3. Les lieux situés dans un immeuble ou un ensemble d'habitation utilisé, en totalité ou en partie, à des fins autres que l'habitation lorsque l'occupation de ces lieux dépend de la continuation de l'emploi qu'exerce l'occupant dans une entreprise ou un commerce situé dans l'immeuble ou dans l'ensemble d'habitation, ou de la continuation de la prestation de services relatifs à l'immeuble ou l'ensemble d'habitation par l'occupant des lieux. Règl. de l'Ont. 738/93, art. 1, *en partie*.

50/93

ONTARIO REGULATION 739/93 made under the LANDLORD AND TENANT ACT

Made: November 19, 1993
Filed: November 22, 1993

Amending Reg. 706 of R.R.O. 1990
(Forms)

Note: There are no prior amendments to Regulation 706.

1. Regulation 706 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

RÈGLEMENT DE L'ONTARIO 739/93 pris en application de la LOI SUR LA LOCATION IMMOBILIÈRE

pris le 19 novembre 1993
déposé le 22 novembre 1993

modifiant le Règl. 706 des R.R.O. de 1990
(Formules)

Remarque : Aucune modification antérieure n'a été apportée au Règlement 706.

1 Le Règlement 706 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la version française suivante :

FORMULES

1 La convention en vue de mettre fin à la location, prévue à l'article 114 de la Loi, peut être rédigée selon la formule 1. Règl. de l'Ont. 739/93, art. 1, en partie.

2 L'avis de résiliation d'un bail donné au locataire par le locateur à des fins de démolition, d'affectation, ou de réparation ou travaux de rénovation importants, prévu à l'article 105 de la Loi, peut être rédigé selon la formule 2. Règl. de l'Ont. 739/93, art. 1, en partie.

3 L'avis de résiliation d'un bail donné au locateur par le locataire aux termes de la Loi peut être rédigé selon la formule 3. Règl. de l'Ont. 739/93, art. 1, en partie.

4 L'avis de résiliation d'un bail donné au locataire par le locateur en cas de non-paiement du loyer, prévu à l'article 106 de la Loi, peut être rédigé selon la formule 4. Règl. de l'Ont. 739/93, art. 1, en partie.

5 L'avis de résiliation d'un bail donné au locataire par le locateur pour l'un ou plusieurs des motifs prévus à l'article 107 de la Loi peut être rédigé selon la formule 5. Règl. de l'Ont. 739/93, art. 1, en partie.

6 L'avis de résiliation d'un bail donné au locataire par le locateur, qui prend effet au terme de la location, pour l'un ou plusieurs des motifs

prévus à l'article 106 ou 107, ou au paragraphe 110 (3) de la Loi, peut être rédigé selon la formule 6. Règl. de l'Ont. 739/93, art. 1, en partie.

7 La requête présentée à un juge de la Cour de l'Ontario (Division générale) en vue d'obtenir l'une ou plusieurs des ordonnances prévues à l'article 113 de la Loi peut être rédigée selon la formule 7. Règl. de l'Ont. 739/93, art. 1, en partie.

8 L'affidavit de signification d'un avis, d'un acte de procédure ou d'un document qui doit ou peut être signifié, donné ou remis aux termes de la Loi peut être rédigé selon la formule 8. Règl. de l'Ont. 739/93, art. 1, en partie.

9 L'affidavit attestant les faits ou les convictions dont la preuve peut être nécessaire pour l'application de la Loi peut être rédigé selon la formule 9. Règl. de l'Ont. 739/93, art. 1, en partie.

10 Un avis d'augmentation de loyer donné au locataire par le locateur, prévu à l'article 129 de la Loi, peut être rédigé selon la formule 10. Règl. de l'Ont. 739/93, art. 1, en partie.

11 Le bref de mise en possession délivré conformément à l'ordonnance d'un greffier local ou d'un juge aux termes de la partie IV de la Loi est rédigé selon la formule 11. Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 1

Loi sur la location immobilière

CONVENTION EN VUE DE METTRE FIN À LA LOCATION

....., locateur, et
(nom du locateur)

....., locataire, consentent
(nom du locataire)

à mettre fin à la location des lieux :

..... N° de l'app./du logement	..... Adresse
..... Municipalité	..... Code postal

le 19

Je soussigné(e), , locataire, comprends que je
(nom du locataire)

dois remettre la libre possession et occupation des lieux au plus tard à cette date et que la présente convention peut être exécutoire au moyen d'un bref de mise en possession (ordonnance d'expulsion) si je ne le fais pas.

Fait le 19.....
(date de signature de la convention)

(Signature du locateur ou d'un représentant autorisé)

(Signature du locataire ou d'un représentant autorisé)

Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 2

Loi sur la location immobilière

AVIS DE RÉSILIATION DE LA PART DU LOCATEUR À DES FINS DE DÉMOLITION, D'AFFECTATION OU DE RÉPARATION (Article 105)

DESTINATAIRE :

..... Nom du locataire

Avis vous est donné que vous devez remettre la libre possession et occupation des lieux :

..... N° de l'app./du logement	..... Adresse
..... Municipalité	..... Code postal

qui m'appartiennent et que vous détenez à titre de locataire, le 19

A. Motif(s) (Cocher une case ou plus, au besoin) :

- 1. La possession est demandée à des fins de démolition.
- 2. La possession est demandée à des fins d'affectation à un usage autre que la location.
- 3. La possession est demandée à des fins de réparation ou de travaux de rénovation si importants qu'ils exigent un permis de construire et la libre possession des lieux.

B. Précisions (Énoncer brièvement les faits qui justifient les motifs invoqués en A)

.....

.....

.....

.....

Fait le 19

Signature du locateur ou du représentant autorisé

..... Nom du locateur/du représentant autorisé		
..... Municipalité	..... Code postal	..... N° de téléphone

REMARQUE 1

L'avis de résiliation précise qu'il prend effet au plus tôt le dernier jour de la période de location ou au terme de la location, et la date de la résiliation ne peut être antérieure à 120 jours après la date de remise de l'avis.

REMARQUE 2

Le locataire qui a l'intention de contester la demande du locateur n'est pas tenu de quitter les lieux par suite de l'avis. Le locateur peut reprendre possession au moyen d'un bref de mise en possession (ordonnance d'expulsion) délivré par un greffier local ou un juge de la Cour de l'Ontario (Division générale). Pour obtenir le bref de mise en possession, le locateur présente une requête à la cour, et le locataire pourra contester la requête du locateur.

REMARQUE 3

Le locataire qui a reçu l'avis de résiliation du locateur en vue de la démolition, de l'affectation à un usage autre que la location ou de réparations et de travaux de rénovation importants peut résilier le bail en donnant un avis écrit d'au moins dix jours avant la date où il a l'intention de quitter les lieux et en payant l'arriéré de loyer jusqu'à la date de résiliation (précisée dans l'avis du locataire), en tenant compte du dépôt de garantie que peut détenir le locateur.

REMARQUE 4

Si l'avis se rapporte à des réparations ou à des travaux de rénovation importants, le locataire peut avoir un droit de première option de redevenir locataire une fois les travaux terminés, s'il fait savoir au locateur par écrit qu'il veut se prévaloir de ce droit. Pour pouvoir conserver ce droit, le locataire informe le locateur, par courrier recommandé, de tout changement d'adresse. Après les réparations ou les travaux de rénovation, le loyer est le loyer le plus bas qui serait exigé d'un autre locataire des mêmes lieux.

REMARQUE 5

Le paragraphe 105 (5) de la Loi prévoit ce qui suit :

(5) L'avis de résiliation donné par le locateur en vertu du paragraphe (1) est nul sauf si, trente jours au plus tard après la date de résiliation précisée dans l'avis :

- a) soit le locataire remet la possession des lieux;
- b) soit le locateur dépose une requête en vertu de l'article 113.

REMARQUE 6

Le locateur qui demande à la cour un bref de mise en possession (ordonnance d'expulsion) dépose une copie de l'avis qu'il a remis au locataire et un affidavit de signification attestant que l'avis a été donné. Il dépose également un affidavit énonçant les faits qui appuient sa requête, et signifie cet affidavit avec l'avis de requête.

Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 3

Loi sur la location immobilière

AVIS DE RÉSILIATION DONNÉ AU LOCATEUR PAR LE LOCATAIRE

(Dactylographier ou écrire en lettres moulées)

DESTINATAIRE :

..... Nom du locateur/du représentant autorisé	
..... Adresse	
..... Municipalité	..... Code postal

Avis vous est donné que je remets la possession des lieux :

..... N° de l'app./du logement	..... Adresse
..... Municipalité	..... Code postal

qui vous appartient et que je détiens à titre de locataire, le 19.....

Fait le 19

Nom du locataire

Signature du locataire ou du représentant autorisé

N° de téléphone

S'il s'agit d'un représentant, son adresse

.....
Municipalité Code postal

REMARQUE 1

Délai donné par l'avis avant le terme de la location ou avant la fin de la période de location :
Pour mettre fin à une location à la semaine, un avis de vingt-huit jours est requis.
Pour mettre fin à toutes les autres locations, un avis de soixante jours est requis.

REMARQUE 2

Le locataire qui a reçu l'avis de résiliation du locateur en vue de la démolition, de l'affectation à un usage autre que la location ou de réparations et de travaux de rénovation importants peut résilier le bail en donnant un avis écrit d'au moins dix jours avant la date où il a l'intention de quitter les lieux et en payant l'arriéré de loyer jusqu'à la date de résiliation (précisée dans l'avis du locataire), en tenant compte du dépôt de garantie que peut détenir le locateur.

REMARQUE 3

Le paragraphe 114 (4) de la Loi prévoit ce qui suit :

- (4) L'avis de résiliation donné par le locataire au locateur est nul sauf si, au plus tard trente jours après la date de résiliation précisée dans l'avis :
a) soit le locataire remet la possession des lieux;
b) soit le locateur présente une requête en vertu du présent article.

Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 4

Loi sur la location immobilière

AVIS DE RÉSILIATION ANTICIPÉE DONNÉ PAR LE LOCATEUR
EN CAS DE NON-PAIEMENT DU LOYER (Article 106)

DESTINATAIRE :

Form box for recipient name: Nom du locataire

Avis vous est donné que vous devez remettre la libre possession et occupation des lieux :

Form box for address details: N° de l'app./du logement, Adresse, Municipalité, Code postal

qui m'appartiennent et que vous détenez à titre de locataire, le 19....., en raison du non-paiement du loyer exigible en vertu du bail.

Vous avez le droit d'éviter la résiliation de la location en payant le loyer exigé ci-dessous dans les quatorze jours (dans le cas d'une location à la journée ou à la semaine, dans les sept jours) de la réception de l'avis de résiliation.

Loyer exigé

J'exige le paiement du loyer échu pour le montant de \$ qui représente le loyer impayé pour la partie de la location allant du (date) au (date) et qui aurait dû être payé à la date ou aux dates suivantes :

Le paiement du loyer exigé se fait de la manière et à l'endroit précisés dans le bail, et qui sont les suivants :

Form box for payment details

Fait le 19

Signature du locateur ou du représentant autorisé

..... Nom du locateur/du représentant autorisé		
..... Adresse		
..... Municipalité	..... Code postal	..... N° de téléphone

REMARQUE 1

L'avis de résiliation ne peut pas préciser qu'il prend effet avant le vingtième jour (dans le cas d'une location à la journée ou à la semaine, le septième jour) qui suit la remise de l'avis.

REMARQUE 2

Le locataire qui a l'intention de contester la demande du locateur n'est pas tenu de quitter les lieux par suite de l'avis. Le locateur peut reprendre possession au moyen d'un bref de mise en possession (ordonnance d'expulsion) délivré par un greffier local ou un juge de la Cour de l'Ontario (Division générale). Pour obtenir le bref de mise en possession, le locateur présente une requête à la cour, et le locataire sera avisé de la requête et pourra contester la requête du locateur.

REMARQUE 3

Le locateur peut présenter sa requête à la cour le quinzième jour (dans le cas d'une location à la journée ou à la semaine, le huitième jour) après avoir donné l'avis.

REMARQUE 4

Le locateur qui demande à la cour un bref de mise en possession (ordonnance d'expulsion) dépose une copie de l'avis qu'il a remis au locataire et un affidavit de signification attestant que l'avis a été donné.

REMARQUE 5

Le paragraphe 106 (5) de la Loi prévoit ce qui suit :

- (5) Si le locateur présente une requête en vertu de l'article 113 et que le locataire, avant que l'ordonnance ne devienne définitive, consigne le montant total de l'arriéré de loyer et des dépens de la requête, il y a sursis définitif à la requête.

Règl. de l'Ont. 739/93, art. 1, *en partie*.

Formule 5*Loi sur la location immobilière***AVIS DE RÉSILIATION ANTICIPÉE DONNÉ PAR LE LOCATEUR EN RAISON DU MANQUEMENT À SES OBLIGATIONS PAR LE LOCATAIRE (Article 107)**

(Dactylographier ou écrire en lettres moulées)

DESTINATAIRE :

..... Nom du locataire

Avis vous est donné que vous devez remettre la libre possession et occupation des lieux :

..... N° de l'app./du logement	..... Adresse
..... Municipalité	..... Code postal

qui m'appartiennent et que vous détenez à titre de locataire, le 19.....

A. *Motif(s)* (Cocher une case ou plus, au besoin) :

- Le locataire ou ses invités ont causé des dommages injustifiés aux lieux, soit par leur faute soit par leur négligence.
- Le locataire ou ses invités ont considérablement gêné le locateur ou les autres locataires dans leur jouissance normale des lieux.

- 3. Le locataire ou ses invités, par un acte ou une omission, ont gravement compromis la sécurité ou un autre droit ou avantage légitime d'un autre locataire.
- 4. Le surpeuplement continu des lieux contrevient aux normes de salubrité, de sécurité ou d'habitation.
- 5. Le locataire a accompli un acte illicite ou a exercé un commerce illicite dans les lieux.
- 6. Le locataire d'un logement public ou subventionné a fait sciemment une fausse déclaration en ce qui concerne un élément important de son revenu ou de celui des membres de sa famille qui occupent les locaux d'habitation.

B. *Précisions sur le manquement* (Énoncer brièvement les actes ou les omissions du locataire qui justifient les motifs invoqués en A par le locateur) :

.....
.....

Annulation de la résiliation si la situation est corrigée (applicable seulement aux motifs 1, 2, 3 et 4 s'il s'agit du premier manquement du locataire en six mois).

Vous devez, dans les sept jours, selon le cas :

(Si le motif 1 s'applique)

- a) payer le coût normal des réparations, qui s'élèvent à \$;
- b) prendre les arrangements que j'estime satisfaisants pour le paiement de ces coûts;
- c) effectuer les réparations que j'estime satisfaisantes;
- d) prendre les arrangements que j'estime satisfaisants pour effectuer les réparations.

(Si le motif 2 ou 3 s'applique) S'abstenir des actes visés en B.

(Si le motif 4 s'applique) Réduire le nombre de personnes qui occupent les lieux.

Si vous remédiez à votre manquement aux obligations dans les sept jours, l'avis de résiliation est nul. Cependant, un autre manquement dans les six mois entraînera un avis de résiliation sans possibilité de remédier à la situation.

Fait le 19

Signature du locateur ou du représentant autorisé

..... Nom du locateur/du représentant autorisé		
..... Municipalité	..... Code postal	..... N° de téléphone

(Veuillez consulter les REMARQUES)

REMARQUE 1

Sauf s'il s'agit d'un deuxième avis de résiliation qui découle d'un manquement relatif au motif 1, 2, 3 ou 4 dans les six mois, l'avis de résiliation ne peut pas préciser qu'il prend effet avant le vingtième jour suivant la date de remise de l'avis. Si l'avis de résiliation est *le deuxième en six mois pour un manquement relatif* au motif 1, 2, 3 ou 4, la date de résiliation précisée ne doit pas être antérieure au quatorzième jour après la date de remise de l'avis.

REMARQUE 2

Le locataire qui a l'intention de contester la demande du locateur n'est pas tenu de quitter les lieux par suite de l'avis. Le locateur peut reprendre possession au moyen d'un bref de mise en possession (ordonnance d'expulsion) délivré par un greffier local ou un juge de la Cour de l'Ontario (Division générale). Pour obtenir le bref de mise en possession, le locateur présente une requête à la cour, et le locataire sera avisé de la requête et pourra contester la requête du locateur.

REMARQUE 3

Le locateur peut présenter une requête à la cour *immédiatement* après avoir donné l'avis lorsque le *motif* énoncé en A est le 5^e ou le 6^e ou lorsqu'il s'agit d'un second manquement au motif 1, 2, 3 ou 4 en moins de six mois.

Le locateur peut présenter une requête à la cour *immédiatement* après le délai de sept jours accordé pour corriger le manquement, si le locataire n'a pas corrigé la situation ou pris des arrangements pour le faire.

REMARQUE 4

Le locateur qui demande à la cour un bref de mise en possession (ordonnance d'expulsion) dépose une copie de l'avis qu'il a remis au locataire et un affidavit de signification attestant que l'avis a été donné.

Si l'avis a été donné en raison d'un *second manquement* au motif 1, 2, 3 ou 4 en moins de six mois, le locateur *dépose également* une copie du premier avis donné au locataire et un affidavit de signification de cet avis.

REMARQUE 5

Le paragraphe 107 (8) de la Loi prévoit ce qui suit :

(8) L'avis de résiliation donné au locataire par le locateur est nul sauf si, au plus tard trente jours après la date de résiliation précisée dans l'avis :

- a) soit le locataire remet la possession des lieux;
- b) soit le locateur présente une requête en vertu de l'article 113.

Règl. de l'Ont. 739/93, art. 1, *en partie*.

Formule 6

Loi sur la location immobilière

AVIS DE RÉSILIATION DONNÉ PAR LE LOCATEUR AU TERME DE LA LOCATION OU À LA FIN DE LA PÉRIODE DE LOCATION (Article 110)

DESTINATAIRE :

..... Nom du locataire

Avis vous est donné que vous devez remettre la libre possession et occupation des lieux :

..... N° de l'app./du logement	..... Adresse
..... Municipalité	..... Code postal

qui m'appartiennent et que vous détenez à titre de locataire, le 19.....

A. *Motif(s)* (Cocher une case ou plus, au besoin) :

1. Le locataire n'a pas payé son loyer.
2. Le locataire paie continuellement son loyer en retard.
3. Le locataire ou ses invités ont causé des dommages injustifiés aux lieux, soit par leur faute soit par leur négligence.
4. Le locataire ou ses invités ont gêné considérablement le locateur ou les autres locataires dans leur jouissance normale des lieux.
5. Le locataire ou ses invités, par un acte ou une omission, ont gravement compromis la sécurité ou un autre droit ou avantage légitime d'un autre locataire.
6. Le surpeuplement continu des lieux contrevient aux normes de salubrité, de sécurité et d'habitation.
7. Le locataire a accompli un acte illicite ou a exercé un commerce illicite dans les lieux.
8. Le locataire d'un logement public ou subventionné a fait sciemment une fausse déclaration en ce qui concerne un élément important de son revenu ou de celui des membres de sa famille qui occupent les locaux d'habitation.
9. Les lieux sont un logement public ou subventionné et le locataire n'a plus les qualités requises pour occuper ces lieux.
10. Le locateur veut reprendre possession des lieux dans le but de les occuper lui-même ou d'y loger son conjoint, un de ses enfants ou son père ou sa mère, ou un des enfants ou le père ou la mère de son conjoint. (Dans ce cas le locateur donne un avis d'au moins soixante jours.)
11. Le locataire occupait des locaux d'habitation fournis par son employeur pour la durée de son emploi seulement, et son emploi a pris fin.
12. La location découlait d'une convention de vente d'une partie privative d'un condominium projeté et la convention de vente a été résiliée.

B. *Précisions* (Énoncer brièvement les faits qui justifient les motifs invoqués en A)

.....
.....

Fait le 19

Signature du locateur ou du représentant autorisé

..... Nom du locateur/du représentant autorisé		
..... Adresse		
..... Municipalité	..... Code postal	..... N° de téléphone

(Veuillez consulter les REMARQUES)

REMARQUE 1

Le locataire qui a l'intention de contester la demande du locateur n'est pas tenu de quitter les lieux par suite de l'avis. Le locateur peut reprendre possession au moyen d'un bref de mise en possession (ordonnance d'expulsion) délivré par un greffier local ou un juge de la Cour de l'Ontario (Division générale). Pour obtenir le bref de mise en possession, le locateur présente une requête à la cour, et le locataire sera avisé de la requête et pourra contester la requête du locateur.

REMARQUE 2

Le paragraphe 110 (2) de la Loi prévoit ce qui suit :

(2) L'avis de résiliation donné au locataire par le locateur est nul sauf si, au plus tard trente jours après la date de résiliation précisée dans l'avis :

- a) soit le locataire remet la possession des lieux;
- b) soit le locateur présente une requête en vertu de l'article 113.

REMARQUE 3

Délai donné par l'avis avant le terme de la location ou avant la fin de la période de location :
Pour mettre fin à une location à la semaine, un avis de vingt-huit jours est requis.
Pour mettre fin à toutes les autres locations, un avis de soixante jours est requis.

Règl. de l'Ont. 739/93, art. 1, *en partie*.

Formule 7

Loi sur la location immobilière

REQUÊTE À LA COUR DE L'ONTARIO (DIVISION GÉNÉRALE)
(Article 113)

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

ENTRE :

..... Nom du requérant		Locateur <input type="checkbox"/>
..... Adresse		Locataire <input type="checkbox"/>
..... Municipalité	..... Code postal	..... N° de téléphone

Et :

.....	Locateur	<input type="checkbox"/>
Nom de l'intimé	Locataire	<input type="checkbox"/>
.....		
Adresse		
.....
Municipalité	Code postal	N° de téléphone

Requête présentée en vertu de l'article 113 de la *Loi sur la location immobilière*, à l'égard d'un bail visant les locaux d'habitation suivants :

.....
N° de l'app./du logement	Adresse
.....
Municipalité	Code postal

AVIS DE REQUÊTE

À l'intimé :

UNE INSTANCE A ÉTÉ INTRODUITE par le requérant, qui demande qu'une ordonnance soit rendue en vue de l'une ou plusieurs des mesures suivantes : (cocher celles qui s'appliquent)

1. la résiliation du bail;
2. la délivrance d'un bref de mise en possession (ordonnance d'expulsion);
3. le paiement de l'arriéré de loyer pour le montant de \$;
4. le paiement d'une indemnité pour le montant de \$ pour l'occupation et l'usage des lieux après la date de résiliation précisée dans l'avis de résiliation;
5. le remboursement d'un dépôt de garantie pour le montant de \$ avec intérêts au taux de 6% par année;
6. une diminution de loyer pour le montant de \$;
7. la levée de la déchéance, aux conditions fixées par le juge.

Si vous désirez contester la demande du requérant, vous devez soit vous présenter devant le greffier local de la Cour de l'Ontario (Division générale)

à heure(s) le 19....., au greffe du palais de

justice à, soit déposer auprès du greffier local, avant le 19....., un avis de contestation écrit, énonçant brièvement les motifs de votre contestation. Si vous ne vous présentez pas, ni ne déposez d'avis de contestation, le greffier local peut signer une ordonnance prévoyant l'une ou plusieurs des mesures suivantes (selon ce que demande le requérant) :

- a) la résiliation du bail;
- b) la délivrance d'un bref de mise en possession (ordonnance d'expulsion);
- c) un jugement pour le paiement de l'arriéré de loyer demandé;
- d) un jugement pour le paiement d'une indemnité;
- e) un jugement pour le remboursement du dépôt de garantie, avec intérêts sur celui-ci;
- f) la diminution du loyer pour le montant demandé.

S'il s'agit d'un représentant :

..... Nom du représentant autorisé du requérant		
..... Adresse		
..... Municipalité	..... Code postal	..... N° de téléphone

REMARQUE 1

Le locateur qui demande un bref de mise en possession (ordonnance d'expulsion) dépose (sauf à l'égard de logements de gardiens) au greffe, avec l'avis de requête, une copie de l'avis de résiliation qu'il a donné au locataire et un affidavit attestant la signification de cet avis.

REMARQUE 2

Le requérant dépose, avec cet avis de requête, un affidavit énonçant les faits sur lesquels est fondée la requête. L'affidavit est signifié à l'intimé avec l'avis.

REMARQUE 3

Après que la cour a délivré l'avis de requête, le requérant le signifie à l'intimé au moins quatre jours francs (sans compter la date de signification ou la date de comparution devant le greffier local) avant la date fixée pour la comparution devant le greffier local. Le requérant se procure un affidavit attestant la signification de cet avis et le dépose auprès du greffier local au moment de l'audience ou avant.

REMARQUE 4

Le locataire ne peut contester la demande d'arriéré de loyer ou d'indemnité pour l'occupation et l'usage des lieux après la date de résiliation précisée dans l'avis de résiliation, pour le motif que le locateur a manqué à un engagement exprès ou implicite du bail (de réparer ou d'entretenir, par exemple), à moins de consigner auprès du greffier local le montant demandé de l'arriéré de loyer et de l'indemnité, déduction faite :

- a) des sommes versées par le locataire en vue de réparations pour lesquelles il prétend avoir droit à une compensation et qui sont constatées par des récépissés déposés auprès du greffier local;
- b) du loyer et de l'indemnité que le locataire prétend avoir versés et qui sont constatés par des récépissés ou appuyés par des affidavits déposés auprès du greffier local.

Date Délivré par :
Greffier local

Adresse du greffe
.....

Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 8

Loi sur la location immobilière

AFFIDAVIT DE SIGNIFICATION

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

ENTRE :

..... Nom du requérant	Locateur <input type="checkbox"/>	Locataire <input type="checkbox"/>
..... Adresse		
..... Municipalité	..... Code postal	..... N° de téléphone

Et :

.....	Locateur	<input type="checkbox"/>
Nom de l'intimé	Locataire	<input type="checkbox"/>
.....		
Adresse		
.....		
Municipalité	Code postal	N° de téléphone

Requête présentée en vertu de l'article 113 de la *Loi sur la location immobilière*, à l'égard d'un bail visant les locaux d'habitation suivants :

.....
N° de l'app./du logement	Adresse
.....
Municipalité	Code postal

AFFIDAVIT DE SIGNIFICATION

(L'affidavit doit être rempli et signé par une personne ayant une CONNAISSANCE DIRECTE des faits, et il est fait sous serment ou affirmé devant un commissaire aux affidavits.)

Je soussigné(e),, du/de la
(nom de l'auteur de l'affidavit)
..... de
(village, ville, cité, etc.) (nom du village, de la ville, de la cité, etc.)
dans le/la
(comté, district, municipalité régionale, etc.)
de, déclare sous serment (ou affirme)
(nom du comté, etc.)

1. Le 19.....,
(date)

(Remplir tous les espaces. Parapher toutes les corrections et les suppressions.)

j'ai signifié copie de l'avis de et
(préciser le genre d'avis)
de l'affidavit de
(nom de l'auteur de l'affidavit)
qui sont ci-joints, au locataire/locateur de la
(nom)

(Si un élément ne s'applique pas, supprimer et parapher.)

manière suivante :

- par remise en personne au locataire/locateur au
(adresse et municipalité)
- par remise en personne à
(nom)
représentant du locateur, au
(adresse et municipalité)
- par courrier ordinaire adressé au locateur au
(adresse et municipalité)
soit l'adresse aux fins de signification affichée par le locateur;
- par remise en personne à une personne qui paraît être un adulte, sur les lieux du locataire;
- en l'affichant sur les lieux en
(le clouant, le collant, etc.)
sur
(emplacement exact)
- par courrier recommandé au locataire au
(adresse et municipalité)
où réside le locataire.

(Supprimer les mots et les dispositions qui ne s'appliquent pas. Parapher toutes les suppressions.)

(Si un élément ne s'applique pas, supprimer et parapher.) (Donner des précisions sur les tentatives de signification et sur les échecs.)

2. J'ai été incapable d'effectuer la signification à personne au locataire pour les raisons suivantes :

DÉCLARÉ SOUS SERMENT (OU AFFIRMÉ) DEVANT MOI)
dans le/la de)
dans le/la de)
le 19)
.....
Commissaire, etc.

(Le commissaire doit parapher toutes les suppressions dans l'affidavit en même temps que le déposant)

Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 9

Loi sur la location immobilière

AFFIDAVIT

COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

ENTRE :

Form box for 'ENTRE' with fields: Nom du requérant, Adresse, Municipalité, Code postal, N° de téléphone, Locateur, Locataire.

ET :

Form box for 'ET' with fields: Nom de l'intimé, Adresse, Municipalité, Code postal, N° de téléphone, Locateur, Locataire.

Requête présentée en vertu de l'article 113 de la Loi sur la location immobilière, à l'égard d'un bail visant les locaux d'habitation suivants :

Form box for 'Requête' with fields: N° de l'app./du logement, Adresse, Municipalité, Code postal.

AFFIDAVIT

Je soussigné(e), , du/de la (nom de l'auteur de l'affidavit)

..... de
(village, ville, cité, etc.) (nom du village, de la ville, de la cité, etc.)

dans le/la
(comté, district, municipalité régionale, etc.)

de déclare sous serment (ou affirme)
(nom du comté, etc.)

(Énoncer les faits sous forme de dispositions numérotées. Si certains faits ne relèvent pas de la CONNAISSANCE DIRECTE de l'auteur de l'affidavit, indiquer la provenance des renseignements.)

DÉCLARÉ SOUS SERMENT (OU AFFIRMÉ) DEVANT MOI)
)
dans le/la de)
)
dans le/la de)
)
le 19)

.....
Commissaire, etc.

Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 10

Loi sur la location immobilière

(Article 129)

AVIS D'AUGMENTATION DE LOYER

(Dactylographier ou écrire en lettres moulées)

DESTINATAIRE :

.....
Nom du/des locataire(s)

À l'égard des lieux qui m'appartiennent et que vous détenez à titre de locataire :

.....
N° de l'app./du logement Adresse
.....
Municipalité Code postal

Je vous avise d'une augmentation de loyer de \$

Cette augmentation entre en vigueur le 19

Le loyer à l'égard des lieux sera le suivant :

Motifs de l'augmentation de loyer :

Fait le 19

Signature du locateur ou du représentant autorisé

..... Nom du locateur/du représentant autorisé		
..... Municipalité	..... Code postal	..... N° de téléphone

REMARQUE 1

Le présent avis doit être signifié au moins quatre-vingt-dix jours avant le terme de la location ou la fin de la période de location après laquelle il doit prendre effet.

REMARQUE 2

À moins qu'il ne décide de quitter les lieux et ne donne l'avis écrit nécessaire, le locataire est réputé avoir accepté le montant de l'augmentation de loyer permis par la loi.

Règl. de l'Ont. 739/93, art. 1, en partie.

Formule 11

Loi sur la location immobilière

(Partie IV)

N° du dossier de la cour

BREF DE MISE EN POSSESSION
COUR DE L'ONTARIO (DIVISION GÉNÉRALE)

(Parties nommées dans l'intitulé de l'instance) ENTRE :

(sceau de la cour)

et

BREF DE MISE EN POSSESSION

(nom de la localité) Au shérif de la localité de

(nom de la partie qui a obtenu l'ordonnance) En vertu d'une ordonnance rendue par le présent tribunal le 19....., en faveur de

(donner la description du bien-fonds et des lieux) NOUS VOUS ENJOIGNONS de pénétrer dans le bien-fonds et dans les lieux suivants afin d'en prendre possession :

(nom de la partie qui a obtenu l'ordonnance) ET NOUS VOUS ENJOIGNONS de remettre la possession de ce bien-fonds et de ces lieux, sans délai, à

Date Délivré par greffier local

Adresse du greffe :

Règl. de l'Ont. 739/93, art. 1, en partie.

ONTARIO REGULATION 740/93
made under the
LANDLORD AND TENANT ACT

Made: November 19, 1993
Filed: November 22, 1993

Amending Reg. 707 of R.R.O. 1990
(Summary of Part IV of the Act)

Note: There are no prior amendments to Regulation 707.

1. Regulation 707 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

RÉSUMÉ DE LA PARTIE IV DE LA LOI

1 Le résumé de la partie IV mentionné à l'alinéa 111 (1) d) de la Loi est rédigé selon la formule établie à l'annexe. Règl. de l'Ont. 740/93, art. 1, *en partie*.

Annexe

DISPOSITIONS GÉNÉRALES

1 La partie IV de la *Loi sur la location immobilière* régit les relations entre les locataires et les locataires de locaux d'habitation. Elle s'applique, que le bail soit écrit, verbal ou implicite. (art. 79, 80)

2 Ni le locateur ni le locataire ne peuvent renoncer à leurs droits en vertu de la partie IV de la Loi, que ce soit oralement ou par une convention écrite. (art. 80)

3 S'il s'agit d'un bail écrit, le locateur en retourne un exemplaire signé au locataire au plus tard vingt et un jours après que celui-ci en a remis au locateur un exemplaire signé. S'il ne le fait pas, le locataire est alors relevé de ses obligations (y compris celle de payer le loyer) aux termes du bail, jusqu'à ce que le locateur lui en remette un exemplaire. (art. 81)

DÉPÔTS DE GARANTIE

4 (1) Le locateur peut exiger un dépôt de garantie équivalant au loyer d'une période de location (par exemple un mois, une semaine ou un jour, en fonction de la location). Si la période de location dépasse un mois, le dépôt de garantie est limité à un mois de loyer. Le locateur paie au locataire des intérêts de 6 pour cent par an sur le dépôt de garantie, aussi longtemps que le locateur détient cette somme. Lorsque le locataire quitte les lieux, à l'expiration du terme du bail, le dépôt de garantie est imputé au loyer exigible pour la dernière période de location.

(2) Les dépôts de garantie destinés à payer les dommages ou les réparations ne sont plus légitimes (sauf dans le cas des locations à terme fixe, dans des parcs de maisons mobiles, qui ont été conclues avant le 18 décembre 1975; le dépôt destiné à payer les dommages doit alors être rendu lorsque le bail est terminé ou reconduit). (art. 83)

SAISIE DES BIENS DU LOCATAIRE

5 Commet une infraction le locateur qui saisit les biens mobiliers du locataire parce que celui-ci est en retard dans le paiement du loyer. (art. 84)

SOUS-LOCATION OU CESSION DES LIEUX LOUÉS

6 (1) Un locataire, à l'exception de celui d'un logement subventionné ou public, peut sous-louer ou céder le logement loué. Le locateur peut cependant s'être réservé le droit, dans le bail, d'approuver le nouveau locataire. Le locateur ne peut refuser son consentement de façon injustifiée ou arbitraire et, lorsqu'il le donne, ne peut faire payer que des frais normaux et modiques.

(2) Le locateur ou le locataire peut, par requête, demander à un juge

RÈGLEMENT DE L'ONTARIO 740/93
pris en application de la
LOI SUR LA LOCATION IMMOBILIÈRE

pris le 19 novembre 1993
déposé le 22 novembre 1993

modifiant le Règl. 707 des R.R.O. de 1990
(Résumé de la partie IV de la Loi)

Remarque : Aucune modification antérieure n'a été apportée au Règlement 707.

1 Le Règlement 707 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la version française suivante :

de la Cour de l'Ontario (Division générale) de régler les différends qui s'élèvent à propos de la cession ou de la sous-location des lieux. (art. 89)

DROIT À LA VIE PRIVÉE

7 (1) À l'exception de cas d'urgence, le locateur ou ses employés ne peuvent entrer dans les lieux loués sans donner au locataire un avis écrit de vingt-quatre heures précisant une heure de la journée à laquelle peut avoir lieu l'entrée. Une clause du bail peut toutefois donner au locateur le droit de faire visiter les lieux loués à une heure convenable à un locataire éventuel, après qu'un avis approprié de déménagement a été donné. Le bail peut également exiger du locateur qu'il nettoie les lieux loués. Dans ce cas, le locateur peut entrer dans les lieux pour les nettoyer comme l'exige le bail. Le locataire peut également permettre au locateur d'entrer dans les lieux au moment où la demande lui en est faite. (art. 91)

(2) Ni le locateur ni le locataire ne peuvent changer la serrure d'une porte des lieux loués sans le consentement de l'autre partie. (art. 93)

8 Le locateur ne peut interdire l'accès des lieux loués aux agents électoraux. (art. 92)

RÉPARATIONS ET ENTRETIEN

9 (1) La partie IV exige qu'un locateur garde les lieux loués en bon état et propres à l'habitation pendant la location. Le locateur se conforme également aux normes de salubrité, de sécurité et d'habitation exigées par la loi, quel que soit l'état dans lequel se trouvaient les lieux lorsque le locataire a emménagé. (par. 94 (1))

(2) Le locataire garde les lieux en bon état de propreté (bon entretien de la maison), et répare les dommages causés par sa faute ou sa négligence, ou par celle de ses invités. (par. 94 (2))

(3) En vertu de la Loi, le locataire peut, par voie de requête, demander à un juge de la Cour de l'Ontario (Division générale) une ordonnance autorisant des réparations ou autorisant celles que le locataire a payées. Le juge peut accorder au locataire une diminution de loyer tant que les lieux n'ont pas été entretenus convenablement. (par. 94 (4))

(4) En cas d'urgence, le locataire peut faire effectuer des réparations importantes immédiatement et en déduire le coût du montant du loyer. Le locataire conserve des reçus détaillés pour tous les travaux effectués. Si le locataire est dans l'impossibilité de prouver que les réparations étaient nécessaires et ont été faites de la façon la moins onéreuse possible, le locateur peut présenter une requête au tribunal et le juge peut alors ordonner que le locataire paie le loyer qui a été retenu. Le juge peut même permettre au locateur de résilier la location et ordonner l'expulsion du locataire. (par. 94 (4))

RÉSILIATION DE LOCATIONS

10 (1) Les locations à terme fixe (six mois, un an ou dix-huit mois) n'expirent plus simplement à la fin du terme, obligeant le locataire à déménager à cette date. Lorsqu'une telle location se termine sans que le locateur ou le locataire ait conclu un nouveau bail, la Loi prévoit que le bail est reconduit d'un mois à l'autre jusqu'à ce que les deux parties concluent un autre bail. Puisque les locations peuvent se poursuivre

indéfiniment, les locataires ou les locataires qui désirent mettre fin à des locations de locaux d'habitation à la semaine, au mois, à l'année ou à terme fixe doivent en aviser l'autre partie par écrit.

(2) Le locateur et le locataire peuvent se mettre d'accord par écrit, au cours de la location, pour y mettre fin à une date précise, auquel cas aucun avis n'est nécessaire. (art. 96 à 104)

11 (1) L'avis du locateur ou du locataire :

- a) est écrit et signé par la personne qui le donne ou son représentant, et porte la date de la signature;
- b) identifie les lieux pour lesquels l'avis est donné;
- c) précise la date à laquelle les lieux doivent être libérés (date de résiliation).

(2) En outre, l'avis de résiliation donné par le locateur :

- a) indique les motifs de la résiliation de la location et donne des précisions sur cette résiliation;
- b) informe le locataire que s'il a l'intention de contester la revendication de possession par le locateur, il n'est pas nécessaire qu'il quitte les lieux, mais que le locateur peut en reprendre la possession s'il obtient une ordonnance du greffier local ou du juge de la Cour de l'Ontario (Division générale), et que le locataire peut contester la revendication du locateur. (par. 97 (1))

12 (1) L'avis de résiliation d'une location donné par le locateur ou le locataire est donné au plus tard vingt-huit jours avant le dernier jour d'une location à la semaine, et soixante jours avant le dernier jour d'une location au mois, à l'année ou à terme fixe. Si l'avis est donné avec retard, même d'un seul jour, il est sans effet et un avis approprié doit être donné. (art. 98 à 102)

(2) Si le locateur a l'intention de démolir les lieux, de les affecter à un autre usage ou d'y faire des réparations importantes, il donne un avis d'au moins 120 jours avant la fin de la location. (art. 105)

(3) Le locateur peut résilier une location pendant la durée du bail pour certains motifs et avec des délais d'avis particuliers. (art. 106, 107)

13 (1) Le locataire peut remettre l'avis en personne au locateur ou à son représentant, ou l'envoyer par courrier ordinaire. Dans ce dernier cas, la Loi suppose qu'il a été remis le troisième jour qui suit la date de sa mise à la poste. (art. 123)

(2) Le locateur essaie de remettre l'avis en personne au locataire. Si celui-ci est absent ou se soustrait à la signification, l'avis peut être remis en le remettant en main propre à une personne qui paraît âgée de dix-huit ans ou plus et qui se trouve sur les lieux du locataire, en l'affichant, sur les lieux loués, à un endroit bien en vue ou en l'expédiant par courrier recommandé à l'adresse des lieux. Si l'avis est expédié par la poste, il est réputé remis le troisième jour qui suit la date de sa mise à la poste. (art. 123)

14 (1) Le locateur doit avoir un motif légitime pour résilier une location aux termes de la partie IV de la Loi. Les motifs, ainsi que des précisions, doivent figurer dans l'avis, que la résiliation ait lieu à la fin de la période ou du terme de la location ou pendant le cours de la location. (par. 97 (1))

(2) Si le locataire ne paie pas son loyer qui est échu, le locateur peut donner un avis de résiliation qui précise une date de résiliation au plus tôt vingt jours (sept jours dans le cas d'une location à la journée ou à la semaine) après que l'avis a été donné. Si le locataire paie le loyer dans les quatorze jours de l'avis (sept jours dans le cas d'une location à la journée ou à la semaine), celui-ci est nul. (art. 106)

(3) Le locateur peut signifier un avis de résiliation dans les cas suivants :

1. Le locataire ou ses invités causent des dommages injustifiés aux lieux par leur faute ou par négligence. (al. 107 (1) a))
2. Le locataire ou ses invités gênent considérablement le locateur ou les autres locataires dans leur jouissance normale des lieux. (al. 107 (1) c))
3. Le locataire ou ses invités compromettent gravement la sécurité ou un autre droit ou avantage légitime des autres locataires des lieux. (al. 107 (1) d))
4. Le surpeuplement continu des lieux contrevient aux normes de salubrité, de sécurité ou d'habitation. (al. 107 (1) e))

(4) Si le locateur invoque l'un de ces quatre motifs, il donne un avis indiquant que celui-ci prend effet au plus tôt vingt jours après la date à laquelle il est donné. Le locateur avise également le locataire qu'il a sept jours pour remédier à la situation. Si, dans les sept jours, le locataire se conforme aux conditions de l'avis ou assure au locateur que la situation va être corrigée, l'avis est nul. Si le locataire ne remédie pas à la situation dans les sept jours qui suivent, le locateur peut, par voie de requête, demander au tribunal une ordonnance autorisant l'expulsion du locataire. (par. 107 (1) à (3))

(5) Si le locataire manque une seconde fois à ces obligations au cours d'une période de six mois, il suffit au locateur de donner un avis de quatorze jours et il peut immédiatement présenter une requête au tribunal afin d'obtenir une ordonnance autorisant l'expulsion du locataire. (par. 107 (4))

15 (1) Le locateur peut également résilier un bail de façon anticipée si :

- a) soit le locataire accomplit un acte illicite dans les locaux d'habitation ou y exerce un commerce illicite;
- b) soit le locataire d'un logement public ou subventionné fait une fausse déclaration en ce qui concerne son revenu ou celui des membres de sa famille qui occupent les locaux d'habitation. (al. 107 (1) b), f))

(2) Si l'avis est fondé sur l'un de ces deux motifs, le locateur donne un avis qui précise qu'il prend effet au plus tôt vingt jours après qu'il a été donné. Le locateur peut présenter immédiatement une requête au tribunal pour obtenir une ordonnance d'expulsion. (par. 107 (3))

16 (1) Les motifs de résiliation d'une location avant l'expiration du terme ou de la période de location s'appliquent également dans le cas d'une résiliation à l'expiration du terme ou de la période de location. (par. 110 (3))

(2) La Loi reconnaît d'autres motifs de résiliation à l'expiration de la période de location, à savoir :

1. Si le locateur a besoin des locaux d'habitation pour lui-même ou un membre de sa famille immédiate. (Pour être admissible à ce droit, le locateur doit donner au locataire un avis d'au moins soixante jours.)
2. Le locataire a continuellement omis d'acquitter le loyer à l'échéance. (Ce motif s'applique même si le locataire n'a pas d'arriéré à la fin du terme.)
3. Les locaux d'habitation sont publics ou subventionnés et le locataire n'a plus les qualités requises pour les occuper.
4. Les locaux d'habitation avaient été fournis au locataire par son employeur, et l'emploi du locataire a pris fin.
5. La location découlait d'une convention de vente d'une partie privative d'un condominium projeté, et la convention a été résiliée.
6. Le locateur veut reprendre possession des locaux d'habitation pour les démolir, pour les affecter à un usage autre que la

location, ou pour y effectuer des réparations ou des travaux de rénovation si importants qu'ils exigent un permis de construire et la libre possession des locaux. (par. 110 (3), art. 105)

(3) Si le locateur donne au locataire un avis de résiliation à l'expiration du terme ou de la période de location, il peut immédiatement présenter une requête à la Cour de l'Ontario (Division générale) afin d'obtenir une ordonnance d'expulsion qui prend effet à la date de résiliation indiquée dans l'avis ou à une date ultérieure. Le locateur et le locataire peuvent aussi se mettre d'accord par écrit pour résilier le bail à une date précise. Le locateur peut faire exécuter l'accord en présentant une requête au tribunal afin d'obtenir une ordonnance d'expulsion. (art. 110)

(4) Si les lieux vont être démolis, affectés à un usage autre que la location (par exemple un condominium), réparés ou rénovés de façon si importante que les travaux nécessitent un permis de construire et la libre possession des lieux, le locateur peut donner un avis précisant une date à la fin de la période de location ou après celle-ci, mais la date ne peut être antérieure à 120 jours après la date de remise de l'avis. (par. 105 (1))

(5) Le locataire qui reçoit cet avis dispose des options suivantes :

1. Il peut se conformer à ce qui est demandé.
2. Il peut quitter les lieux à une date antérieure. S'il agit ainsi, il donne au locateur un avis écrit au moins dix jours avant la date à laquelle il a l'intention de quitter les lieux, et paie tout arriéré de loyer jusqu'à la date d'expiration (mentionnée dans l'avis du locataire), en tenant compte du montant de tout dépôt de garantie que le locateur peut détenir.
3. Il peut exiger que le locateur convainque un juge de la validité de sa revendication et que le locateur ait obtenu les permis de démolition ou autres autorisations nécessaires. (par. 105 (2))

(6) Si l'avis concerne des réparations ou des travaux de rénovation importants, le locataire peut avoir un droit de première option de redevenir locataire lorsque les travaux sont terminés, s'il avise par écrit le locateur qu'il désire se prévaloir de ce droit. Il ne conserve ce droit que s'il informe le locateur, par courrier recommandé, de tout changement d'adresse. Le loyer, une fois les réparations ou les travaux de rénovation terminés, doit être le plus bas qui serait exigé d'un autre locataire des mêmes lieux. (par. 105 (3))

(7) Des dispositions particulières s'appliquent à la résiliation de la location d'un gardien, concierge, gérant, agent de sécurité ou surveillant. Sauf stipulation contraire, le bail prend fin le jour où se termine l'emploi de cette personne. Le «gardien» dispose d'une semaine gratuite à partir de cette date pour quitter les lieux. (art. 115)

17 Le locateur a le droit de présenter une requête à la Cour de l'Ontario (Division générale) afin d'obtenir une ordonnance prévoyant la résiliation de la location, l'expulsion (bref de mise en possession), le paiement de l'arriéré du loyer ou d'une indemnité, ou l'exécution d'un avis ou d'un accord de résiliation du bail d'un locataire. Le locateur a également le droit de présenter une requête afin d'obtenir une ordonnance visant à faire effectuer des réparations aux frais du locataire. (art. 113)

18 Outre le droit de demander, par requête, que soient autorisées des réparations, le locataire peut présenter une requête au tribunal en vue de la résiliation d'une location ou d'une diminution de loyer si le locateur ne s'acquitte pas, dans une large mesure, de ses obligations. Le locataire peut présenter une requête au tribunal pour obtenir le remboursement du dépôt de garantie avec intérêts sur celui-ci. (art. 94, 113)

QUESTIONS JUDICIAIRES

19 (1) Le locateur ou le locataire qui désire faire exécuter un recours judiciaire peut présenter une requête à la Cour de l'Ontario (Division générale). La partie contre qui la requête est présentée en est avisée, et elle a l'occasion de la contester par écrit ou en se présentant devant le greffier local du tribunal, en personne ou par l'intermédiaire d'un

représentant. En l'absence de contestation, un avis de l'ordonnance est envoyé à la personne contre qui la requête est présentée. (art. 113)

(2) Les locateurs et les locataires peuvent maintenant être représentés devant le juge par des représentants qui ne sont pas des avocats. Le but recherché est d'encourager l'absence de formalité lors des audiences du tribunal en relâchant les règles rigides de la preuve. (art. 118)

EXPULSIONS

20 Le locataire ne peut être expulsé que par le shérif et ses adjoints, en vertu d'une ordonnance du tribunal autorisant l'expulsion (bref de mise en possession). (par. 121 (1))

PARCS DE MAISONS MOBILES

21 (1) Toute la Loi s'applique également aux locateurs de parcs de maisons mobiles et aux propriétaires de maisons mobiles (mais non de roulottes ou de tentes-remorques) qui louent des emplacements dans ces parcs. (art. 79)

(2) Les locataires qui disposent d'un emplacement dans ces parcs peuvent vendre leur maison mobile, la louer ou s'en départir d'une autre façon, même si la maison reste dans le parc. Le locateur ne peut refuser son consentement de façon injustifiée ou arbitraire aux nouveaux propriétaires qui restent dans le parc. Le locateur n'est en droit que de faire payer des frais normaux pour donner ce consentement. Un différend qui survient au sujet de ce consentement peut être porté devant un juge de la Cour de l'Ontario (Division générale). (par. 125 (1) à (5))

(3) Le locateur n'a pas le droit d'agir comme représentant du locataire dans les négociations en vue de vendre la maison mobile du locataire, de la louer ou de s'en départir d'une autre façon, à moins qu'il n'existe un contrat écrit à cet effet. (par. 125 (6))

(4) Les locateurs ne sont plus autorisés à percevoir des droits d'entrée et d'installation d'une maison mobile dans un parc, des droits de retrait et de sortie d'une maison mobile du parc, ou des droits pour accorder une location dans un parc, à l'exception des frais normaux qu'ils engagent. (art. 126)

(5) Le locateur ne peut limiter le droit du locataire d'acheter des biens ou d'obtenir des services de la personne de son choix. Il peut cependant fixer des normes acceptables relativement à l'équipement des maisons mobiles. (art. 127)

(6) Les locateurs ont l'obligation d'assurer l'enlèvement des ordures et le déneigement, d'entretenir les chemins et d'assurer les services publics dans les parcs de maisons mobiles. (art. 128)

AVIS D'AUGMENTATION DE LOYER

22 (1) Le locateur qui veut augmenter le loyer est maintenant tenu de donner au locataire un avis de quatre-vingt-dix jours sur lequel est indiqué le montant de l'augmentation. (par. 129 (1))

(2) À moins que le locataire ne décide de quitter les lieux et ne donne l'avis écrit requis, il est réputé avoir accepté le montant de l'augmentation de loyer permis par la loi. (par. 129 (2))

(3) Tant que la loi qui prévoit la révision des loyers est en vigueur, le locataire ne renonce pas à son droit de contester une augmentation de loyer en signant un nouveau bail ou en ne répondant pas à l'avis d'augmentation du locateur. (par. 129 (3))

SÉCURITÉ DU LOCATAIRE

23 Comment une infraction le locateur qui pousse le locataire à quitter les lieux ou entrave la distribution des services essentiels, tels que le chauffage ou l'électricité, pendant que le locataire occupe les lieux. (par. 121 (4))

24 (1) Un juge refuse au locateur une ordonnance autorisant l'expulsion si le tribunal constate que le locateur :

- a) n'a pas rempli ses obligations fondamentales;
- b) désire expulser le locataire parce que celui-ci a déposé une plainte auprès des autorités portant que le locateur a enfreint une loi relative à la salubrité, à la sécurité ou à l'habitation;
- c) use de représailles envers le locataire qui a tenté d'exercer ses droits reconnus en droit;
- d) désire expulser le locataire parce qu'il fait partie d'une association de locataires ou tente d'en constituer une;
- e) désire expulser le locataire en raison de la présence d'enfants (à l'exception des cas de surpeuplement ou de lieux qui ne conviennent pas à des enfants). (par. 121 (3))

(2) Un groupe de locataires qui ont un différend commun avec un locateur peuvent, avec l'approbation d'un juge, traduire ensemble ce locateur en justice. Inversement, le locateur peut, avec l'approbation du juge, traduire un groupe de locataires en justice. (art. 119)

AFFICHAGE

25 (1) Les locateurs de locaux d'habitation qui comprennent plus d'un logement et une partie commune, telle qu'un vestibule, ainsi que les locateurs de parcs de maisons mobiles, sont tenus d'afficher une copie de la partie IV de la *Loi sur la location immobilière*, ou une copie du présent résumé, dans un endroit bien en vue.

ONTARIO REGULATION 741/93 made under the PERSONAL PROPERTY SECURITY ACT

Made: November 19, 1993
Filed: November 22, 1993

Amending Reg. 912 of R.R.O. 1990
(General)

Note: Regulation 912 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Regulation 912 of the Revised Regulations of Ontario, 1990, exclusive of the Schedules and the Forms, is amended by adding the following French version:

DISPOSITIONS GÉNÉRALES

DÉFINITIONS

1 Les définitions qui suivent s'appliquent au présent règlement.

«adresse» S'entend notamment du code postal ou de son équivalent, le cas échéant. («address»)

«agent d'enregistrement» Personne qui agit à titre d'agent pour le créancier garanti ou le cédant lorsqu'elle présente un état pour enregistrement. La présente définition ne s'entend pas, toutefois, du commis ou de tout autre employé du créancier garanti ou du cédant. («registering agent»)

«date d'échéance» La date, à l'exclusion des jours de grâce, à laquelle la créance sera entièrement remboursée si chacun des paiements est effectué conformément aux modalités initiales du contrat de sûreté. («maturity date», «date of maturity»)

«entité artificielle» S'entend notamment d'une société en nom collectif, d'une personne morale, d'une association, d'un organisme, de la succession d'une personne physique décédée, d'un syndicat, d'une église ou autre organisme religieux, d'un consortium, d'une entreprise commune, d'une fiducie ou d'un syndic. («artificial body»)

(2) Les nom et prénom ou la raison sociale, et l'adresse du locateur aux fins de signification sont également affichés. Les locataires peuvent traduire les locateurs en justice sous le nom qui est affiché. (art. 111)

PÉNALITÉS

26 La *Loi sur la location immobilière* prévoit maintenant pour les infractions à la Loi des amendes d'au plus 2 000 \$ dans le cas de particuliers et d'au plus 25 000 \$ dans le cas de personnes morales. Constituent des infractions le fait pour le locateur d'entraver la distribution des services essentiels, de ne pas afficher une copie de la partie IV de la Loi ainsi que les nom et prénom ou la raison sociale, et l'adresse du locateur, de saisir les biens du locataire en raison du non-paiement du loyer, et d'entrer de façon illégitime dans les lieux loués. (art. 122)

BUREAU CONSULTATIF DE LOCATION

27 La Loi autorise les municipalités à créer des bureaux consultatifs de location dans le but de conseiller et de concilier les locateurs et les locataires, et de fournir des renseignements en matière de location à usage d'habitation. Il incombe toutefois à la municipalité de créer un tel bureau. Les locateurs ou les locataires qui ont des problèmes devraient consulter leurs services municipaux locaux pour savoir si un bureau a été créé dans leur secteur. (art. 124) Règl. de l'Ont. 740/93, art. 1, en partie.

50/93

RÈGLEMENT DE L'ONTARIO 741/93 pris en application de la LOI SUR LES SÛRETÉS MOBILIÈRES

pris le 19 novembre 1993
déposé le 22 novembre 1993

modifiant le Règl. 912 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 912 n'a pas été modifié en 1993. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 Le Règlement 912 des Règlements refondus de l'Ontario de 1990, à l'exclusion des annexes et des formules, est modifié par adjonction de la version française suivante :

«montant principal» Le montant qui est garanti ou que l'on entend garantir aux termes des modalités initiales du contrat de sûreté. La présente définition peut en outre s'entendre de l'intérêt, de l'intérêt précalculé, des frais financiers, des primes d'assurance ou de tous autres coûts ou frais. («principal amount»)

«numéro d'identification du véhicule» Numéro que le fabricant du véhicule automobile a apposé sur celui-ci aux fins d'identification. («vehicle identification number»)

«page précise d'un enregistrement» Dans le cas de l'enregistrement d'une seule page, s'entend de l'état de financement ou de l'état de modification du financement qui est enregistré et, dans le cas de l'enregistrement de plusieurs pages, de l'un des états de financement ou des états de modification du financement qui est enregistré et qui occupe une page de l'enregistrement de plusieurs pages ou de la liste des véhicules automobiles jointe à un état et occupant une page de l'enregistrement de plusieurs pages. («specific page of registration»)

«personne» Entité artificielle ou personne physique. («person»)

«signature autorisée du cédant» Le nom du cédant, dactylographié, imprimé ou estampillé, et accompagné :

- a) soit de la signature du cédant,

- b) soit de la signature d'une personne réellement, implicitement ou apparemment autorisée à signer au nom du cédant, ainsi que du nom dactylographié, imprimé ou estampillé de la personne. («authorized signature of assignor»)

«signature autorisée du créancier garanti» Le nom du créancier garanti, dactylographié, imprimé ou estampillé, et accompagné :

- a) soit de la signature du créancier garanti,
- b) soit de la signature d'une personne réellement, implicitement ou apparemment autorisée à signer au nom du créancier garanti, ainsi que du nom dactylographié, imprimé ou estampillé de la personne. («authorized signature of the secured party»)

«véhicule automobile» Automobile, motocyclette, motoneige et tout autre véhicule automoteur. La présente définition ne s'entend pas, toutefois :

- a) des tramways ou autres véhicules roulant uniquement sur rails,
- b) des tracteurs agricoles,
- c) du matériel agricole,
- d) des machines utilisées comme machines à construire des routes ou acquises à cette fin,
- e) des appareils destinés principalement à être utilisés dans les airs, dans l'eau ou sur l'eau. («motor vehicle») Règl. de l'Ont. 741/93, art. 1, *en partie*.

FORMULE DE L'ÉTAT ET CIRCONSTANCES DE SON UTILISATION

2 Si la Loi requiert l'enregistrement d'un état de financement ou d'un état de modification du financement rédigé selon la formule prescrite ou consigné au moyen du support prescrit, l'état est rédigé selon la formule fournie ou approuvée par le registraire ou est consigné au moyen du support fourni ou approuvé par celui-ci. Règl. de l'Ont. 741/93, art. 1, *en partie*.

CONTENU DE L'ÉTAT DE FINANCEMENT

3 (1) Figurent à l'état de financement, dans l'espace réservé à cette fin :

- a) la lettre P pour indiquer qu'un enregistrement est effectué en vertu de la Loi;
- b) le nombre d'années visé par la période d'enregistrement;
- c) les renseignements exigés à l'article 16 et, le cas échéant, la date de naissance de la personne physique;
- d) l'adresse du débiteur;
- e) le nom et l'adresse du créancier garanti;
- f) la classification du bien grevé comme bien de consommation, stock, matériel, comptes ou la classification comme autre indiquant que le bien grevé n'est pas dans ces catégories ou dans une combinaison de celles-ci;
- g) si un véhicule automobile est compris dans les biens grevés, une mention de ce fait;
- h) si une liste des véhicules automobiles est jointe, une mention de ce fait;
- i) si tous les biens grevés sont classés comme biens de consommation, la mention du montant principal;
- j) si tous les biens grevés sont classés comme biens de consommation, la date d'échéance ou, si aucune date d'échéance n'est fixée, une mention de ce fait;

- k) la signature autorisée du créancier garanti.

(2) S'il y a plusieurs créanciers garantis, le nom, l'adresse et la signature autorisée d'au moins l'un d'entre eux figurent dans l'espace réservé à cette fin sur l'état de financement.

(3) En cas de cession de la sûreté, le nom, l'adresse et la signature autorisée du cédant peuvent figurer à la place du nom, de l'adresse et de la signature autorisée du créancier garanti.

(4) La période d'enregistrement de l'état de financement est un nombre entier et si les biens grevés :

- a) comprennent des biens de consommation, l'état peut être enregistré pour une période de un an à cinq ans, selon le cas;
- b) ne comprennent pas de biens de consommation, l'état peut être enregistré, soit pour une période de un an à vingt-cinq ans, soit en permanence, selon le cas.

(5) L'état de financement peut indiquer dans l'espace réservé à cette fin :

- a) le nom et l'adresse de l'agent d'enregistrement, le cas échéant;
- b) le numéro de personne morale de l'Ontario, si le débiteur est une personne morale constituée en Ontario.

(6) Si l'état de financement est enregistré en permanence, la période d'enregistrement est désignée par le nombre 99 sur l'état de financement.

(7) Si les biens grevés comprennent un véhicule automobile classé comme bien de consommation, le véhicule automobile est décrit à la ligne 11 ou 12 de l'état de financement ou dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(8) Si les biens grevés comprennent un véhicule automobile non classé comme bien de consommation, le véhicule automobile peut être décrit à la ligne 11 ou 12 de l'état de financement ou dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(9) La description du véhicule automobile à la ligne 11 ou 12 ou à la liste des véhicules automobiles comprend le numéro d'identification du véhicule et la marque ou le nom du fabricant, ainsi que, le cas échéant, les deux derniers chiffres de l'année du modèle et le modèle.

(10) Si les lignes 11 et 12 sont complètes, les véhicules automobiles supplémentaires peuvent être décrits dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(11) Les biens grevés qui ne sont pas des véhicules automobiles classés comme biens de consommation peuvent être décrits à la ligne 13, 14 ou 15 de l'état de financement.

(12) La description du véhicule automobile à la ligne 13, 14 ou 15 de l'état de financement ne doit pas comprendre le numéro d'identification du véhicule.

(13) Si les biens grevés comprennent des objets qui ne sont pas du stock utilisé ou acquis pour être utilisé à plusieurs fins, l'état de financement indique la classification des objets conformément à l'alinéa (1) f), d'après leur utilisation principale, et peut indiquer une classification supplémentaire d'après toute utilisation secondaire. Règl. de l'Ont. 741/93, art. 1, *en partie*.

BIENS GREVÉS APPORTÉS EN ONTARIO

4 L'état de financement présenté à l'enregistrement à l'égard des questions suivantes est désigné comme avertissement et contient les renseignements exigés à l'article 3, sauf qu'il n'est pas nécessaire d'indiquer la date de naissance d'une personne physique :

1. Les biens grevés destinés à être apportés en Ontario et faisant l'objet d'une sûreté dans un autre ressort.

2. Les biens grevés apportés en Ontario et faisant l'objet d'une sûreté dans un autre ressort au moment de leur entrée en Ontario.
3. Les objets apportés en Ontario et assujettis au droit du vendeur de revendiquer les objets ou d'en reprendre possession. Règl. de l'Ont. 741/93, art. 1, *en partie*.

RENOUVELLEMENT D'UN ENREGISTREMENT

5 (1) Si la période d'enregistrement est prorogée, l'état de modification du financement visé au paragraphe 52 (1) de la Loi est désigné comme renouvellement et mentionne :

- a) les renseignements exigés à l'article 19;
- b) le nombre d'années de prorogation de la période d'enregistrement.

(2) La période de prorogation d'une période d'enregistrement est un nombre entier et si les biens grevés :

- a) comprennent des biens de consommation, la période d'enregistrement est, sous réserve du paragraphe 51 (6) de la Loi, prorogée pour une période de un an à cinq ans, selon le cas;
- b) ne comprennent pas de biens de consommation, la période d'enregistrement est prorogée, soit pour une période de un an à vingt-cinq ans, soit de façon permanente, selon le cas.

(3) La période d'enregistrement qui est prorogée de façon permanente est désignée par le nombre 99 sur l'état de modification du financement. Règl. de l'Ont. 741/93, art. 1, *en partie*.

ENREGISTREMENT D'UN ÉTAT DE FINANCEMENT EN VERTU DU PARAGRAPHE 52 (2) DE LA LOI

6 (1) Sous réserve du paragraphe (2), si un enregistrement cesse de produire ses effets, l'état de financement visé au paragraphe 52 (2) de la Loi contient les renseignements exigés à l'article 3.

(2) En cas de modification de nom du créancier garanti ou de cession de l'intérêt de ce dernier sur la totalité des biens grevés depuis l'enregistrement de l'état de financement initial, l'état de financement visé au paragraphe 52 (2) de la Loi indique le nouveau nom du créancier garanti ou le nom du cessionnaire, selon le cas. Règl. de l'Ont. 741/93, art. 1, *en partie*.

CESSION PAR LE CRÉANCIER GARANTI

7 (1) Si est inscrite la cession de l'intérêt du créancier garanti sur la totalité ou une partie des biens grevés, l'état de modification du financement visé au paragraphe 47 (1) de la Loi est désigné comme cession par le créancier garanti ou cession par ce dernier d'une sûreté portant sur une partie des biens grevés et contient :

- a) les renseignements exigés à l'article 19;
- b) le nom du cédant tel qu'il figure à l'état de financement ou à un état de modification du financement s'y rapportant;
- c) le nom et l'adresse du cessionnaire;
- d) malgré l'alinéa 19 h), la signature autorisée du cédant ou la signature autorisée du créancier garanti.

(2) S'il y a cession de l'intérêt du créancier garanti sur une partie des biens grevés et si les biens grevés visés par la cession comprennent un véhicule automobile et si le véhicule automobile est :

- a) soit classé comme bien de consommation;
- b) soit classé comme matériel ou comme stock et est décrit à la ligne 11 ou 12 de l'état de financement ou d'un état de modification du financement s'y rapportant ou sur la liste des véhicules automobiles jointe à l'état,

le véhicule automobile doit être décrit à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles.

(3) Si les biens grevés comprennent un véhicule automobile qui n'est ni classé de la manière prévue à l'alinéa (2) a) ni classé et décrit de la manière prévue à l'alinéa (2) b), le véhicule automobile peut être décrit à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles.

(4) La description du véhicule automobile à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles comprend le numéro d'identification du véhicule et la marque ou le nom du fabricant, ainsi que, le cas échéant, les deux derniers chiffres de l'année du modèle et le modèle.

(5) Si les lignes 11 et 12 de l'état de modification du financement sont complètes, les véhicules automobiles supplémentaires peuvent être décrits dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(6) Si la cession d'une sûreté portant sur une partie des biens grevés se rapporte à des biens grevés qui ne sont pas décrits de la manière exigée par le paragraphe (2), ceux-ci peuvent être décrits à la ligne 13, 14 ou 15 de l'état de modification du financement.

(7) La description du véhicule automobile à la ligne 13, 14 ou 15 de l'état de modification du financement ne doit pas comprendre le numéro d'identification du véhicule. Règl. de l'Ont. 741/93, art. 1, *en partie*.

CESSION DES BIENS GREVÉS PAR LE DÉBITEUR

8 (1) Si est inscrite la cession de l'intérêt du débiteur sur la totalité ou une partie des biens grevés, l'état de modification du financement visé à l'article 48 de la Loi est désigné comme cession par le débiteur ou cession par ce dernier d'une partie des biens grevés et mentionne :

- a) les renseignements exigés à l'article 19;
- b) malgré l'alinéa 19 d), le nom du cédant tel qu'il figure à l'état de financement ou à un état de modification du financement s'y rapportant;
- c) le nom du cessionnaire indiqué conformément à l'article 16;
- d) si le cessionnaire est une personne physique, sa date de naissance si le créancier garanti la connaît;
- e) l'adresse du cessionnaire si le créancier garanti la connaît.

(2) S'il y a cession d'une partie des biens grevés par un débiteur et si les biens grevés cédés comprennent un véhicule automobile et si le véhicule automobile est :

- a) soit classé comme bien de consommation;
- b) soit classé comme matériel ou comme stock et est décrit à la ligne 11 ou 12 de l'état de financement ou d'un état de modification du financement s'y rapportant ou sur la liste des véhicules automobiles jointe à l'état,

le véhicule automobile doit être décrit à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles.

(3) Si la cession d'une partie des biens grevés vise notamment un véhicule automobile qui n'est ni classé de la manière prévue à l'alinéa (2) a) ni classé et décrit de la manière prévue à l'alinéa (2) b), le véhicule automobile peut être décrit à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles.

(4) La description du véhicule automobile à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles comprend le numéro d'identification du véhicule et la marque ou le nom du fabricant, ainsi que, le cas échéant, les deux derniers chiffres de l'année du modèle et le modèle.

(5) Si les lignes 11 et 12 de l'état de modification du financement sont complètes, les véhicules automobiles supplémentaires peuvent être décrits dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(6) Si la cession d'une partie des biens grevés se rapporte à des biens grevés qui ne sont pas décrits de la manière exigée par le paragraphe (2), ceux-ci peuvent être décrits à la ligne 13, 14 ou 15 de l'état de modification du financement.

(7) La description du véhicule automobile à la ligne 13, 14 ou 15 de l'état de modification du financement ne doit pas comprendre le numéro d'identification du véhicule. Règl. de l'Ont. 741/93, art. 1, *en partie*.

MODIFICATION DU NOM DU DÉBITEUR

9 Si la modification du nom du débiteur est inscrite, l'état de modification du financement visé à l'article 48 de la Loi est désigné comme correction et contient les renseignements exigés à l'alinéa 15 c). Règl. de l'Ont. 741/93, art. 1, *en partie*.

ENREGISTREMENT D'UNE MAINLEVÉE

10 Si la mainlevée de l'enregistrement est inscrite, l'état de modification du financement visé à l'article 55 de la Loi est désigné comme mainlevée et contient les renseignements exigés à l'article 19. Règl. de l'Ont. 741/93, art. 1, *en partie*.

ENREGISTREMENT D'UNE MAINLEVÉE PARTIELLE

11 (1) Si la mainlevée partielle de l'enregistrement est inscrite, l'état de modification du financement visé à l'article 55 de la Loi est désigné comme mainlevée partielle et contient les renseignements exigés à l'article 19.

(2) Si la mainlevée partielle se rapporte à des biens grevés comprenant un véhicule automobile et si le véhicule automobile est :

- a) soit classé comme bien de consommation;
- b) soit classé comme matériel ou comme stock et est décrit à la ligne 11 ou 12 de l'état de financement ou d'un état de modification du financement s'y rapportant ou sur la liste des véhicules automobiles jointe à l'état,

le véhicule automobile doit être décrit à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles.

(3) Si la mainlevée partielle vise notamment un véhicule automobile qui n'est ni classé de la manière prévue à l'alinéa (2) a) ni classé et décrit de la manière prévue à l'alinéa (2) b), le véhicule automobile peut être décrit à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles.

(4) La description du véhicule automobile à la ligne 11 ou 12 de l'état de modification du financement ou sur la liste des véhicules automobiles comprend le numéro d'identification du véhicule et la marque ou le nom du fabricant, ainsi que, le cas échéant, les deux derniers chiffres de l'année du modèle et le modèle.

(5) Si les lignes 11 et 12 de l'état de modification du financement sont complètes, les véhicules automobiles supplémentaires peuvent être décrits dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(6) Les biens grevés qui ne sont pas décrits de la manière exigée par le paragraphe (2) peuvent être décrits à la ligne 13, 14 ou 15 de l'état de modification du financement.

(7) La description du véhicule automobile à la ligne 13, 14 ou 15 de l'état de modification du financement ne doit pas comprendre le numéro d'identification du véhicule. Règl. de l'Ont. 741/93, art. 1, *en partie*.

AUTRE MODIFICATION (SUBORDINATION)

12 Si la subordination de l'intérêt du créancier garanti inscrit est

inscrite, l'état de modification du financement visé à l'article 50 de la Loi est désigné comme autre modification et contient :

- a) les renseignements exigés à l'article 19;
- b) la mention d'une subordination comme genre de modification et les détails de la subordination à la ligne 25, 26, 27 ou 28. Règl. de l'Ont. 741/93, art. 1, *en partie*.

AUTRE MODIFICATION (SAISIE)

13 Si la saisie d'une sûreté, effectuée par un shérif, est inscrite, l'état de modification du financement visé à l'article 27 de la Loi sur l'exécution forcée est désigné comme autre modification et contient :

- a) les renseignements exigés à l'article 19;
- b) la mention d'une saisie d'une sûreté comme genre de modification et les détails de la saisie à la ligne 25, 26, 27 ou 28;
- c) malgré l'alinéa 19 h), la signature du shérif. Règl. de l'Ont. 741/93, art. 1, *en partie*.

CORRECTION DES RENSEIGNEMENTS

14 (1) L'état de modification du financement visé à l'article 49 de la Loi est désigné comme correction et contient :

- a) si l'état qui est corrigé a été enregistré avant l'entrée en vigueur du présent règlement ou en vertu de l'article 82 de la Loi, le numéro d'enregistrement de l'état ou le numéro de dossier assigné à l'état de financement par le registraire;
- b) si l'état qui est corrigé a été enregistré en vertu de la partie IV de la Loi, le numéro de dossier assigné à l'état de financement par le registraire;
- c) si l'état se rapporte à un enregistrement noté dans le registre central du réseau d'enregistrement par le registraire en vertu de l'article 78 de la Loi, le numéro d'enregistrement visé par la loi intitulée *Corporation Securities Registration Act*, qui constitue le chapitre 94 des Lois refondues de l'Ontario de 1980, ou le numéro de dossier assigné à l'enregistrement par le registraire;
- d) la mention qu'une liste des véhicules automobiles est jointe, le cas échéant;
- e) les renseignements exigés à l'article 15;
- f) le nom et l'adresse de l'un des créanciers garantis ou de l'agent d'enregistrement, s'il en est;
- g) un bref exposé des motifs de la correction;
- h) la signature autorisée du créancier garanti.

(2) Le présent article et l'article 15 s'appliquent aux corrections apportées à la liste des véhicules automobiles qui constitue une page de l'état de financement ou de l'état de modification du financement. Règl. de l'Ont. 741/93, art. 1, *en partie*.

15 L'état de modification du financement visé à l'article 14 contient :

- a) si la correction indique que l'état de financement aurait dû ou non être désigné comme avertissement :
 - (i) le nom de l'un des débiteurs tel qu'il figure à l'état de financement,
 - (ii) la mention dans l'exposé des motifs de correction que l'état de financement aurait dû ou non être désigné comme avertissement,

- (iii) les renseignements exigés à l'article 14;
- b) si la correction a pour effet de supprimer une ligne de renseignements de l'état de financement ou de l'état de modification du financement :
- (i) le nom de l'un des débiteurs tel qu'il figure à l'état,
- (ii) la mention dans l'exposé des motifs de correction des renseignements qui sont supprimés,
- (iii) les renseignements exigés à l'article 14;
- c) si la correction a pour effet de substituer une ligne de renseignements par une autre dans l'état de financement ou l'état de modification du financement :
- (i) le nom de l'un des débiteurs tel qu'il figure à l'état,
- (ii) la mention dans l'exposé des motifs de correction des renseignements qui sont substitués,
- (iii) la ligne de renseignements substitués,
- (iv) les renseignements exigés à l'article 14;
- d) si la correction a pour effet d'ajouter une ligne de renseignements dans l'état de financement ou l'état de modification du financement :
- (i) le nom de l'un des débiteurs tel qu'il figure à l'état,
- (ii) la ligne de renseignements ajoutés,
- (iii) les renseignements exigés à l'article 14;
- e) si la correction n'est pas d'une catégorie visée à l'alinéa a), b), c) ou d) :
- (i) le nom de l'un des débiteurs tel qu'il figure à l'état,
- (ii) les renseignements, le cas échéant, ajoutés ou substitués dans l'espace réservé à cette fin,
- (iii) les renseignements exigés à l'article 14. Règl. de l'Ont. 741/93, art. 1, *en partie*.

DÉTAILS DU CONTENU DES FORMULES

16 (1) L'état de financement contient le nom du débiteur qui est une personne physique de façon que le premier prénom, suivi de l'initiale du second, s'il en est, précède le nom de famille.

(2) Si le premier prénom du débiteur contient plus de dix-neuf signes typographiques, y compris les signes de ponctuation et les espaces, les dix-neuf premiers sont placés à l'endroit prévu pour le nom. Les nom et prénom, ainsi que l'initiale du second prénom, s'il en est, figurent à la ligne 13, 14 ou 15.

(3) Si le nom de famille du débiteur contient plus de vingt-deux signes typographiques, y compris les signes de ponctuation et les espaces, les vingt-deux premiers sont placés à l'endroit prévu pour le nom. Les nom et prénom, ainsi que l'initiale du second prénom, s'il en est, figurent à la ligne 13, 14 ou 15.

(4) Le nom du débiteur qui est une entité artificielle est indiqué à l'état de financement de l'une des façons suivantes :

1. Si l'entité artificielle est une société en nom collectif et que celle-ci, selon le cas :
 - i. enregistrée aux termes de la *Loi sur les noms commerciaux*, la raison sociale enregistrée de la société en nom collectif,
 - ii. une société en commandite, la raison sociale de la société

déposée aux termes de la *Loi sur les sociétés en commandite*,

- iii. une société en nom collectif qui n'est pas visée à la sous-disposition i ou ii :
 - A. la raison sociale de la société en nom collectif telle qu'elle figure au contrat de sûreté,
 - B. que la personne constitue ou non une sûreté, le nom d'au moins un des associés et, si ce dernier est :
 1. une personne physique, son nom est indiqué conformément au paragraphe (1),
 2. une entité artificielle, son nom est indiqué conformément au présent paragraphe.
2. Si l'entité artificielle est une personne morale, sa dénomination sociale telle qu'elle figure à l'acte constitutif.
3. Si l'entité artificielle est une association, un organisme, un consortium, une entreprise commune, une église ou un autre organisme religieux, non dotés de la personnalité morale :
 - i. son nom tel qu'il figure dans son acte constitutif, sa charte ou tout autre document constitutif,
 - ii. que le signataire constitue ou non une sûreté, le nom de chaque personne ayant signé le contrat de sûreté au nom de l'association, de l'organisme, du consortium, de l'entreprise commune, de l'église ou de l'autre organisme religieux et, si le signataire est :
 - A. une personne physique, son nom est indiqué conformément au paragraphe (1),
 - B. une entité artificielle, son nom est indiqué conformément au présent paragraphe.
4. Si l'entité artificielle est la succession d'une personne physique décédée, le premier prénom du défunt, suivi de l'initiale du second, s'il en est, puis de son nom de famille suivi du mot «estate».
5. Si l'entité artificielle est un syndicat :
 - i. son nom,
 - ii. que la personne physique constitue ou non une sûreté, le nom, indiqué conformément au paragraphe (1), de chaque personne physique ayant signé le contrat de sûreté au nom du syndicat.
6. Si l'entité artificielle est une fiducie et que le document la constituant :
 - i. donne un nom à la fiducie, ce nom suivi du mot «trust»,
 - ii. ne donne pas de nom à la fiducie, que le fiduciaire constitue ou non une sûreté, le nom de l'un des fiduciaires et, si ce dernier est :
 - A. une personne physique, son nom est indiqué conformément au paragraphe (1),
 - B. une entité artificielle, son nom est indiqué conformément au présent paragraphe.
7. Si l'entité artificielle est l'actif d'un failli, et que ce dernier est :
 - i. une personne physique, son premier prénom, suivi de l'initiale du second, s'il en est, puis du nom de famille suivi du mot «bankrupt»,

- ii. une entité artificielle, son nom suivi du mot «bankrupt».
8. Si l'entité artificielle n'est pas décrite aux dispositions 1 à 7 :
- i. son nom,
 - ii. que le signataire constitue ou non une sûreté, le nom de chaque personne ayant signé le contrat de sûreté au nom de l'entité artificielle et, si le signataire est :
 - A. une personne physique, son nom est indiqué conformément au paragraphe (1),
 - B. une entité artificielle, son nom est indiqué conformément au présent paragraphe.

(5) Si la personne se fait connaître du public sous un nom autre que le sien, ce nom peut figurer sur l'état de financement à la ligne prévue pour les débiteurs commerciaux.

(6) Si le nom d'une personne doit figurer sur l'état de financement aux termes du paragraphe (1) ou (4), il figure :

- a) dans le cas d'une personne physique, à la ligne prévue pour les débiteurs particuliers;
- b) dans le cas d'une entité artificielle, à la ligne prévue pour les débiteurs commerciaux. Règl. de l'Ont. 741/93, art. 1, *en partie*.

17 Malgré la disposition 2 du paragraphe 16 (4), si une personne morale possède une dénomination sociale à la fois en anglais et en français :

- a) la dénomination sociale anglaise figure à la ligne prévue pour le nom des débiteurs commerciaux;
- b) la dénomination sociale française figure à une autre ligne prévue pour le nom des débiteurs commerciaux. Règl. de l'Ont. 741/93, art. 1, *en partie*.

18 La date de naissance ou la date d'échéance figurant à l'état de financement ou à l'état de modification du financement est inscrite de la façon suivante :

- a) le jour du mois est inscrit en chiffres;
- b) le mois est indiqué selon l'abréviation ou le mot prévus à la colonne 2 de l'annexe 3;
- c) les deux derniers chiffres du millésime sont inscrits. Règl. de l'Ont. 741/93, art. 1, *en partie*.

19 L'état de modification du financement autre que l'état désigné comme correction contient :

- a) si l'état de financement auquel se rapporte l'état de modification du financement a été enregistré avant l'entrée en vigueur du présent règlement ou en vertu de l'article 82 de la Loi, le numéro d'enregistrement ou le numéro de dossier assigné à l'état de financement par le registrateur;
- b) si l'état de financement auquel se rapporte l'état de modification du financement a été enregistré en vertu de la partie IV de la Loi, le numéro de dossier assigné à l'état de financement par le registrateur;
- c) si l'état de modification du financement se rapporte à un enregistrement inscrit au registre central du réseau d'enregistrement par le registrateur en vertu de l'article 78 de la Loi, le numéro d'enregistrement visé par la loi intitulée *Corporation Securities Registration Act*, qui constitue le chapitre 94 des Lois refondues de l'Ontario de 1980, ou le numéro de dossier assigné à l'enregistrement par le registrateur;

- d) le nom de l'un des débiteurs tel qu'il figure à l'état de financement ou à un état de modification du financement s'y rapportant;
- e) si l'état de modification du financement se rapporte à un enregistrement visé par la loi intitulée *Corporation Securities Registration Act*, qui constitue le chapitre 94 des Lois refondues de l'Ontario de 1980, le nom de l'un des débiteurs tel qu'il est inscrit au registre central du réseau d'enregistrement par le registrateur en vertu de l'article 78 de la Loi ou tel qu'il figure à un état de modification du financement se rapportant à cette inscription;
- f) la mention qu'une liste des véhicules automobiles est jointe, le cas échéant;
- g) le nom et l'adresse de l'un des créanciers garantis ou de l'agent d'enregistrement, s'il en est;
- h) la signature autorisée du créancier garanti. Règl. de l'Ont. 741/93, art. 1, *en partie*.

ENREGISTREMENTS DISTINCTS

20 La personne procédant à l'enregistrement divise l'enregistrement ayant plus de quatre-vingt-dix pages en au moins deux enregistrements distincts. Règl. de l'Ont. 741/93, art. 1, *en partie*.

APPROBATION DES FORMULES

21 (1) Sur demande, le registrateur peut approuver une formule d'état de financement ou d'état de modification du financement ou les données se rapportant à ces états.

(2) Le registrateur peut donner l'approbation visée au paragraphe (1) pour une période limitée et l'assortir de conditions, et exiger que l'approbation ou les conditions soient indiquées sur la formule ou sur les données.

(3) Le registrateur peut retirer l'approbation donnée en vertu du paragraphe (1) par avis écrit envoyé par courrier recommandé, auquel cas l'approbation est réputée avoir été retirée dix jours après la mise à la poste de l'avis. Règl. de l'Ont. 741/93, art. 1, *en partie*.

PROCÉDURE

22 (1) L'état de financement ou l'état de modification du financement remis à un registrateur régional est présenté en double ou en triple exemplaire, selon le cas, et les exemplaires sont non séparés.

(2) Malgré le paragraphe (1), le registrateur peut approuver la remise à un registrateur régional d'un seul exemplaire de l'état de financement ou de l'état de modification du financement.

(3) L'original de l'état de financement ou de l'état de modification du financement est appelé l'exemplaire du bureau central. Le deuxième exemplaire est appelé l'exemplaire du bureau régional d'enregistrement des actes. Le troisième, s'il en est, est appelé l'exemplaire de la personne procédant à l'enregistrement.

(4) Le registrateur régional qui accepte l'état de financement ou l'état de modification du financement pour enregistrement numérote l'état, détache les exemplaires et fait parvenir au bureau central l'exemplaire qui lui est destiné.

(5) Si la personne procédant à l'enregistrement demande que son exemplaire, s'il en est, lui soit renvoyé, le registrateur régional, selon le cas :

- a) lui remet l'exemplaire dans le bureau régional d'enregistrement des actes;
- b) renvoie par la poste l'exemplaire à la personne procédant à l'enregistrement si celle-ci le demande et fournit une enveloppe affranchie portant son adresse.

(6) L'alinéa (5) a) ne s'applique pas au bureau central d'enregistrement.

(7) Le paragraphe (5) ne s'applique pas à l'enregistrement accepté au bureau central d'enregistrement si le registrateur fait parvenir à la personne procédant à l'enregistrement un état de vérification contenant les détails de l'état enregistré visé au paragraphe (1).

(8) L'état de vérification peut être envoyé au moyen d'un support électronique. Règl. de l'Ont. 741/93, art. 1, *en partie*.

MODALITÉS DE L'INSCRIPTION

23 (1) Les renseignements qui doivent ou peuvent figurer sur un état de financement, un état de modification du financement ou une liste des véhicules automobiles aux termes du présent règlement sont inscrits de façon à pouvoir être filmés et, notamment :

- a) ils doivent être dactylographiés ou imprimés à l'encre noire en caractères clairs, nets et lisibles, sans ratures, interlignes ni autres changements;
- b) les lettres de l'alphabet doivent être en majuscules;
- c) sous réserve du paragraphe 25 (1), les renseignements doivent être inscrits sans signe de ponctuation ni symbole.

(2) Une erreur de transcription des renseignements sur un état de financement, un état de modification du financement ou une liste des véhicules automobiles relativement aux renseignements suivants peut être corrigée, avant que l'état ne soit présenté à l'enregistrement, en dactylographiant un «X» sur l'erreur :

1. Le nom ou l'adresse d'une personne.
2. Le nom ou l'adresse d'un créancier garanti.
3. La description des biens grevés.
4. Les motifs de la correction ou la description de toute autre modification.
5. Le nom ou l'adresse d'un agent d'enregistrement.

(3) Le registrateur ou un registrateur régional peut refuser d'accepter un état ou une liste des véhicules automobiles lorsqu'il est d'avis que la correction peut présenter une ambiguïté. Règl. de l'Ont. 741/93, art. 1, *en partie*.

24 L'état de financement ou l'état de modification du financement présenté à l'enregistrement par la poste est adressé à :

Service d'enregistrement des sûretés mobilières
Bureau central d'enregistrement
C.P. 21 100
Succursale postale «A»
Toronto (Ontario)
M5W 1W6

Règl. de l'Ont. 741/93, art. 1, *en partie*.

24.1 L'état de financement ou l'état de modification du financement consigné au moyen d'un support électronique et présenté à l'enregistrement par remise visée à l'alinéa 46 (2) a) de la Loi doit être remise à l'une des adresses suivantes :

1. Bureau central
Direction de l'enregistrement des sûretés mobilières
Division de l'enregistrement
Ministère de la Consommation et du Commerce
393, avenue University, 3^e étage
Toronto (Ontario)
2. Services d'informatique et de télécommunications
Conseil de gestion du gouvernement

Édifice est
1201, avenue Wilson
Downsview (Ontario)

Règl. de l'Ont. 741/93, art. 1, *en partie*.

25 (1) Le signe de ponctuation ou le symbole figurant à la colonne 2 de l'annexe 1 peut être utilisé dans un état de financement, un état de modification du financement ou une liste des véhicules automobiles au lieu de la mention figurant sur la même ligne à la colonne 1 de l'annexe 1.

(2) Les abréviations ou les expressions complètes figurant à la colonne 2 de l'annexe 2 peuvent être utilisées au lieu de la mention figurant sur la même ligne à la colonne 1 de l'annexe 2 relativement :

- a) aux postes 1 à 14 sur les lignes 03, 06, 03/06, 08, 08/16, 16, 24 et 29 d'un état de financement ou d'un état de modification du financement;
- b) aux postes 15 à 35 sur les lignes 04, 07, 09, 04/07, 09/17 et 17 d'un état de financement ou d'un état de modification du financement;
- c) aux postes 36 à 57 sur les lignes 11 et 12 d'un état de financement ou d'un état de modification du financement ou sur les lignes 41 à 56 d'une liste des véhicules automobiles;
- d) aux postes 58 à 62 sur les lignes 13, 14 et 15 d'un état de financement ou d'un état de modification du financement. Règl. de l'Ont. 741/93, art. 1, *en partie*.

26 L'heure d'enregistrement correspond à l'heure du bureau central. Règl. de l'Ont. 741/93, art. 1, *en partie*.

26.1 Malgré l'article 26, si l'enregistrement d'un état de financement ou d'un état de modification du financement se fait au moyen d'un support électronique, l'heure d'enregistrement correspond à l'heure fixé par l'ordinateur utilisé dans le réseau d'enregistrement. Règl. de l'Ont. 741/93, art. 1, *en partie*.

ENREGISTREMENT AU MOYEN D'UN SUPPORT ÉLECTRONIQUE

26.2 (1) Les articles 1 à 26.1 s'appliquent, sous réserve du présent article aux états de financement et aux états de modification du financement présentés à l'enregistrement au moyen d'un support électronique par remise, par courrier ou par transmission électronique directs.

(2) Les alinéas 3 (1) k), 7 (1) d), 13 d), 14 (1) h) et 19 h), les paragraphes 22 (1) à (6) et l'article 23 ne s'appliquent pas aux renseignements présentés à l'enregistrement au moyen d'un support électronique.

(3) La signature autorisée d'un créancier garanti aux termes du paragraphe 3 (2) ou du cédant aux termes du paragraphe 3 (3) n'est pas nécessaire dans le cas d'un état de financement présenté à l'enregistrement au moyen d'un support électronique. Règl. de l'Ont. 741/93, art. 1, *en partie*.

FORMULES

27 (1) L'état de financement est rédigé selon la formule 1.

(2) L'état de modification du financement est rédigé selon la formule 2 ou 3, selon le cas.

(3) La liste des véhicules automobiles est rédigée selon la formule 4.

(4) L'avis, visé au paragraphe 54 (1) de la Loi, de la sûreté portant sur des biens grevés constituant des accessoires fixes, des objets susceptibles de devenir des accessoires fixes, des récoltes, du pétrole, du gaz ou des minéraux à extraire est rédigé selon la formule 5.

(5) L'avis de la sûreté sur un droit au paiement aux termes d'une hypothèque, d'une charge ou d'un bail sur un bien immeuble aux termes du paragraphe 54 (1) de la Loi est rédigé selon la formule 6.

(6) L'avis de la sûreté visé au présent article est signé par le créancier garanti ou par son avocat ou représentant personnel.

(7) L'avis de prorogation visé au paragraphe 54 (3) de la Loi est rédigé selon la formule 7 et signé par le créancier garanti ou par son avocat ou représentant personnel.

(8) Il peut être donné mainlevée de l'avis enregistré selon la formule 5, 6 ou 7 au moyen de l'enregistrement d'un certificat de mainlevée rédigé selon la formule 8.

(9) Le certificat de mainlevée est signé par le créancier garanti ou par son avocat ou représentant personnel.

(10) Le titre ou la qualité de l'avocat ou du représentant personnel signant la formule 5, 6, 7 ou 8 est indiqué sur la formule. Règl. de l'Ont. 741/93, art. 1, *en partie*.

28 Les frais relatifs aux déclarations visées au paragraphe 18 (7) de la Loi ne peuvent être supérieurs aux montants suivants :

a) 10 \$ pour une déclaration écrite indiquant le montant de la dette et les modalités de paiement de celle-ci;

b) 5 \$ pour une déclaration écrite approuvant ou corrigeant la description des biens grevés ou d'une partie de ceux-ci figurant sur une liste annexée à l'avis;

c) 5 \$ pour une déclaration écrite approuvant ou corrigeant une déclaration indiquant le montant de la dette et les modalités de paiement de celle-ci;

d) 50 cents pour chacune des pages d'une copie conforme du contrat de sûreté;

e) aucuns frais pour des renseignements suffisants sur l'endroit où se trouve le contrat de sûreté ou une copie conforme du contrat aux fins d'examen de ceux-ci. Règl. de l'Ont. 741/93, art. 1, *en partie*.

2. Schedule 1 to the Regulation is revoked and the following substituted:

2 L'annexe 1 du Règlement est abrogée et remplacée par ce qui suit :

Schedule 1
Annexe 1

ITEM POSTE	COLUMN 1	COLONNE 1	COLUMN 2 COLONNE 2
1.	Parentheses	<i>Parenthèses</i>	()
2.	Apostrophe	<i>Apostrophe</i>	'
3.	Period	<i>Point</i>	.
4.	Plus sign	<i>Signe plus</i>	+
5.	Ampersand	<i>Esperluète</i>	&
6.	Hyphen	<i>Trait d'union</i>	-
7.	Virgule	<i>Barre oblique</i>	/
8.	Comma	<i>Virgule</i>	,
9.	Percent sign	<i>Pour cent</i>	%
10.	Quotation mark	<i>Guillemets</i>	"
11.	Dollar sign	<i>Symbole du dollar</i>	\$
12.	Number sign	<i>Numéro</i>	#
13.	Question mark	<i>Point d'interrogation</i>	?
14.	Asterisk	<i>Astérisque</i>	*
15.	Colon	<i>Deux-points</i>	:
16.	Semicolon	<i>Point-virgule</i>	;
17.	Greater than	<i>Plus grand que</i>	>
18.	Equal	<i>Égal</i>	=
19.	Less than	<i>Plus petit que</i>	<
20.	Square brackets	<i>Crochets</i>	[]
21.	Oblique	<i>Trait oblique</i>	\
22.	Exclamation mark	<i>Point d'exclamation</i>	!

3. The heading of Schedule 2 to the Regulation is revoked and the following substituted:

3 L'intertitre de l'annexe 2 du Règlement est abrogé et remplacé par ce qui suit :

Schedule 2
Annexe 2

ITEM <i>POSTE</i>	COLUMN 1 <i>COLONNE 1</i>	COLUMN 2 <i>COLONNE 2</i>
----------------------	------------------------------	------------------------------

4. Schedule 3 to the Regulation is revoked and the following substituted:

4 L'annexe 3 du Règlement est abrogée et remplacée par ce qui suit :

Schedule 3
Annexe 3

ITEM <i>POSTE</i>	COLUMN 1 <i>COLONNE 1</i>	COLUMN 2 <i>COLONNE 2</i>
1.	JANUARY	JANVIER
2.	FEBRUARY	FÉVRIER
3.	MARCH	MARS
4.	APRIL	AVRIL
5.	MAY	MAI
6.	JUNE	JUIN
7.	JULY	JUILLET
8.	AUGUST	AOÛT
9.	SEPTEMBER	SEPTEMBRE
10.	OCTOBER	OCTOBRE
11.	NOVEMBER	NOVEMBRE
12.	DECEMBER	DÉCEMBRE

O. Reg. 741/93, s. 4.
Règl. de l'Ont. 741/93, art. 4.

5. Forms 5, 6, 7 and 8 of the Regulation are amended by adding the following French version:

5 Les formules 5, 6, 7 et 8 du Règlement sont modifiées par adjonction de la version française suivante :

Formule 5

Loi sur les sûretés mobilières

AVIS DE SÛRETÉ

USAGE INTERNE		(1) Enregistre- ment des actes <input type="checkbox"/>	Enregistrement des droits immobiliers <input type="checkbox"/>	(2) Page 1 (de pages)	
		(3) Cotes foncières	Pièce	Unité foncière	Supplément en annexe <input type="checkbox"/>
		(4) Nature du document AVIS DE SÛRETÉ <i>Loi sur les sûretés mobilières</i>			
		(5) Contrepartie S/O dollars _____ \$			
		(6) Description			
		Nouvelles cotes foncières	Supplément en annexe <input type="checkbox"/>		
	Actes d'exécution	Supplément en annexe <input type="checkbox"/>	(7) Contenu du document :	(a) Nouvelle description Nouvelle servitude Plan/croquis <input type="checkbox"/>	(b) Annexe Description <input type="checkbox"/> Autres <input type="checkbox"/> Divers <input type="checkbox"/> parties
(8) Termes du document :					
A. IL EST DONNÉ AVIS PAR LA PRÉSENTE qu'en raison d'un contrat de sûreté conclu entre					
..... (nom du débiteur)					
de					
..... (adresse)					
à titre de débiteur, et la partie signant à la case 10 à titre de créancier garanti, une sûreté a été créée sur :					
..... (brève description des biens grevés)					
Les biens grevés sont situés ou sont fixés ou doivent être fixés sur le bien décrit à la case 6 du présent document.					
Suite en annexe <input type="checkbox"/>					

(9) Numéros des actes visés par le présent document

(10) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
.....
.....
.....

(11) Domicile élu

(12) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
S/O
.....
.....

(13) Domicile élu
S/O

(14) Adresse civique de l'unité foncière	(15) Document préparé par :	USAGE INTERNE	Droits et taxes	
			Droits d'enregistrement	
			Total	

Annexe

(1) La présente annexe est jointe à :

Cession/titre de bien-fonds
 Frais/hypothèque grevant le bien-fonds
 Mainlevée des frais/hypothèque
 Document général

Pour la(les) cote(s) foncière(s) Pièce Unité foncière

(2) Cote(s) foncière(s) additionnelle(s) et renseignements supplémentaires

B. (Le cas échéant)

Le présent avis expire le 19.....

C. (Le cas échéant)

La sûreté a été cédée à

(nom du cessionnaire)

de

(adresse)

le

(date de la cession)

(qui a ensuite cédé la sûreté à

(nom du cessionnaire subséquent)

de

(adresse)

le

(date de la cession subséquente)

et le reste)

D. (Le cas échéant)

Le cessionnaire nommé en dernier à la disposition C est le créancier garanti à la date du présent avis.

REMARQUE : Une date d'expiration doit être indiquée à la disposition B si les biens grevés décrits à la disposition A sont des biens de consommation. La date d'expiration ne doit pas dépasser le cinquième anniversaire de la date d'enregistrement du présent document.

USAGE INTERNE

Formule 6

Loi sur les sûretés mobilières

AVIS DE SÛRETÉ

USAGE INTERNE		(1) Enregistre- ment des actes <input type="checkbox"/>	Enregistrement des droits immobiliers <input type="checkbox"/>	(2) Page 1 (de pages)	
		(3) Cotes foncières	Pièce	Unité foncière	Supplément en annexe <input type="checkbox"/>
		(4) Nature du document AVIS DE SÛRETÉ <i>Loi sur les sûretés mobilières</i>			
		(5) Contrepartie S/O dollars _____ \$			
		(6) Description			
		Nouvelles cotes foncières	Supplément en annexe <input type="checkbox"/>		
	Actes d'exécution	(7) Contenu du document :	(a) Nouvelle description Nouvelle servitude Plan/croquis <input type="checkbox"/>	(b) Annexe Description <input type="checkbox"/> Autres <input type="checkbox"/> Divers <input type="checkbox"/> parties	
(8) Termes du document :					
A. IL EST DONNÉ AVIS PAR LA PRÉSENTE qu'en raison d'un contrat de sûreté conclu entre					
..... (nom du débiteur)					
de					
..... (adresse)					
à titre de débiteur, et la partie signant à la case 10 à titre de créancier garanti, une sûreté sur un droit au paiement aux termes de l'instrument visé à la case 9 touchant le bien décrit à la case 6 a été créée.					
B. (Le cas échéant)					
La sûreté a été cédée à					
..... (nom du cessionnaire)					
Suite en annexe <input type="checkbox"/>					

(9) Numéros des actes visés par le présent document

(10) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
.....
.....
.....

(11) Domicile élu

(12) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
..... S/O
.....
.....

(13) Domicile élu
S/O

(14) Adresse civique de l'unité foncière	(15) Document préparé par :	USAGE INTERNE	Droits et taxes	
			Droits d'enregistrement	
			Total	

Annexe

(1) La présente annexe est jointe à :

Cession/titre de bien-fonds <input type="checkbox"/>	Frais/hypothèque grevant le bien-fonds <input type="checkbox"/>	Mainlevée des frais/hypothèque <input type="checkbox"/>	Document général <input checked="" type="checkbox"/>
Pour la(les) cote(s) foncière(s)	Pièce	Unité foncière	

(2) Cote(s) foncière(s) additionnelle(s) et renseignements supplémentaires

de
(adresse)

le
(date de la cession)

(qui a ensuite cédé la sûreté à
.....
(nom du cessionnaire subséquent)

de
(adresse)

le
(date de la cession subséquente)

et le reste

C. (Le cas échéant)

Le cessionnaire nommé en dernier à la disposition B est le créancier garanti à la date du présent avis.

USAGE INTERNE	
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Règl. de l'Ont. 741/93, art. 5, en partie.

Formule 7

Loi sur les sûretés mobilières

AVIS DE PROROGATION

USAGE INTERNE		(1) Enregistre- ment des actes <input type="checkbox"/>	Enregistrement des droits immobiliers <input type="checkbox"/>	(2) Page 1 (de pages)	
		(3) Cotes foncières	Pièce	Unité foncière	Supplément en annexe <input type="checkbox"/>
		(4) Nature du document AVIS DE PROROGATION <i>Loi sur les sûretés mobilières</i>			
		(5) Contrepartie S/O dollars _____ \$			
		(6) Description			
	Nouvelles cotes foncières	Supplément en annexe <input type="checkbox"/>			
	Actes d'exécution	Supplément en annexe <input type="checkbox"/>	(7) Contenu du document :	(a) Nouvelle description Nouvelle servitude Plan/croquis <input type="checkbox"/>	(b) Annexe Description <input type="checkbox"/> Autres <input type="checkbox"/> Divers <input type="checkbox"/> parties
(8) Termes du document :					
IL EST DONNÉ AVIS PAR LA PRÉSENTE que la date d'expiration de l'avis de sûreté visé à la case 9 est prorogée jusqu'au 19.....					
REMARQUE : La date d'expiration ne doit pas dépasser le cinquième anniversaire de la date d'enregistrement du présent document.					
Suite en annexe <input type="checkbox"/>					
(9) Numéros des actes visés par le présent document					

(10) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
.....
.....
.....

(11) Domicile élu

(12) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
.....
..... S/O
.....

(13) Domicile élu

S/O

(14) Adresse civique de l'unité foncière	(15) Document préparé par :	USAGE INTERNE	Droits et taxes	
			Droits d'enregistrement	
			Total	

Règl. de l'Ont. 741/93, art. 5, en partie.

Formule 8

Loi sur les sûretés mobilières

CERTIFICAT DE MAINLEVÉE

USAGE INTERNE		(1) Enregistre- ment des actes <input type="checkbox"/>	Enregistrement des droits immobiliers <input type="checkbox"/>	(2) Page 1 (de pages)	
		(3) Cotes foncières	Pièce	Unité foncière	Supplément en annexe <input type="checkbox"/>
		(4) Nature du document AVIS DE SÛRETÉ <i>Loi sur les sûretés mobilières</i>			
		(5) Contrepartie S/O dollars _____ \$			
	Nouvelles cotes foncières	Supplément en annexe <input type="checkbox"/>	(6) Description		
	Actes d'exécution	Supplément en annexe <input type="checkbox"/>	(7) Contenu du document :	(a) Nouvelle description Nouvelle servitude Plan/croquis <input type="checkbox"/>	(b) Annexe Description <input type="checkbox"/> Autres <input type="checkbox"/> Divers <input type="checkbox"/> parties
(8) Termes du document :					
Il est donné mainlevée de l'avis de sûreté visé à la case 9, daté du 19.....					
et enregistré le 19.....					
..... (mentionner ici les cessions)					
Suite en annexe <input type="checkbox"/>					
(9) Numéros des actes visés par le présent document					

(10) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
.....
.....
.....

(11) Domicile élu

(12) Partie(s) (indiquer la qualité ou l'intérêt)

Nom(s)	Signature(s)	Date de signature		
		A	M	J
.....
..... S/O
.....

(13) Domicile élu

S/O

(14) Adresse civique de l'unité foncière	(15) Document préparé par :	USAGE INTERNE	Droits et taxes	
			Droits d'enregistrement	
			Total	

Règl. de l'Ont. 741/93, art. 5, en partie.

50/93

ONTARIO REGULATION 742/93
made under the
PERSONAL PROPERTY SECURITY ACT

Made: November 19, 1993
Filed: November 22, 1993

Amending Reg. 913 of R.R.O. 1990
(Personal Property Security Assurance Fund)

Note: There are no prior amendments to Regulation 913.

1. Regulation 913 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

RÈGLEMENT DE L'ONTARIO 742/93
pris en application de la
LOI SUR LES SÛRETÉS MOBILIÈRES

pris le 19 novembre 1993
déposé le 22 novembre 1993

modifiant le Règl. 913 des R.R.O. de 1990
(Caisse d'assurance des sûretés mobilières)

Remarque : Aucune modification antérieure n'a été apportée au Règlement 913.

1 Le Règlement 913 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la version française suivante :

CAISSES D'ASSURANCE DES SÛRETÉS MOBILIÈRES

1 Un pour cent des droits perçus pour l'enregistrement des états en vertu de la Loi est versé à la Caisse d'assurance des sûretés mobilières. Règl. de l'Ont. 742/93, art. 1.

50/93

ONTARIO REGULATION 743/93
made under the
REPAIR AND STORAGE LIENS ACT

Made: November 19, 1993
Filed: November 22, 1993

Amending Reg. 1002 of R.R.O. 1990
(Forms)

Note: There are no prior amendments to Regulation 1002.

1. Regulation 1002 of the Revised Regulations of Ontario, 1990, exclusive of the Forms, is amended by adding the following French version:

FORMULES

1 L'ordre de saisie prévu au paragraphe 14 (1) de la Loi est rédigé selon la formule 1. Règl. de l'Ont. 743/93, art. 1, *en partie*.

2 La requête prévue au paragraphe 24 (3) de la Loi est rédigée selon la formule 2. Règl. de l'Ont. 743/93, art. 1, *en partie*.

3 Le certificat initial de consignation au tribunal prévu au paragraphe 24 (5) de la Loi est rédigé selon la formule 3. Règl. de l'Ont. 743/93, art. 1, *en partie*.

4 L'avis d'opposition d'un intimé prévu au paragraphe 24 (6) de la Loi est rédigé selon la formule 4. Règl. de l'Ont. 743/93, art. 1, *en partie*.

5 Le certificat définitif de consignation au tribunal prévu au paragraphe 24 (7) de la Loi est rédigé selon la formule 5. Règl. de l'Ont. 743/93, art. 1, *en partie*.

6 Le bref de saisie prévu au paragraphe 24 (9) de la Loi est rédigé selon la formule 6. Règl. de l'Ont. 743/93, art. 1, *en partie*.

ONTARIO REGULATION 744/93
made under the
AUDIOLOGY AND SPEECH-LANGUAGE
PATHOLOGY ACT, 1991

Made: November 3, 1993
Approved: November 19, 1993
Filed: November 22, 1993

ELECTION OF COUNCIL MEMBERS

ELECTORAL DISTRICTS

1.—(1) The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1, the eastern district, composed of the counties of Frontenac, Hastings, Lanark, Leeds and Grenville, Lennox and Addington, Northumberland, Peterborough, Prescott and Russell, Prince Edward, Renfrew, Stormont-Dundas and Glengarry and The Regional Municipality of Ottawa-Carleton.
2. Electoral district 2, the central region, composed of the regional municipalities of Durham, Peel and York, and The Municipality of Metropolitan Toronto.
3. Electoral district 3, the southwestern region, composed of the regional municipalities of Dufferin, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo together

RÈGLEMENT DE L'ONTARIO 743/93
pris en application de la
LOI SUR LE PRIVILÈGE DES RÉPARATEURS
ET DES ENTREPOSEURS

pris le 19 novembre 1993
déposé le 22 novembre 1993

modifiant le Règl. 1002 des R.R.O. de 1990
(Formules)

Remarque : Aucune modification antérieure n'a été apportée au Règlement 1002.

1 Le Règlement 1002 des Règlements refondus de l'Ontario de 1990, à l'exclusion des formules, est modifié par adjonction de la version française suivante :

7 Le reçu prévu au paragraphe 24 (11) de la Loi est rédigé selon la formule 7 ou 8. Règl. de l'Ont. 743/93, art. 1, *en partie*.

8 La renonciation à toute demande ultérieure prévue au paragraphe 24 (11) de la Loi est rédigée selon la formule 9. Règl. de l'Ont. 743/93, art. 1, *en partie*.

9 La lettre de crédit irrévocable prévue au paragraphe 24 (4) ou (7) de la Loi est rédigée selon la formule 10. Règl. de l'Ont. 743/93, art. 1, *en partie*.

10 Le cautionnement prévu au paragraphe 24 (4) ou (7) de la Loi est rédigé selon la formule 11. Règl. de l'Ont. 743/93, art. 1, *en partie*.

11 La requête à la Cour provinciale (Division civile) prévue au paragraphe 23 (1) de la Loi est rédigée selon la formule 12. Règl. de l'Ont. 743/93, art. 1, *en partie*.

50/93

with the counties of Brant, Huron, Perth and Wellington, Elgin, Essex, Kent, Lambton, Middlesex and Oxford.

4. Electoral district 4, the northwestern region, composed of the counties of Bruce and Grey together with the territorial districts of Algoma, Kenora, Manitoulin, Rainy River, Sudbury and Thunder Bay.
5. Electoral district 5, the northeastern region, composed of the counties of Haliburton, Simcoe and Victoria together with the territorial districts of Cochrane, Muskoka, Nipissing, Parry Sound and Timiskaming.

(2) The electoral district in which a member is eligible to vote is the district in which, on April 1 before an election, the member principally practises or, if the member is not engaged in the practice of audiology or speech-language pathology, in which, on that day, the member principally resides. O. Reg. 744/93, s. 1.

2. The number of members to be elected is,

(a) two, in each of electoral districts 1, 2 and 3;

(b) one, in each of electoral districts 4 and 5. O. Reg. 744/93, s. 2.

3. The term of office of a member elected to the Council is three years, except in the initial year of elections, where the term for the elected members from districts 1 and 3 is two years, and the term for the elected members from districts 2, 4 and 5 is three years. O. Reg. 744/93, s. 3.

ELECTION DATE

4.—(1) An election of members to the Council shall be held in April, 1994 for all electoral districts.

(2) In every third year after April, 1994, an election of members to the Council shall be held for electoral districts 2, 4 and 5.

(3) In April, 1996 and in every third year after that, an election of members to the Council shall be held for electoral districts 1 and 3.

(4) The Council shall set the date for each election of members to the Council. O. Reg. 744/93, s. 4.

ELIGIBILITY FOR ELECTION

5. A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is engaged in the practice of audiology or speech-language pathology in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of audiology or speech-language pathology, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any prescribed fees;
- (c) the member is not the subject of any disciplinary or incapacity proceedings;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election; and
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by a regulation under the Act. O. Reg. 744/93, s. 5.

6.—(1) The Registrar shall supervise the nomination of candidates.

(2) No later than sixty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 744/93, s. 6.

7. No later than 120 days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure. O. Reg. 744/93, s. 7.

NOMINATION PROCEDURE

8.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least ninety days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least three members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) A candidate may withdraw his or her nomination for election to the Council no later than seventy-five days prior to the date of the election. O. Reg. 744/93, s. 8.

ACCLAMATION

9. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 744/93, s. 9.

REGISTRAR'S ELECTORAL DUTIES

10.—(1) The Registrar shall supervise and administer the election of

candidates and, for the purpose of carrying out that duty, the Registrar may, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than sixty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 744/93, s. 10.

NUMBER OF VOTES TO BE CAST

11.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 744/93, s. 11.

TIE VOTES

12. If there is a tie in an election of members to the Council, the Registrar shall break the tie by random selection. O. Reg. 744/93, s. 12.

RECOUNTS

13.—(1) A candidate may require a recount by giving a written request to the Registrar no more than thirty days after the date of an election.

(2) The Registrar shall hold the recount no more than thirty days after receiving the request. O. Reg. 744/93, s. 13.

INTERRUPTION OF MAIL SERVICE

14. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 744/93, s. 14.

DISQUALIFICATION OF ELECTED MEMBERS

15.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) fails, without cause, to attend two consecutive meetings of the Council;
- (d) fails, without cause, to attend two consecutive meetings of a committee of which he or she is a member; or
- (e) ceases to practise or reside in the electoral district for which the member was elected.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 744/93, s. 15.

FILLING OF VACANCIES

16.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) The term of a member appointed under clause (1) (b) or elected in an election under clause (1) (c) or subsection (2) shall continue until the time the former Council member's term would have expired. O. Reg. 744/93, s. 16.

ELECTION OF ACADEMIC MEMBERS

17.—(1) Two academic members, one representing speech-language pathology and one representing audiology, shall be elected from among those candidates whose primary appointment is to a speech-language pathology or audiology department in an Ontario university.

(2) Such candidates shall be identified on the nomination form as academic candidates.

(3) With the exception of electoral districts, all other aspects of this Regulation shall apply to the election of the academic members. O. Reg. 744/93, s. 17.

18. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF AUDIOLOGISTS
AND SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO:

ALAN C. CHEVERIE
Chair

ISOBEL A. MANZER
Registrar

Dated at Toronto on November 3, 1993.

50/93

ONTARIO REGULATION 745/93
made under the
MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: November 4, 1993
Approved: November 19, 1993
Filed: November 22, 1993

COMMITTEE COMPOSITION

1.—(1) The Executive Committee shall be composed of,

- (a) the President and Vice-President of the Council;
- (b) one member of the Council who is a member of the College; and

(c) one member of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 745/93, s. 1.

2. The Registration Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two members of the College who are not members of the Council. O. Reg. 745/93, s. 2.

3. The Complaints Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two members of the College who are not members of the Council. O. Reg. 745/93, s. 3.

4. The Discipline Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) three members of the College who are not members of the Council. O. Reg. 745/93, s. 4.

5. The Fitness to Practise Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two members of the College who are not members of the Council. O. Reg. 745/93, s. 5.

6. The Quality Assurance Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two members of the College who are not members of the Council. O. Reg. 745/93, s. 6.

7. The Patient Relations Committee shall be composed of,

- (a) one member of the Council who is a member of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two members of the College who are not members of the Council. O. Reg. 745/93, s. 7.

8. The Council may add to any committee, in addition to the membership set out in sections 1 to 7,

- (a) additional members of the College who are members of the Council;
- (b) additional members of the College who are not members of the Council; and

- (c) additional members of the Council who are appointed to the Council by the Lieutenant Governor in Council. O. Reg. 745/93, s. 8.

9. This Regulation comes into force on the day the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
Chair

SHARON SABERTON
Registrar

Dated at Toronto on November 4, 1993.

50/93

ONTARIO REGULATION 746/93
made under the
MASSAGE THERAPY ACT, 1991

Made: October 27, 1993
Approved: November 19, 1993
Filed: November 22, 1993

FEES

1. The fee for an initial application for a certificate of registration of any class is \$50. O. Reg. 746/93, s. 1.

2.—(1) The fee to issue a certificate of registration is,

- (a) \$275 for a general certificate;
- (b) \$50 for an inactive certificate; and
- (c) \$225 for a general certificate if the applicant already holds an inactive certificate.

(2) Every member shall pay an annual fee on or before December 31 of the preceding year.

(3) The annual fee for a certificate of registration is,

- (a) \$275 for a general certificate; and
- (b) \$50 for an inactive certificate.

(4) Subject to subsection (5), the penalty for late payment of a fee set out in subsection (2) is \$55.

(5) A person shall not be required to pay the \$55 penalty more than once in a year, regardless of the number of classes of certificate for which the fee is late in that year. O. Reg. 746/93, s. 2.

3. The fee for reinstatement of a certificate of registration is \$600. O. Reg. 746/93, s. 3.

4.—(1) The fee to take the examinations for entry to practise is \$300.

(2) The fees to take supplemental examinations for entry to practise are,

- (a) \$100 for the written portion; and
- (b) \$200 for the clinical portion.

(3) The fee to file an appeal of examination results is \$75. O. Reg. 746/93, s. 4.

5.—(1) A candidate for election to the Council shall pay a fee of \$100 for a recount of the election.

(2) The fee shall be refunded to the candidate if the outcome of the election is changed in his or her favour as a result of the recount. O. Reg. 746/93, s. 5.

6. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
MASSAGE THERAPISTS OF ONTARIO:

E.E.S. COWALL
Chair

NEIL ANDERSON
Secretary-Treasurer

Dated at Toronto on October 27, 1993.

50/93

ONTARIO REGULATION 747/93
made under the
DENTAL HYGIENE ACT, 1991

Made: November 3, 1993
Approved: November 19, 1993
Filed: November 22, 1993

ELECTION OF COUNCIL MEMBERS

ELECTORAL DISTRICTS

1. The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1, the southwestern district, composed of the counties of Bruce, Grey, Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford and Perth.
2. Electoral district 2, the central western district, composed of the counties of Brant, Dufferin and Wellington and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo.
3. Electoral district 3, the central eastern district, composed of the counties of Simcoe, Northumberland, Peterborough, Prince Edward, Victoria and Haliburton, the regional municipalities of Durham, Peel and York and The Municipality of Metropolitan Toronto.
4. Electoral district 4, the eastern district, composed of the counties of Dundas, Frontenac, Glengarry, Hastings, Lanark, Leeds and Grenville, Lennox and Addington, Prescott, Russell and Renfrew and Stormont and The Regional Municipality of Ottawa-Carleton.
5. Electoral district 5, the northeastern district, composed of the territorial districts of Algoma, Cochrane, Manitoulin, Muskoka, Nipissing, Parry Sound, Sudbury and Timiskaming.
6. Electoral district 6, the northwestern district, composed of the territorial districts of Rainy River, Thunder Bay and Kenora. O. Reg. 747/93, s. 1.

2. The number of members to be elected in each of the electoral districts 1, 5 and 6 is one, and the number of members to be elected in each of the electoral districts 2, 3 and 4 is two. O. Reg. 747/93, s. 2.

3. The electoral district in which a member is eligible to vote is the

district in which, twenty-one days prior to the election, the member principally practises or, if the member is not engaged in the practice of dental hygiene, in which, on that day, the member principally resides. O. Reg. 747/93, s. 3.

FIRST COUNCIL ELECTION

4. The first election of members from each electoral district shall take place on a date fixed by the Transitional Council, and the elected members shall take office no later than January, 1995. O. Reg. 747/93, s. 4.

5.—(1) The term of office of members of the Council from electoral districts 1 and 4 who are elected in the first election of members to the Council shall expire immediately before the first meeting of the Council held in 1996.

(2) The term of office of members of the Council from electoral districts 2 and 5 who are elected in the first election of members to the Council shall expire immediately before the first meeting of the Council held in 1997.

(3) The term of office of members of the Council from electoral districts 3 and 6 who are elected in the first election of members to the Council shall expire immediately before the first meeting of the Council held in 1998. O. Reg. 747/93, s. 5.

SUBSEQUENT ELECTIONS

6.—(1) Elections for each electoral district shall be held in November in the year before the year in which the term of office of that electoral district's member or members expires.

(2) The Council shall set the date within the month of November for each election of members to the Council. O. Reg. 747/93, s. 6.

7.—(1) The term of office of a member elected to the Council in an election, other than the first election, is three years.

(2) The term of office commences at the first regular meeting of the Council to which the member has been elected, in the calendar year following the election of the Council member.

(3) The serving elected members of the Council continue in office until the commencement of their successors' terms of office. O. Reg. 747/93, s. 7.

ELIGIBILITY FOR ELECTION

8. A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is engaged in the practice of dental hygiene in the electoral district for which he or she is nominated and such district is the location of the member's principal practice, or, if the member is not engaged in the practice of dental hygiene, the member maintains his or her principal residence in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any prescribed fees;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) a period of three years before the date of the election has elapsed since the member complied with all aspects of an order of the Discipline Committee or Fitness to Practise Committee;
- (e) the member's certificate of registration is not subject to a term, condition or limitation imposed by the Discipline Committee or Fitness to Practise Committee; and
- (f) the member has not been a voting member of the provincial board of directors or an appointed official of the Ontario Dental

Hygienists' Association within the year preceding the closing of nominations. O. Reg. 747/93, s. 8.

9. A member who has served on the Council for nine consecutive years is not eligible again for election until at least three years have passed since the member last served on the Council as an elected or academic member. O. Reg. 747/93, s. 9.

NOMINATIONS AND VOTING

10. The Registrar shall supervise the nomination of candidates. O. Reg. 747/93, s. 10.

11.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty the Registrar may, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election;
- (e) provide for the destruction of ballots following an election and any recounts.

(2) Where there is an interruption of mail service during a nomination or election, the Registrar may extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption.

(3) No later than fourteen days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 747/93, s. 11.

12. Voting for candidates for election to the Council shall be by secret ballot using the ballot forms supplied by the Registrar. O. Reg. 747/93, s. 12.

13. No later than forty-five days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and the nomination procedure. O. Reg. 747/93, s. 13.

14.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least thirty days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least five members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) A candidate may withdraw his or her nomination for election to the Council by advising the Registrar in writing not less than twenty-four days before the election. O. Reg. 747/93, s. 14.

15. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 747/93, s. 15.

16.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 747/93, s. 16.

17. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 747/93, s. 17.

18.—(1) A candidate may require a recount by giving a written request to the Registrar no more than fifteen days after the date of the election and paying the prescribed fee.

(2) The Registrar shall hold the recount no more than fifteen days after receiving the request. O. Reg. 747/93, s. 18.

ACADEMIC COUNCIL MEMBERS

19. Two academic appointments shall be selected by the dental hygiene members of the faculties of all institutions accredited to graduate dental hygienists in the Province of Ontario. O. Reg. 747/93, s. 19.

20. A member is eligible for selection as an academic appointment to the Council if, on the date of the selection,

- (a) the member has a full-time faculty appointment in a dental hygiene program accredited to graduate persons who are qualified under regulations made under the *Dental Hygiene Act, 1991* to practise as dental hygienists;
- (b) the member is not in default of payment of any prescribed fees;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) a period of three years before the date of the election has elapsed since the member complied with all aspects of an order of the Discipline Committee or Fitness to Practise Committee;
- (e) the member's certificate of registration is not subject to a term, condition or limitation imposed by the Discipline Committee or Fitness to Practise Committee;
- (f) the member has not been a voting member of the provincial board of directors or an appointed official of the Ontario Dental Hygienists' Association within the year preceding the closing of nominations. O. Reg. 747/93, s. 20.

21. The term of office for an academic appointment shall be three years, with the initial appointment expiring at the first Council meeting in January, 1997. O. Reg. 747/93, s. 21.

DISQUALIFICATION OF COUNCIL MEMBERS

22. The Council shall disqualify an elected or academic member from sitting on the Council if the member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) fails, without cause, to attend two consecutive regular meetings of the Council;
- (d) fails, without cause, to attend three consecutive regular meetings of a committee for which he or she is a member;
- (e) fails, without cause, to attend a hearing or review of a panel for which he or she has been selected;
- (f) in the case of an elected member, ceases to qualify for election in the electoral district for which the member was elected;
- (g) breaches section 36 of the *Regulated Health Professions Act, 1991*; or
- (h) ceases to be a member. O. Reg. 747/93, s. 22.

23. An elected or academic member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 747/93, s. 23.

VACANCIES

24. The seat of a Council member shall be deemed to be vacant upon the death, resignation or disqualification of the Council member. O. Reg. 747/93, s. 24.

25.—(1) If the seat of an elected Council member becomes vacant not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) The term of a member appointed under clause (1) (b) or elected in an election under clause (1) (c) or subsection (2) shall continue until the former Council member's term of office would have expired. O. Reg. 747/93, s. 25.

26.—(1) If the seat of an academic Council member becomes vacant not more than six months before the expiry of the member's term of office, the Council may leave the seat vacant or request that a member be selected in accordance with section 20.

(2) If the seat of an academic Council member becomes vacant more than six months before the expiry of the member's term of office, the Council shall request that a member be selected in accordance with section 20. O. Reg. 747/93, s. 26.

27. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF DENTAL HYGIENISTS OF ONTARIO:

LYNDA MICKELSON
Chair

LINDA STREVENS
Registrar

Dated at Toronto on November 3, 1993.

50/93

ONTARIO REGULATION 748/93 made under the DENTAL TECHNOLOGY ACT, 1991

Made: November 3, 1993
Approved: November 19, 1993
Filed: November 22, 1993

ELECTIONS

1. The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1, the Metropolitan Toronto District, composed of The Municipality of Metropolitan Toronto.
 2. Electoral district 2, the western district, composed of the counties of Bruce, Grey, Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford, Perth, Brant, Wellington and Dufferin, the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth, Halton, Niagara and Waterloo and the territorial districts of Rainy River, Thunder Bay, Kenora, Algoma, Sudbury and Manitoulin.
 3. Electoral district 3, the eastern district, composed of the regional municipalities of Peel, York, Durham and Ottawa-Carleton, the counties of Simcoe, Northumberland, Peterborough, Prince Edward, Victoria, Haliburton, Stormont, Dundas, Glengarry, Prescott, Russell and Renfrew, Hastings, Prince Edward, Frontenac, Lennox and Addington, Lanark, Leeds and Grenville and the territorial districts of Cochrane, Muskoka, Parry Sound, Nipissing and Timiskaming. O. Reg. 748/93, s. 1.
2. The number of members to be elected is,
 - (a) three in electoral district 1; and
 - (b) two in each of the other electoral districts. O. Reg. 748/93, s. 2.
 3. The electoral district in which a member is eligible to vote is the district in which, twenty-one days prior to the election, the member principally practises or, if the member is not engaged in the practice of dental technology, in which, on that day, the member principally resides. O. Reg. 748/93, s. 3.
 4. The first election of members from each electoral district shall take place on a date fixed by the Transitional Council, and the elected members shall take office no later than January, 1995. O. Reg. 748/93, s. 4.
 - 5.—(1) The term of office of members of the Council from electoral district 3 who are elected in the first election of members to the Council shall expire immediately prior to the commencement of the first meeting of the Council held in 1996.
 - (2) The term of office of members of the Council from electoral district 2 who are elected in the first election of members to the Council shall expire immediately prior to the commencement of the first meeting of the Council held in 1997.
 - (3) The term of office of members of the Council from electoral district 1 who are elected in the first election of members to the Council shall expire immediately prior to the commencement of the first meeting of the Council held in 1998. O. Reg. 748/93, s. 5.
 - 6.—(1) Elections for each electoral district shall be held in November in the year prior to the year in which the term of office of that electoral district's member or members expires.
 - (2) The Council shall set the date within the month of November for each election of members to the Council. O. Reg. 748/93, s. 6.
 - 7.—(1) Subject to section 5, the term of office of a member elected to the Council in an election is three years.
 - (2) The term of office commences at the first regular meeting of the Council to which the member has been elected in the calendar year following his or her election.
 - (3) The serving elected members of the Council shall continue in office until their successors take office at the first regular meeting of the Council in the calendar year following the election. O. Reg. 748/93, s. 7.
 - 8.—(1) A member is eligible for election to the Council in an electoral district if, on the date of the election,
 - (a) the member is engaged in the practice of dental technology in the electoral district for which he or she is nominated and such district is the location of the member's principal practice, or, if the member is not engaged in the practice of dental technology, the member maintains his or her principal residence in the electoral district for which he or she is nominated;
 - (b) the member is not in default of payment of any prescribed fees;
 - (c) the member is not the subject of any disciplinary or incapacity proceeding;
 - (d) a period of six years before the date of the election has elapsed since the member complied with all aspects of an order of the Discipline Committee or Fitness to Practise Committee; and
 - (e) the member's certificate of registration is not subject to a term, condition or limitation imposed by the Discipline Committee or Fitness to Practise Committee.
 - (2) A member who has served on the Council for more than nine consecutive years is not eligible for election again until at least three years have passed since the member last served on the Council as an elected member. O. Reg. 748/93, s. 8.
 9. The Registrar shall supervise the nomination of candidates. O. Reg. 748/93, s. 9.
 - 10.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Registrar may, subject to the by-laws,
 - (a) appoint returning officers and scrutineers;
 - (b) establish a deadline for the receiving of ballots;
 - (c) establish procedures for the opening and counting of ballots;
 - (d) provide for the notification of all candidates and members of the results of the election; and
 - (e) provide for the destruction of ballots following an election and any recounts.
 - (2) Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption.
 - (3) No later than fourteen days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 748/93, s. 10.
 11. Voting for candidates for election to the Council shall be by secret ballot using the ballot forms supplied by the Registrar. O. Reg. 748/93, s. 11.
 12. No later than forty-five days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and the nomination procedure. O. Reg. 748/93, s. 12.
 - 13.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least thirty days before the date of the election.
 - (2) The nomination shall be signed by the candidate and by at least five members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.
 - (3) In order to be eligible for nomination, the candidate must certify that, as of the date of the filing of the nomination, the candidate is not a

voting member of the provincial board of directors of, or an appointed official of, either the Association of Registered Dental Technicians of Ontario or the Commercial Dental Laboratory Conference.

(4) A candidate may withdraw his or her nomination for election to the Council by advising the Registrar in writing not less than twenty-four days prior to the election. O. Reg. 748/93, s. 13.

14. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 748/93, s. 14.

15.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 748/93, s. 15.

16. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 748/93, s. 16.

17.—(1) A candidate may require a recount by giving a written request to the Registrar no more than ten days after the date of an election and paying the prescribed fee.

(2) The Registrar shall hold the recount no more than ten days after receiving the request. O. Reg. 748/93, s. 17.

18.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) fails, without cause, to attend two consecutive regular meetings of the Council;
- (d) fails, without cause, to attend two consecutive regular meetings of a committee for which he or she is a member;
- (e) fails, without cause, to attend a hearing or review of a panel for which he or she has been selected;
- (f) ceases to qualify for election in the electoral district for which the member was elected;
- (g) breaches section 36 of the *Regulated Health Professions Act, 1991*; or
- (h) ceases to be a member.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 748/93, s. 18.

19. The seat of a Council member shall be deemed to be vacant upon the death, resignation or disqualification of the Council member. O. Reg. 748/93, s. 19.

20.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had

the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or

(c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) The term of a member appointed under clause (1)(b) or elected in an election under clause (1)(c) or subsection (2) shall continue until the former Council member's term of office would have expired. O. Reg. 748/93, s. 20.

21. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTAL TECHNOLOGISTS OF ONTARIO:

JAMES R. DOEL
Chair

EMILY CHEUNG
Registrar

Dated at Toronto on November 3, 1993.

50/93

ONTARIO REGULATION 749/93
made under the
AUDIOLOGY AND SPEECH-LANGUAGE
PATHOLOGY ACT, 1991

Made: November 3, 1993
Approved: November 19, 1993
Filed: November 22, 1993

PROFESSIONAL MISCONDUCT

I. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

**THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND THE
RELATIONSHIP WITH, PATIENTS OR CLIENTS**

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failing to maintain a standard of practice of the profession.
3. Delivering to a patient or client any service for which consent is required by law, without such consent. These services may include therapeutic, preventative, palliative, assessment, treatment or other related services.
4. Delegating a controlled act in contravention of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
5. Abusing a patient or client verbally, emotionally, psychologically or physically.
6. Practising the profession while the member's ability to do so is impaired by any substance.

7. Prescribing, dispensing or selling equipment or materials for an improper purpose.
8. Discontinuing professional services that are needed unless,
 - i. the patient or client requests the discontinuation,
 - ii. alternative services are arranged, or reasonable attempts have been made to arrange alternative services,
 - iii. the patient or client is given a reasonable opportunity to arrange alternative services,
 - iv. restrictions in length or type of service are imposed by an agency,
 - v. the patient or client is unwilling or unable to pay and reasonable attempts have been made to arrange alternative services,
 - vi. discharge criteria are imposed by the employing agency, or
 - vii. the member reasonably believes that he or she may be physically or sexually abused by the patient or client and reasonable attempts have been made to arrange alternative services.
9. Discontinuing professional services contrary to the terms of an agreement between the member and a hospital within the meaning of the *Public Hospitals Act* or another agency with which a contract for services has been made.
10. Failing to refer a patient or client to more appropriate service when the member is unable to provide adequate service or failing to refer a patient or client who requires additional services in other professional areas.
11. Practising the profession while the member is in a conflict of interest.
12. Giving information about a patient or client to a person other than the patient or client or his or her authorized representative except with the informed consent of the patient or client or his or her authorized representative or as required or allowed by law.
13. Breaching an agreement with a patient or client relating to professional services for the patient or client or fees for such services.
14. Failing to reveal the exact nature of a treatment used by the member following a patient's or client's request to do so. Disclosure is not required in the context of research approved by the ethics committee of an Ontario university or research institute.
15. Failing to co-operate with the College during the course of the complaints process. The complaints process includes, but is not limited to, the receipt and assessment of the complaint, the investigation of the complaint and any disciplinary procedures addressing the complaint.
16. Inappropriately using a term, title or designation in respect of the member's practice.
17. Inappropriately using a term, title or designation indicating a specialization in the profession.
18. Using a name other than the member's name, as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession.

RECORD KEEPING AND REPORTS

19. Failing to keep records as required.
20. Falsifying a record relating to the member's practice.
21. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, to the patient or client or his or her authorized representative after a patient or client or his or her authorized representative has requested such a report or certificate.
22. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.

BUSINESS PRACTICES

23. Submitting an account or charge for services that the member knows is false or misleading.
24. Charging a fee that is excessive in relation to the services charged for.
25. Charging a fee that exceeds the fee for services set out in the schedule of fees published by the Ontario Association of Speech-Language Pathologists and Audiologists, without the prior informed consent of the patient or client.
26. Charging a fee for an undertaking not to charge for a service or class of services.
27. Charging a fee for an undertaking to be available to provide services to the patient or client.
28. Offering or giving a reduction for prompt payment of an account.
29. Failing to itemize an account for professional services if requested to do so by the patient or client or the person or agency who is to pay, in whole or in part, for the services.
30. Selling or assigning any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.

MISCELLANEOUS MATTERS

31. Contravening the Act, the *Regulated Health Professions Act, 1991* or a regulation under either of them.
32. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital as defined within the *Public Hospitals Act* if the contravention is relevant to the member's suitability to practise.
33. Influencing a patient or client to change his or her will or other testamentary instrument.
34. Improperly advertising or permitting advertising with respect to the member's practice.
35. Receiving any form of benefit from the practice of audiology or speech-language pathology while under suspension.
36. Employing or otherwise benefitting from a suspended member with respect to the practice of audiology or speech-language pathology.
37. Engaging in conduct or performing an act, relevant to the practice of the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 749/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF AUDIOLOGISTS
AND SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO:

ALAN C. CHEVERIE
Chair

ISOBEL A. MANZER
Registrar

Dated at Toronto on November 3, 1993.

50/93

ONTARIO REGULATION 750/93
made under the
CHIROPODY ACT, 1991

Made: November 5, 1993
Approved: November 19, 1993
Filed: November 22, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND CARE OF, AND
THE RELATIONSHIP WITH, PATIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failure to meet the standard of practice of the profession.
3. Doing anything to a patient for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
4. Delegating or accepting the delegation of a controlled act contrary to the Act or the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
5. Abusing a patient verbally, physically or emotionally.
6. Practising the profession while the member's ability to do so is impaired by any substance.
7. Prescribing or administering drugs for an improper use.
8. Discontinuing professional services that are needed unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient is given a reasonable opportunity to arrange alternative services.
9. Discontinuing professional services contrary to the terms of an agreement between the member and a hospital, nursing home or other facility or agency that provides health services to the public.
10. Practising the profession while the member is in a conflict of interest.
11. Giving information about a patient to a person other than the patient or his or her authorized representative except with the

consent of the patient or his or her authorized representative or as required or allowed by law.

12. Breaching an agreement with a patient relating to professional services for the patient or fees for such services.
13. Failing to reveal the exact nature of a remedy or treatment used by the member following a patient's request to do so.
14. Providing treatment to a patient where the member knows or ought to know that the provision of the treatment is ineffective, unnecessary or deleterious to the patient or is inappropriate to meet the needs of the patient.
15. Failing to advise the patient to consult with a physician or other regulated health professional where the member recognizes, or ought to recognize, a condition that is beyond the competence or experience of the chiropodist or that requires such a consultation to ensure the proper care of the patient.

REPRESENTATIONS ABOUT MEMBERS
AND THEIR QUALIFICATIONS

16. Using a name other than the member's name, as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession.

RECORD KEEPING AND REPORTS

17. Failing to keep records as required by the regulations.
18. Falsifying a record relating to the member's practice.
19. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time, to the patient or his or her authorized representative after a patient or his or her authorized representative has requested such a report or certificate.
20. Signing or issuing, in the member's professional capacity, a document that contains a false or misleading statement.

BUSINESS PRACTICES

21. Submitting an account or charge for services that the member knows is false or misleading.
22. Charging a fee that is excessive in relation to the services or devices charged for.
23. Failing to notify the patient of the fees charged for the member's services prior to rendering the services to the patient.
24. Offering or giving a reduction for prompt payment of an account.
25. Failing to itemize an account for professional services,
 - i. if requested to do so by the patient or the person or agency who is to pay, in whole or in part, for the services, or
 - ii. if the account includes a commercial laboratory fee or orthotics fee.
26. Selling or assigning any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.
27. Sharing fees with any person who has referred a patient to a member or receiving fees from any person to whom the member has referred a patient or requesting or accepting a rebate or commission for the referral of a patient.

28. Practising in the employment of or in association with a commercial business.
29. Charging a block fee unless,
- i. the patient is given the option of paying for each service as it is rendered, and
 - ii. if requested by the patient, the unit cost for each type of service covered by the block fee is specified.

MISCELLANEOUS MATTERS

30. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
31. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital, nursing home or other facility or agency that provides health services to the public if,
- i. the purpose of the law, by-law or rule is to protect the public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
32. Influencing a patient to change his or her will or other testamentary instrument.
33. Engaging in conduct or performing an act, in the course of practising the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
34. Failing to reply within thirty days to any written enquiry from the Board or its officers, employees or agents.
35. Refusing to allow an authorized representative of the College to enter during business hours any premises in which the member carries on the practice of chiroprody for the purpose of inspecting the member's practice, records and equipment or for any other purpose authorized by the Act or a regulation under the Act.
36. Failing to comply with an order of the Complaints Committee, the Discipline Committee or the Fitness to Practise Committee.
37. Failing to carry out a requirement of the Complaints Committee, the Discipline Committee or the Fitness to Practise Committee or breaching an undertaking given to one of those committees or to the Registrar. O. Reg. 750/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF CHIROPODISTS OF ONTARIO:

D. A. SPRINGER
Chair

CHRISTINE ROBINSON
Secretary-Treasurer

Dated at Toronto on November 5, 1993.

ONTARIO REGULATION 751/93
made under the
MESSAGE THERAPY ACT, 1991

Made: November 2, 1993
Approved: November 19, 1993
Filed: November 22, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

ADVERTISING

1. Advertising or permitting advertising with respect to the member's practice in contravention of the regulations under the Act.

RECORDS

2. Allowing any person to examine a client health record or giving any information, copy or thing from a client health record to any person except as required or allowed by law.
3. Failing to provide copies from a client health record for which the member has primary responsibility, as required by the regulations under the Act.
4. Failing to make arrangements with a client for the transfer of the client's records in the care of the member,
- i. when the member retires from practice,
 - ii. when the member changes office location and the client requests that the records be transferred, or
 - iii. when requested to do so by the client.

THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND
RELATIONSHIP WITH, CLIENTS

5. Contravening a term, condition or limitation imposed on the member's certificate of registration.
6. Contravening a standard of practice of the profession.
7. Doing anything to a client for a therapeutic, preventative, palliative, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
8. Abusing a client, verbally or physically.
9. Practising the profession while the member's ability to do so is impaired by any substance.
10. Discontinuing professional services that are needed unless,
- i. the client requests the discontinuation,
 - ii. alternative services are arranged,
 - iii. the client is given a reasonable opportunity to arrange alternative services, or
 - iv. the client is abusive, and the member has made all reasonable attempts to arrange alternative services.

11. Practising the profession while the member is in a conflict of interest.
12. Breaching an agreement with a client relating to professional services for the client or fees for such services.
13. Failing to reveal the exact nature of a secret remedy or treatment used by the member following a request to do so by a client, a client's representative or the College.
14. Inappropriately using a term, title or designation in respect of the member's practice.
15. Using a name other than the member's name as set out in the register in the course of providing or offering to provide services within the scope of practice of massage therapy.
16. Failing to identify himself or herself, by name or certificate number, on the request of a client, a client's representative or another health professional.
17. Failing to pay any money owing to the College.

RECORD KEEPING

18. Failing to keep records as required.
19. Falsifying a record relating to the member's practice.
20. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time, to the client or his or her authorized representative after a client or his or her authorized representative has requested such a report or certificate.
21. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.

BUSINESS PRACTICES

22. Submitting an account or charge for services that the member knows is false or misleading.
23. Charging or accepting a fee or amount that is excessive or unreasonable in relation to the services performed.
24. Charging or accepting a fee or amount under any agreement, which fee or amount is excessive or unreasonable having regard to the services to be performed or that may be performed pursuant to the agreement.
25. Failing to advise, in advance of services being rendered, of the fees proposed to be charged for the services to be rendered.
26. Failing to abide by a written undertaking given by the member to the College or to carry out an agreement entered into with the College.
27. Offering or giving a reduction for prompt payment of an account.
28. Failing to itemize an account for professional services, if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services.
29. Selling or assigning any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.

MISCELLANEOUS MATTERS

30. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.

31. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital, within the meaning of the *Public Hospitals Act* if,
 - i. the purpose of the law, by-law or rule is to protect the public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
32. Engaging in conduct or performing an act, in the course of practising the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
33. Treating or attempting to treat a condition beyond the member's competence.
34. Failing to refer a client to a qualified medical practitioner where the member recognizes or ought to have recognized a condition which requires medical examination. O. Reg. 751/93, s. 1.

2. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MASSAGE THERAPISTS OF ONTARIO:

E. E. S. COWALL
Chair

NEIL ANDERSON
Secretary-Treasurer

Dated at Toronto on November 2, 1993.

50/93

ONTARIO REGULATION 752/93 made under the MEDICAL LABORATORY TECHNOLOGY ACT, 1991

Made: November 1, 1993
Approved: November 19, 1993
Filed: November 22, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

1. An act or omission inconsistent with the Act or the *Regulated Health Professions Act, 1991* or the regulations under either Act.
2. Contravening a federal, provincial or territorial law, a municipal by-law or a regulation, rule or by-law of a hospital if the law, by-law, regulation or rule is relevant to the member's suitability to practise.
3. Failing to abide by any term, condition or limitation of the member's certificate of registration.
4. Failing to keep and maintain records as required.
5. Making a record or signing a certificate, report, account or other document that the member knows or ought to know is false, misleading or otherwise improper.
6. Falsifying a record.
7. Submitting an account for services that the member knows or ought to know is false or misleading.

8. Failing, without cause, to provide within a reasonable time any report or certificate requested by a patient or the patient's authorized agent in respect of a service provided by the member.
9. Providing confidential information about a patient or about professional services performed for a patient to any person other than the patient or his or her authorized agent or an authorized health professional without the consent of the patient, or his or her authorized agent, unless required to do so by law.
10. Using a term, title, listing or designation in respect of the member's practice other than the one authorized by the Act or the regulations under the Act.
11. Using in a professional respect any name other than the name of the member that is entered in the register.
12. Announcing or holding out that the member has special qualifications that are not possessed by the member.
13. Permitting, counselling or assisting any person who is not a member to perform a controlled act except as provided for in the Act or a regulation under the Act.
14. Providing services while the member's ability to do so is impaired by any substance, illness or chronic dysfunction.
15. Abusing a patient.
16. Failing to maintain the standard of practice of the profession.
17. Making a misrepresentation respecting the performance method, accuracy or reliability of any laboratory result.
18. Failing to properly supervise a person who provides a service and who is under the authority or direction of the member.
19. Failing to reply appropriately or within thirty days to any written communication from the College or its members, officers, employees or agents.
20. Engaging in conduct or performing an act relevant to the practice of medical laboratory technology that, having regard to all circumstances, would reasonably be regarded by the members as disgraceful, dishonourable or unprofessional.
21. Delegating a controlled act contrary to the Act, the *Regulated Health Professions Act, 1991* or the regulations under either Act.
22. Failing to inform the member's employer or supervisor of the member's inability to perform a service or to accept specific responsibility in areas where special training is required or where the member knows or ought to know he or she is not competent to perform the service without supervision.
23. Failing to report another member to the College when the other member's conduct towards a patient endangers the safety of the patient.
24. Participating in advertising or endorsing a product or service for consideration.
25. Failing to provide when requested, within a reasonable length of time, to a patient or the patient's authorized representative a copy of a patient's laboratory record, unless the member believes, on reasonable grounds, that providing the copy may result in harm to the patient or to another person.
26. Practising the profession in a conflict of interest.
27. Directly or indirectly benefiting from the practice of medical

laboratory technology while the member's certificate of registration is suspended, unless full disclosure is made by the member to the College of the nature of the benefit to be obtained and prior approval is obtained from the Executive Committee. O. Reg. 752/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO:

NANCY E. MCBRIDE
Chair

SHEILA R. WOODCOCK
Registrar

Dated at Toronto on November 1, 1993.

50/93

ONTARIO REGULATION 753/93
made under the
RESPIRATORY THERAPY ACT, 1991

Made: October 28, 1993
Approved: November 19, 1993
Filed: November 22, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

**THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND
RELATIONSHIP WITH, PATIENTS AND CLIENTS**

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Contravening a standard of practice of the profession or failing to maintain the standard of practice of the profession.
3. Doing anything to a patient or client for a therapeutic, preventative, palliative, diagnostic, cosmetic or health-related purpose in a situation in which a consent is required by law, without such a consent.
4. Delegating a controlled act set out in subsection 27 (2) of the *Regulated Health Professions Act, 1991*, in contravention of the regulations.
5. Abusing a patient or client.
6. Practising the profession while the member's ability to do so is impaired by any substance.
7. Recommending, dispensing or selling medical gases or equipment for an improper purpose.
8. Discontinuing, without reasonable cause, professional services that are needed unless,
 - i. the patient or client requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient or client is given reasonable opportunity to arrange alternative services.
9. Failing, without reasonable cause, to fulfil the terms of an

agreement for professional services other than an employment agreement, with a health care facility, unless,

- i. the health care facility requests the termination of the agreement,
 - ii. alternative services are arranged, or
 - iii. the health care facility is given reasonable opportunity to arrange alternative services.
10. Practising the profession while the member is in a conflict of interest.
 11. Giving information about a patient or client to a person other than the patient or client or his or her authorized representative except with the consent of the patient or client or his or her authorized representative or as required by law.
 12. Breaching an agreement with a patient or client relating to professional services for the patient or client or fees for such services.
 13. Failing to reveal the exact nature of any remedy or treatment used by the member following the patient's or client's request to do so.

REPRESENTATIONS ABOUT MEMBERS AND THEIR QUALIFICATIONS

14. Using a term, title or designation in respect of the member's practice in contravention of the regulations.
15. Using a name other than the member's name as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession.

RECORD KEEPING AND REPORTS

16. Falsifying a record relating to the member's practice.
17. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time to the patient or client or his or her authorized representative after the patient or client or his or her authorized representative has requested such a report or certificate.
18. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.

BUSINESS PRACTICES

19. Submitting an account or charge for services that a member knows is false or misleading.
20. Charging a fee that is excessive in relation to the service rendered.
21. Failing to disclose the fee schedule or payment structure prior to delivery of services or failing to provide the patient or client with sufficient time to refuse the treatment and arrange for alternative services.
22. Failing to itemize an account for fees charged by the member for professional services rendered,
 - i. if requested to do so by the patient or client or the person or agency who is to pay, in whole or in part, for the services, or
 - ii. if the account includes a commercial laboratory fee.
23. Selling any debt owed to the member for professional services;

this does not include the use of credit cards to pay for professional services.

MISCELLANEOUS MATTERS

24. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
25. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital within the meaning of the *Public Hospitals Act* if,
 - i. the purpose of the law, by-law or rule is to protect public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
26. Failing to comply with an order of a panel of the Complaints Committee, Discipline Committee or Fitness to Practise Committee.
27. Failing to carry out an undertaking given to the College or an agreement entered into with the College.
28. Influencing a patient or client to change his or her will or other testamentary instrument.
29. Engaging in conduct or performing an act, in the course of practising the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 753/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF RESPIRATORY THERAPISTS OF ONTARIO:

DIANE THOMPSON
Chair

MARGARET CARTER
Vice-Chair

Dated at Toronto on October 28, 1993.

50/93

ONTARIO REGULATION 754/93 made under the HIGHWAY TRAFFIC ACT

Made: November 22, 1993
Filed: November 23, 1993

Amending Reg. 609 of R.R.O. 1990
(Restricted Use of the King's Highway)

Note: There are no prior amendments to Regulation 609.

1. Clause 1 (2) (a) of Regulation 609 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (a) a person who owns, occupies or is hired by the owner or occupier to work on lands adjoining the King's Highway to which lands there is no other means of access by highway while such person is engaged in gaining access to or egress from such lands if in gaining such access or egress the person proceeds by the shortest route over such King's Highway to the lands; or

2. The Schedule to the Regulation is revoked and the following substituted:

Schedule

All of the King's Highway known as No. 400, 401, 402, 403, 404, 405, 406, 407, 409, 410, 417, 420, 427 and the Queen Elizabeth Way. O. Reg. 754/93, s. 2.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on November 22, 1993.

50/93

ONTARIO REGULATION 755/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: November 19, 1993
Filed: November 23, 1993

Amending O. Reg. 787/92
(Township of Emily, Village of
Omeme Boundary)

Note: There are no prior amendments to Ontario Regulation 787/92.

1. Section 7 of Ontario Regulation 787/92 is amended by striking out "the 3rd day of June, 1991" in the last line and substituting "December 16, 1991".

2. The Schedule to the Regulation is revoked and the following substituted:

Schedule

**PORTION OF THE TOWNSHIP OF EMILY
TO BE ANNEXED TO THE VILLAGE OF OMEMEE**

Beginning at the intersection of the northerly boundary of the Village of Omeme and the easterly limit of Lot 5 in Concession IV of the Township of Emily;

Thence northerly along the easterly limit of Lot 5 to a point distant 325.414 metres measured northerly therealong from the northerly limit of the right-of-way of the Canadian National Railways;

Thence south 71° 00' 30" west, 129.714 metres to a point;

Thence south 70° 07' 50" west, 123.779 metres to a point;

Thence south 68° 40' 20" west, 222.595 metres to a point;

Thence south 70° 14' 40" west, 45.574 metres to a point;

Thence south 70° 02' 40" west, 78.324 metres to a point on the easterly limit of the northerly extension of Victoria Avenue distant 102.778 metres measured north 18° 29' west from the northerly limit of the lands of the Canadian National Railways;

Thence south 18° 29' east along the easterly limit of the said road extension 58.195 metres to a point;

Thence north 71° 31' east, 45.72 metres to a point;

Thence south 18° 29' east, 30.48 metres to a point;

Thence south 71° 31' west, 45.72 metres to the easterly limit of Victoria Avenue;

Thence south 18° 29' east along the easterly limit of Victoria Avenue 14.103 metres to the northerly limit of the lands of the Canadian National Railways;

Thence south 71° 54' 40" east along the northerly limit of the said lands 67.254 metres to a point;

Thence south 85° 50' 20" east along the northerly limit of the said lands 33 metres more or less to the northerly limit of the Village of Omeme;

Thence easterly along the northerly boundary of the said Village 510 metres to the place of beginning. O. Reg. 755/93, s. 2.

50/93

ONTARIO REGULATION 756/93
made under the
REPAIR AND STORAGE LIENS ACT

Made: November 19, 1993
Filed: November 23, 1993

Amending Reg. 1001 of R.R.O. 1990
(Fees)

Note: Regulation 1001 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Paragraphs 1, 2 and 3 of section 1 of Regulation 1001 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

1. Subject to paragraph 3.1, for registration of a claim for lien for a period of one, two or three years or a change statement designated as a renewal for a period of one or two years

\$ 6.00
per year

2. Subject to paragraph 3.1, for the registration of a change statement designated as a discharge . .

No charge

RÈGLEMENT DE L'ONTARIO 756/93
pris en application de la
**LOI SUR LE PRIVILEGE DES RÉPARATEURS
ET DES ENTREPOSEURS**

pris le 19 novembre 1993
déposé le 23 novembre 1993

modifiant le Règl. 1001 des R.R.O. de 1990
(Droits)

Remarque : Le Règlement 1001 n'a pas été modifié en 1993. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 Les dispositions 1, 2 et 3 de l'article 1 du Règlement 1001 des Règlements refondus de l'Ontario de 1990 sont abrogées et remplacées par ce qui suit :

- 3. Subject to paragraph 3.1, for the registration of a change statement other than a change statement described in item 1 or 2 \$10.00
- 3.1 For the registration of a claim for lien or a change statement in addition to the fee payable under paragraph 1, 2 or 3, if the registration is not in an electronic format 5.00

2. The Regulation is amended by adding the following French version:

2 Le Règlement est modifié par adjonction de la version française suivante :

DROITS

1 Les droits suivants sont payables en vertu de la Loi :

- 1. Sous réserve de la disposition 3.1, pour l'enregistrement d'une revendication de privilège pour une période de un, deux ou trois ans ou d'un état de modification désigné comme renouvellement pour une période de un ou deux ans 6,00 \$ par année
- 2. Sous réserve de la disposition 3.1, pour l'enregistrement d'un état de modification désigné comme mainlevée Aucuns droits
- 3. Sous réserve de la disposition 3.1, pour l'enregistrement d'un état de modification différent de celui qui est décrit au poste 1 ou 2 10,00
- 3.1 Pour l'enregistrement d'une revendication de privilège ou d'un état de modification, en plus des droits payables en vertu de la disposition 1, 2 ou 3, si l'enregistrement n'est pas consigné au moyen d'un support électronique 5,00
- 4. Pour la production, en vue de son examen, de la copie du bureau central d'une revendication de privilège ou d'un état de modification ... 10,00
- 5. Pour une copie de la copie du bureau central d'une revendication de privilège ou d'un état de modification (sauf la production de l'état) 2,00
- 6. Pour certifier conforme une copie à laquelle s'applique le poste 4 ou 5 1,00

Règl. de l'Ont. 756/93, art. 2.

3. This Regulation comes into force on December 1, 1993.

3 Le présent règlement entre en vigueur le 1^{er} décembre 1993.

50/93

ONTARIO REGULATION 757/93
made under the
REPAIR AND STORAGE LIENS ACT

Made: November 19, 1993
Filed: November 23, 1993

Amending Reg. 1003 of R.R.O. 1990
(General)

Note: There are no prior amendments to Regulation 1003.

1. Section 2 of Regulation 1003 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

RÈGLEMENT DE L'ONTARIO 757/93
pris en application de la
LOI SUR LE PRIVILÈGE DES RÉPARATEURS
ET DES ENTREPOSEURS

pris le 19 novembre 1993
déposé le 23 novembre 1993

modifiant le Règl. 1003 des R.R.O. de 1990
(Dispositions générales)

Remarque : Aucune modification n'a été apportée au Règlement 1003.

1 L'article 2 du Règlement 1003 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

2. If the Act requires a claim for lien or a change statement in the prescribed form to be registered, the claim for lien or change statement shall be in the form provided or approved by the registrar or in the electronic format approved by the registrar for the purposes of clause 6 (2) (a) of the *Electronic Registration Act (Ministry of Consumer and Commercial Relations Statutes), 1991*. O. Reg. 757/93, s. 1.

2. Subsections 14 (1) and (2) of the Regulation are revoked and the following substituted:

2 Les paragraphes 14 (1) et (2) du Règlement sont abrogés et remplacés par ce qui suit :

APPROVED FORMS OR FORMAT

(1) Upon application, the registrar may approve a form or an electronic format of claim for lien or change statement.

(2) An approval granted under subsection (1) may be for a limited time period, may be qualified and may require that the qualification or approval be printed on the form or entered on the electronic format. O. Reg. 757/93, s. 2.

3. Section 15 of the Regulation is amended by adding the following subsections:

3 L'article 15 du Règlement est modifié par adjonction des paragraphes suivants :

(8) If a claim for lien or change statement is tendered for registration in an electronic format approved by the registrar, the registrar may send to the registrant a verification statement that includes particulars of the registered claim for lien or change statement, as the case may be.

(9) A verification statement under this section may be sent in an electronic format approved by the registrar. O. Reg. 757/93, s. 3.

4. Section 17 of the Regulation is amended by adding the following subsection:

4 L'article 17 du Règlement est modifié par adjonction du paragraphe suivant :

(2) A claim for lien or change statement in an electronic format approved by the registrar that is tendered for registration by delivery as provided in subsection 9 (1) of the Act shall be delivered to one of the following addresses:

1. Central Office
Personal Property Security Registration Branch
Registration Division
Ministry of Consumer and Commercial Relations
393 University Avenue, 3rd Floor
Toronto, Ontario
2. Computer and Telecommunication Services
Management Board of Cabinet
East Building
1201 Wilson Avenue
Downsview, Ontario

O. Reg. 757/93, s. 4.

5. Section 19 of the Regulation is amended by adding the following subsection:

5 L'article 19 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Despite subsection (1), if the registration of a claim for lien or change statement is in electronic format approved by the registrar, the time assigned to the registration shall correspond with the time showing on the computer used in the registration system. O. Reg. 757/93, s. 5.

6. The Regulation is amended by adding the following section:

6 Le Règlement est modifié par adjonction de l'article suivant :

REGISTRATION IN AN ELECTRONIC FORMAT

20.—(1) Subject to this section, sections 1 to 16 and section 18 apply to claims for lien and change statements tendered for registration in an electronic format approved by the registrar.

(2) Clauses 3 (1) (i), 5 (d) and 8 (1) (f), subsections 15 (1) to (7) and section 16 do not apply to information tendered for registration in an electronic format.

(3) The authorized signature of the assignor under subsection 3 (2) is not required in the case of a claim for lien tendered for registration in an electronic format. O. Reg. 757/93, s. 6.

7. The Regulation, exclusive of the Schedules, is amended by adding the following French version:

7 Le Règlement, à l'exclusion des annexes, est modifié par adjonction de la version française suivante :

DISPOSITIONS GÉNÉRALES

DÉFINITIONS

I Les définitions qui suivent s'appliquent au présent règlement.

«adresse» S'entend notamment du code postal ou de son équivalent, le cas échéant. («address»)

«agent d'enregistrement» Personne qui agit à titre d'agent pour le créancier privilégié ou le cédant lorsqu'elle présente un état pour enregistrement, à l'exclusion, toutefois, du commis ou de tout autre employé du créancier privilégié ou du cédant. («registering agent»)

«débiteur» Personne responsable du coût des réparations, de l'entreposage ou de l'entreposage et des réparations. («debtor»)

«entité artificielle» S'entend notamment d'une société en nom collectif, d'une personne morale, d'une association, d'un organisme, de la succession d'une personne physique décédée, d'un syndicat, d'une église ou autre organisme religieux, d'un consortium, d'une entreprise commune, d'une fiducie ou d'un syndic. («artificial body»)

«numéro d'identification du véhicule» Numéro que le fabricant du véhicule automobile a apposé sur celui-ci aux fins d'identification. («vehicle identification number»)

«page précise d'un enregistrement» Dans le cas de l'enregistrement d'une seule page, la revendication de privilège ou l'état de modification qui est enregistré et, dans le cas de l'enregistrement de plusieurs pages, une des revendications de privilège ou un des états de modification qui est enregistré et qui occupe une page de l'enregistrement de plusieurs pages, ou la liste des véhicules automobiles jointe à une revendication de privilège ou à un état de modification et occupant une page de l'enregistrement de plusieurs pages. («specific page of registration»)

«personne» Entité artificielle ou personne physique. («person»)

«registrateur» Le registrateur des sûretés mobilières nommé en vertu de la *Loi sur les sûretés mobilières*. («registrar»)

«registrateur régional» Registrateur régional nommé en vertu de la *Loi sur les sûretés mobilières*. («branch registrar»)

«signature autorisée du cédant» Le nom du cédant, dactylographié, imprimé ou estampillé, et accompagné :

- soit de la signature du cédant,
- soit de la signature d'une personne réellement, implicitement ou apparemment autorisée à signer au nom du cédant, ainsi que du nom dactylographié, imprimé ou estampillé de la personne. («authorized signature of assignor»)

«signature autorisée du créancier privilégié» Le nom du créancier privilégié, dactylographié, imprimé ou estampillé, et accompagné :

- soit de la signature du créancier privilégié,
- soit de la signature d'une personne réellement, implicitement ou apparemment autorisée à signer au nom du créancier privilégié, ainsi que du nom dactylographié, imprimé ou estampillé de la personne. («authorized signature of the lien claimant») Règl. de l'Ont. 757/93, art. 7, en partie.

FORMULE DE L'ÉTAT ET CIRCONSTANCES DE SON UTILISATION

2 La revendication de privilège ou l'état de modification dont la Loi requiert l'enregistrement selon la formule prescrite est rédigé selon la formule fournie ou approuvée par le registrateur ou consigné au moyen du support électronique approuvé par le registrateur aux fins de l'application de l'alinéa 6 (2) a) de la *Loi de 1991 sur l'enregistrement électronique dans le cadre de lois relevant du ministère de la Consommation et du Commerce*. Règl. de l'Ont. 757/93, art. 7, en partie.

CONTENU DE LA REVENDICATION DE PRIVILÈGE

3 (1) Figurent sur la revendication de privilège, dans l'espace réservé à cette fin :

- la lettre «R» pour indiquer qu'un enregistrement est effectué en vertu de la Loi;
- le nombre d'années entières visé par la période d'enregistrement, soit un, deux ou trois ans, selon le cas;
- les renseignements exigés à l'article 10 et, le cas échéant, la date de naissance de la personne physique;
- l'adresse du débiteur;
- le nom et l'adresse du créancier privilégié;
- si le privilège vise un véhicule automobile, une mention de ce fait;
- si une liste des véhicules automobiles est jointe, une mention de ce fait;
- le montant garanti par le privilège;
- la signature autorisée du créancier privilégié.

(2) En cas de cession du privilège, le nom, l'adresse et la signature autorisée du cédant peuvent figurer à la place du nom, de l'adresse et de la signature autorisée du créancier privilégié.

(3) Peuvent figurer sur la revendication de privilège dans l'espace réservé à cette fin :

- le nom et l'adresse de l'agent d'enregistrement, le cas échéant;
- le numéro de personne morale de l'Ontario, si le débiteur est une personne morale constituée en Ontario.

(4) Le véhicule automobile est décrit à la ligne 11 ou 12 de la revendication de privilège ou dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(5) La description du véhicule automobile comprend le numéro d'identification du véhicule et la marque ou le nom du fabricant, ainsi que, le cas échéant, les deux derniers chiffres de l'année du modèle et le modèle.

(6) Si les lignes 11 et 12 sont complètes, les véhicules automobiles supplémentaires peuvent être décrits dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(7) Les articles qui ne sont pas des véhicules automobiles sont décrits à la ligne 13, 14 ou 15 de la revendication de privilège de façon à en permettre l'identification. Règl. de l'Ont. 757/93, art. 7, en partie.

RENOUVELLEMENT DE LA PÉRIODE D'ENREGISTREMENT

4 (1) Si la période d'enregistrement est prorogée, l'état de modification visé au paragraphe 10 (4) de la Loi est désigné comme renouvellement et mentionne à la fois :

- a) les renseignements exigés à l'article 13;
- b) le nombre d'années de prorogation de la période d'enregistrement.

(2) La prorogation de la période d'enregistrement est d'une ou de deux années entières, selon le cas. Règl. de l'Ont. 757/93, art. 7, *en partie*.

CESSION PAR LE CRÉANCIER PRIVILÉGIÉ

5 Si la cession par le créancier privilégié d'un privilège non possessoire est inscrite, l'état de modification visé au paragraphe 10 (5) de la Loi est désigné comme cession par le créancier privilégié et contient :

- a) les renseignements exigés à l'article 13;
- b) le nom du cédant tel qu'il figure sur la revendication de privilège ou un état de modification s'y rapportant;
- c) le nom et l'adresse du cessionnaire;
- d) malgré l'alinéa 13 e), la signature autorisée du cédant ou la signature autorisée du créancier privilégié. Règl. de l'Ont. 757/93, art. 7, *en partie*.

INSCRIPTION D'UNE MAINLEVÉE

6 Si la mainlevée de l'enregistrement est consignée, l'état de modification visé à l'alinéa 12 (1) d) de la Loi est désigné comme mainlevée et contient les renseignements exigés à l'article 13. Règl. de l'Ont. 757/93, art. 7, *en partie*.

INSCRIPTION D'UNE MAINLEVÉE PARTIELLE

7 (1) Si la libération de certains des articles grevés du privilège est consignée, l'état de modification visé au paragraphe 12 (2) de la Loi est désigné comme mainlevée partielle et contient les renseignements exigés à l'article 13.

(2) Les véhicules automobiles compris dans les articles libérés sont décrits à la ligne 11 ou 12 de l'état de modification ou sur la liste des véhicules automobiles.

(3) La description du véhicule automobile comprend le numéro d'identification du véhicule et la marque ou le nom du fabricant ainsi que, le cas échéant, les deux premiers chiffres de l'année du modèle et le modèle.

(4) Si les lignes 11 et 12 de l'état de modification sont complètes, les véhicules automobiles supplémentaires peuvent être décrits dans l'espace réservé à cette fin sur la liste des véhicules automobiles.

(5) Les articles libérés, à l'exception des véhicules automobiles, sont décrits à la ligne 13, 14 ou 15 de l'état de modification de façon à en permettre l'identification. Règl. de l'Ont. 757/93, art. 7, *en partie*.

MODIFICATION DES RENSEIGNEMENTS

8 (1) L'état de modification visé au paragraphe 10 (7) de la Loi est désigné comme modification et contient :

- a) le numéro de dossier de la revendication de privilège qui est modifiée ou le numéro de dossier de la revendication de privilège à laquelle se rapporte l'état de modification modifié;
- b) les renseignements exigés à l'article 9;
- c) la mention qu'une liste des véhicules automobiles est jointe, le cas échéant;

d) le nom et l'adresse de l'un des créanciers privilégiés ou de l'agent d'enregistrement, s'il en est;

e) un bref exposé des motifs de la modification;

f) la signature autorisée du créancier privilégié.

(2) Le présent article et l'article 9 s'appliquent aux modifications apportées à la liste des véhicules automobiles qui constitue une page de la revendication de privilège ou de l'état de modification. Règl. de l'Ont. 757/93, art. 7, *en partie*.

9 L'état de modification visé à l'article 8 contient :

a) si la modification a pour effet de supprimer une ligne de la revendication de privilège ou de l'état de modification :

- (i) le numéro de la page où figure la ligne supprimée,
- (ii) le nom de l'un des débiteurs tel qu'il figure sur la revendication de privilège ou l'état de modification s'y rapportant,
- (iii) le numéro de la ligne supprimée,
- (iv) les renseignements exigés à l'article 8;

b) si la modification a pour effet de remplacer une ligne par une autre qui figure sur la revendication de privilège ou l'état de modification :

- (i) le numéro de la page où figure la ligne remplacée,
- (ii) le nom de l'un des débiteurs tel qu'il figure sur la revendication de privilège ou l'état de modification s'y rapportant,
- (iii) le numéro de la ligne où figurent les renseignements,
- (iv) la ligne de remplacement,
- (v) les renseignements exigés à l'article 8;

c) si la modification a pour effet de remplir une ligne où ne figure aucune mention sur la revendication de privilège ou l'état de modification :

- (i) le numéro de la page où figure la ligne laissée en blanc,
- (ii) le nom de l'un des débiteurs tel qu'il figure sur la revendication de privilège ou l'état de modification s'y rapportant,
- (iii) le numéro de la ligne laissée en blanc,
- (iv) la mention à ajouter,
- (v) les renseignements exigés à l'article 8;

d) si la modification a pour effet d'ajouter une mention à la revendication de privilège ou à l'état de modification, mais qu'il n'y a pas de ligne laissée en blanc pour l'y inscrire :

- (i) l'indication selon laquelle la modification ne vise pas une page précise de l'état,
- (ii) le nom de l'un des débiteurs tel qu'il figure sur la revendication de privilège ou l'état de modification s'y rapportant,
- (iii) un numéro de ligne qui correspond à un numéro de ligne approprié de la revendication de privilège ou de l'état de modification,
- (iv) la mention à ajouter,

- (v) les renseignements exigés à l'article 8;
- e) si la modification n'est pas d'une catégorie visée à l'alinéa a), b), c) ou d) :
 - (i) l'indication selon laquelle la modification ne vise pas une page précise de l'état ou selon laquelle elle vise une page précise, auquel cas le numéro de page est indiqué,
 - (ii) le nom de l'un des débiteurs tel qu'il figure sur la revendication de privilège ou l'état de modification s'y rapportant,
 - (iii) le numéro de la ligne, le cas échéant, visé par la modification,
 - (iv) la mention, le cas échéant, ajoutée ou substituée dans l'espace réservé à cette fin,
 - (v) les renseignements exigés à l'article 8. Règl. de l'Ont. 757/93, art. 7, *en partie*.

DÉTAILS DU CONTENU DES FORMULES

10 (1) La revendication de privilège contient le nom du débiteur qui est une personne physique de façon que le premier prénom, suivi de l'initiale du second, s'il en est, précède le nom de famille.

(2) Si le premier prénom du débiteur contient plus de dix-neuf signes typographiques, y compris les signes de ponctuation et les espaces, les dix-neuf premiers sont placés à l'endroit prévu pour le nom. Les nom et prénom, ainsi que l'initiale du second prénom, s'il en est, figurent à la ligne 13, 14 ou 15.

(3) Si le nom de famille du débiteur contient plus de vingt-deux signes typographiques, y compris les signes de ponctuation et les espaces, les vingt-deux premiers sont placés à l'endroit prévu pour le nom. Les nom et prénom, ainsi que l'initiale du second prénom, s'il en est, figurent à la ligne 13, 14 ou 15.

(4) Le nom du débiteur qui est une entité artificielle est indiqué sur la revendication de privilège de l'une des façons suivantes :

1. Si l'entité artificielle est une société :

- i. en nom collectif enregistrée aux termes de la *Loi sur les noms commerciaux*, la raison sociale enregistrée de la société,
- ii. en commandite, la raison sociale de la société, déposée aux termes de la *Loi sur les sociétés en commandite*,
- iii. qui n'est pas visée au sous-alinéa i ou ii :

A. la raison sociale de la société telle qu'elle figure sur la reconnaissance de dette,

B. le nom d'au moins un des associés et, si ce dernier est :

- 1. une personne physique, son nom est indiqué conformément au paragraphe (1),
- 2. une entité artificielle, son nom est indiqué conformément au présent paragraphe.

2. Si l'entité artificielle est une personne morale, sa dénomination sociale telle qu'elle figure sur l'acte constitutif.

3. Si l'entité artificielle est une association sans personnalité morale, un organisme, un consortium, une entreprise commune, une église ou un autre organisme religieux, non dotés de la personnalité morale :

- i. son nom tel qu'il figure sur son acte constitutif ou dans sa charte ou tout autre document constitutif,

ii. le nom de chaque personne ayant signé la reconnaissance de dette au nom de l'association, de l'organisme, du consortium, de l'entreprise commune, de l'église ou de l'autre organisme religieux et, si la personne qui signe est :

A. une personne physique, son nom est indiqué conformément au paragraphe (1),

B. une entité artificielle, son nom est indiqué conformément au présent paragraphe.

4. Si l'entité artificielle est la succession d'une personne physique décédée, le premier prénom du défunt, suivi de l'initiale du second, s'il en est, puis de son nom de famille suivi du mot «estate».

5. Si l'entité artificielle est un syndicat :

i. son nom,

ii. le nom, indiqué conformément au paragraphe (1), de chaque personne physique ayant signé la reconnaissance de dette au nom du syndicat.

6. Si l'entité artificielle est une fiducie et que le document la constituant :

i. donne un nom à la fiducie, ce nom suivi du mot «trust»,

ii. ne donne pas de nom à la fiducie, le nom de l'un des fiduciaires et, si ce dernier est :

A. une personne physique, son nom est indiqué conformément au paragraphe (1),

B. une entité artificielle, son nom est indiqué conformément au présent paragraphe.

7. Si l'entité artificielle est l'actif d'un failli, et que ce dernier est :

i. une personne physique, son premier prénom, suivi de l'initiale du second, s'il en est, puis du nom de famille suivi du mot «bankrupt»,

ii. une entité artificielle, son nom suivi du mot «bankrupt».

8. Si l'entité artificielle n'est pas décrite aux dispositions 1 à 7 :

i. son nom,

ii. le nom de chaque personne ayant signé la reconnaissance de dette au nom de l'entité artificielle et, si la personne qui signe est :

A. une personne physique, son nom est indiqué conformément au paragraphe (1),

B. une entité artificielle, son nom est indiqué conformément au présent paragraphe.

(5) Si la personne se fait connaître du public sous un nom autre que le sien, ce nom peut figurer sur la revendication de privilège à la ligne prévue pour les commerçants débiteurs.

(6) Si le nom d'une personne doit figurer sur la revendication de privilège aux termes du paragraphe (1) ou (4), il figure :

a) dans le cas d'une personne physique, à la ligne prévue pour les particuliers débiteurs;

b) dans le cas d'une entité artificielle, à la ligne prévue pour les commerçants débiteurs. Règl. de l'Ont. 757/93, art. 7, *en partie*.

11 Malgré la disposition 2 du paragraphe 10 (4), si une personne

morale possède une dénomination sociale à la fois en anglais et en français :

- a) la dénomination sociale anglaise figure à la ligne prévue pour le nom des commerçants débiteurs;
- b) la dénomination sociale française figure à une autre ligne prévue pour le nom des commerçants débiteurs. Règl. de l'Ont. 757/93, art. 7, *en partie*.

12 La date de naissance figurant sur la revendication de privilège ou l'état de modification est inscrite de la façon suivante :

- a) le jour du mois est inscrit en chiffres;
- b) le mois est indiqué selon l'abréviation prévue à la colonne 2 de l'annexe 3;
- c) les deux derniers chiffres du millésime sont inscrits. Règl. de l'Ont. 757/93, art. 7, *en partie*.

13 L'état de modification autre que l'état désigné comme modification comporte :

- a) le numéro de dossier de la revendication de privilège;
- b) la mention qu'une liste des véhicules automobiles est jointe, le cas échéant;
- c) le nom de l'un des débiteurs tel qu'il figure sur la revendication de privilège ou un état de modification s'y rapportant;
- d) le nom et l'adresse de l'un des créanciers privilégiés ou de l'agent d'enregistrement, s'il en est;
- e) la signature autorisée du créancier privilégié. Règl. de l'Ont. 757/93, art. 7, *en partie*.

APPROBATION DES FORMULES OU DU SUPPORT

14 (1) Sur demande, le registraire peut approuver une formule ou un support électronique de revendication de privilège ou d'état de modification.

(2) Le registraire peut donner l'approbation visée au paragraphe (1) pour une période limitée, l'assortir de conditions, et exiger que l'approbation ou les conditions soient imprimées sur la formule ou inscrites sur le support électronique.

(3) Le registraire peut retirer l'approbation donnée en vertu du paragraphe (1) par avis écrit envoyé par courrier recommandé, auquel cas l'approbation est réputée avoir été retirée dix jours après la mise à la poste de l'avis. Règl. de l'Ont. 757/93, art. 7, *en partie*.

PROCÉDURE

15 (1) La revendication de privilège ou l'état de modification remis à un registraire régional est présenté en deux ou en trois exemplaires, selon le cas, non séparés.

(2) Malgré le paragraphe (1), le registraire peut approuver la remise à un registraire régional d'un seul exemplaire de la revendication de privilège ou de l'état de modification.

(3) L'original de la revendication de privilège ou de l'état de modification est appelé l'exemplaire du bureau central. Le deuxième exemplaire est appelé l'exemplaire du bureau régional d'enregistrement des actes. Le troisième, s'il en est, est appelé l'exemplaire de la personne procédant à l'enregistrement.

(4) Le registraire régional qui accepte la revendication de privilège ou l'état de modification aux fins d'enregistrement le numérote, détache les exemplaires et fait parvenir au bureau central l'exemplaire qui lui est destiné.

(5) Si la personne procédant à l'enregistrement demande que son

exemplaire, s'il en est, lui soit renvoyé, le registraire régional, selon le cas :

- a) lui remet l'exemplaire au bureau régional d'enregistrement des actes;
- b) renvoie l'exemplaire par la poste à la personne procédant à l'enregistrement si celle-ci le demande et fournit une enveloppe affranchie portant son adresse.

(6) L'alinéa (5) a) ne s'applique pas au bureau central d'enregistrement.

(7) Le paragraphe (5) ne s'applique pas à l'enregistrement accepté au bureau central d'enregistrement si le registraire fait parvenir à la personne procédant à l'enregistrement un état de vérification contenant les renseignements de la revendication de privilège ou de l'état de modification enregistré et visé au paragraphe (1).

(8) Si la revendication de privilège ou l'état de modification est présenté à l'enregistrement au moyen d'un support électronique approuvé par le registraire, celui-ci peut faire parvenir à la personne procédant à l'enregistrement un état de vérification contenant les renseignements de la revendication de privilège ou de l'état de modification enregistré, selon le cas.

(9) L'état de vérification visé au présent article peut être envoyé au moyen d'un support électronique approuvé par le registraire. Règl. de l'Ont. 757/93, art. 7, *en partie*.

MODALITÉS DE L'INSCRIPTION

16 (1) Les mentions qui doivent ou peuvent figurer sur une revendication de privilège, un état de modification ou une liste des véhicules automobiles aux termes du présent règlement sont inscrites de façon à pouvoir être filmées et, notamment :

- a) elles doivent être dactylographiées ou imprimées à l'encre noire en caractères clairs, nets et lisibles, sans ratures, interlignes ni autres modifications;
- b) les lettres de l'alphabet doivent être en majuscules;
- c) sous réserve du paragraphe 18 (1), les mentions doivent être inscrites sans signe de ponctuation ni symbole.

(2) Une erreur de transcription des mentions sur une revendication de privilège, un état de modification ou une liste des véhicules automobiles relativement aux renseignements suivants peut être corrigée, avant que l'état ne soit présenté à l'enregistrement, en dactylographiant un «X» sur l'erreur :

1. Le nom et l'adresse d'une personne.
2. Le nom et l'adresse d'un créancier privilégié.
3. La description de l'article.
4. Les motifs de la modification.
5. Le nom ou l'adresse d'un agent d'enregistrement.

(3) Le registraire ou un registraire régional peut refuser d'accepter une revendication de privilège, un état de modification ou une liste des véhicules automobiles lorsqu'il est d'avis que la correction peut présenter une ambiguïté. Règl. de l'Ont. 757/93, art. 7, *en partie*.

17 (1) La revendication de privilège ou l'état de modification présenté à l'enregistrement par la poste est adressé au :

Service d'enregistrement des sûretés mobilières
Bureau central d'enregistrement
C.P. 21 100
Succursale postale «A»
Toronto (Ontario)
M5W 1W6

(2) La revendication de privilège ou l'état de modification consigné au moyen d'un support électronique approuvé par le registraire, et qui est présenté à l'enregistrement par voie de remise comme le prévoit le paragraphe 9 (1) de la Loi est remis à l'une des adresses suivantes :

1. Bureau central
Direction de l'enregistrement des sûretés mobilières
Division de l'enregistrement
Ministère de la Consommation et du Commerce
393, avenue University, 3^e étage
Toronto (Ontario)
2. Services d'informatique et de télécommunications
Conseil de gestion du gouvernement
Édifice est
1201, avenue Wilson
Downsview (Ontario)

Règl. de l'Ont. 757/93, art. 7, *en partie*.

18 (1) Le signe de ponctuation ou le symbole figurant à la colonne 2 de l'annexe 1 peut être utilisé dans une revendication de privilège, un état de modification ou une liste des véhicules automobiles au lieu de la mention figurant sur la même ligne à la colonne 1.

(2) Les abréviations ou les expressions complètes figurant à la colonne 2 de l'annexe 2 peuvent être utilisées au lieu de la mention figurant sur la même ligne à la colonne 1 relativement :

- a) aux postes 1 à 14 sur les lignes 03, 06, 03/06, 08, 08/16, 16, 24 et 29 d'une revendication de privilège ou d'un état de modification;
- b) aux postes 15 à 35 sur les lignes 04, 07, 09, 04/07, 09/17 et 17 d'une revendication de privilège ou d'un état de modification;

c) aux postes 36 à 57 sur les lignes 11 et 12 d'une revendication de privilège ou d'un état de modification ou sur les lignes 41 à 56 d'une liste des véhicules automobiles;

d) aux postes 58 à 62 sur les lignes 13, 14 et 15 d'une revendication de privilège ou d'un état de modification. Règl. de l'Ont. 757/93, art. 7, *en partie*.

19 (1) La date et l'heure qui sont assignées à l'enregistrement correspondent à la date et l'heure du bureau central.

(2) Malgré le paragraphe (1), si l'enregistrement de la revendication de privilège ou de l'état de modification se fait au moyen d'un support électronique approuvé par le registraire, la date et l'heure qui sont assignées à l'enregistrement correspondent à la date et l'heure figurant à l'ordinateur utilisé par le système d'enregistrement. Règl. de l'Ont. 757/93, art. 7, *en partie*.

ENREGISTREMENT AU MOYEN D'UN SUPPORT ÉLECTRONIQUE

20 (1) Sous réserve du présent article, les articles 1 à 16 et l'article 18 s'appliquent aux revendications de privilège et aux états de modification présentés à l'enregistrement au moyen d'un support électronique approuvé par le registraire.

(2) Les alinéas 3 (1) i), 5 d) et 8 (1) f), les paragraphes 15 (1) à (7) et l'article 16 ne s'appliquent pas aux renseignements présentés à l'enregistrement au moyen d'un support électronique.

(3) La signature autorisée du cédant visée au paragraphe 3 (2) n'est pas obligatoire dans le cas d'une revendication de privilège présentée à l'enregistrement au moyen d'un support électronique. Règl. de l'Ont. 757/93, art. 7, *en partie*.

8. Schedule 1 to the Regulation is revoked and the following substituted:

8 L'annexe 1 du Règlement est abrogée et remplacée par ce qui suit :

Schedule 1 Annexe 1

ITEM POSTE	COLUMN 1	COLONNE 1	COLUMN 2 COLONNE 2
1.	Parentheses	Parenthèses	()
2.	Apostrophe	Apostrophe	'
3.	Period	Point	.
4.	Plus sign	Signe plus	+
5.	Ampersand	Esperluète	&
6.	Hyphen	Trait d'union	-
7.	Virgule	Barre oblique	/
8.	Comma	Virgule	,
9.	Percent sign	Pour cent	%
10.	Quotation mark	Guillemets	"
11.	Dollar sign	Symbole du dollar	\$
12.	Number sign	Numéro	#
13.	Question mark	Point d'interrogation	?
14.	Asterisk	Astérisque	*
15.	Colon	Deux-points	:

ITEM POSTE	COLUMN 1	COLONNE 1	COLUMN 2 COLONNE 2
16.	Semicolon	<i>Point-virgule</i>	;
17.	Greater than	<i>Plus grand que</i>	>
18.	Equal	<i>Égal</i>	=
19.	Less than	<i>Plus petit que</i>	<
20.	Square brackets	<i>Crochets</i>	[]
21.	Oblique	<i>Trait oblique</i>	\
22.	Exclamation mark	<i>Point d'exclamation</i>	!

O. Reg. 757/93, s. 8.
Règl. de l'Ont. 757/93, art. 8.

9. The heading of Schedule 2 to the Regulation is revoked and the following substituted:

9 L'intertitre de l'annexe 2 du Règlement est abrogé et remplacé par ce qui suit :

Schedule 2
Annexe 2

ITEM POSTE	COLUMN 1 COLONNE 1	COLUMN 2 COLONNE 2
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10. Schedule 3 to the Regulation is revoked and the following substituted:

10 L'annexe 3 du Règlement est abrogée et remplacée par ce qui suit :

Schedule 3
Annexe 3

ITEM POSTE	COLUMN 1	COLONNE 1	COLUMN 2 COLONNE 2
1.	JANUARY	<i>JANVIER</i>	JAN
2.	FEBRUARY	<i>FÉVRIER</i>	FEB
3.	MARCH	<i>MARS</i>	MAR
4.	APRIL	<i>AVRIL</i>	APR
5.	MAY	<i>MAI</i>	MAY
6.	JUNE	<i>JUIN</i>	JUN, JUNE
7.	JULY	<i>JUILLET</i>	JUL, JULY
8.	AUGUST	<i>AOÛT</i>	AUG
9.	SEPTEMBER	<i>SEPTEMBRE</i>	SEP
10.	OCTOBER	<i>OCTOBRE</i>	OCT
11.	NOVEMBER	<i>NOVEMBRE</i>	NOV
12.	DECEMBER	<i>DÉCEMBRE</i>	DEC

O. Reg. 757/93, s. 10.
Règl. de l'Ont. 757/93, art. 10.

ONTARIO REGULATION 758/93
made under the
PERSONAL PROPERTY SECURITY ACT

Made: November 19, 1993
Filed: November 23, 1993

Amending Reg. 911 of R.R.O. 1990
(Fees)

Note: Since January 1, 1993, Regulation 911 has been amended by Ontario Regulation 599/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Paragraphs 1, 2, 3 and 4 of section 1 of Regulation 911 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

- | | |
|--|--|
| 1. Subject to paragraph 4.1, for the registration of a financing statement or financing change statement designated as a renewal, if the registration period of the statement is twenty-five years or less | \$ 6.00
per year or
part of a
year of the
registration
period |
| 2. Subject to paragraph 4.1, for the registration of a financing statement or financing change statement designated as a renewal, if the registration period of the statement is for a perpetual period | 500.00 |
| 3. Subject to paragraph 4.1, for the registration of a financing change statement designated as a discharge | No charge |
| 4. Subject to paragraph 4.1, for the registration of a financing change statement other than a financing change statement described in paragraph 1, 2 or 3 | 10.00 |
| 4.1 For the registration of a financing statement or a financing change statement in addition to the fee payable under paragraph 1, 2, 3 or 4, if the registration is not in an electronic format | 5.00 |

2. This Regulation comes into force on December 1, 1993.

50/93

RÈGLEMENT DE L'ONTARIO 758/93
pris en application de la
LOI SUR LES SÛRETÉS MOBILIÈRES

pris le 19 novembre 1993
déposé le 23 novembre 1993

modifiant le Règl. 911 des R.R.O. de 1990
(Droits)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 911 a été modifié par le Règlement de l'Ontario 599/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Règlements de l'Ontario de 1992.

1 Les dispositions 1, 2, 3 et 4 de l'article 1 du Règlement 911 des Règlements refondus de l'Ontario de 1990 sont abrogées et remplacées par ce qui suit :

- | | |
|---|--|
| 1. Sous réserve de la disposition 4.1, pour l'enregistrement d'un état de financement ou d'un état de modification du financement désigné comme renouvellement, si la période d'enregistrement de l'état est d'au plus vingt-cinq ans | 6,00 \$
par année ou
partie d'année
de la période
d'enregistrement |
| 2. Sous réserve de la disposition 4.1, pour l'enregistrement d'un état de financement ou d'un état de modification du financement désigné comme renouvellement, si la période d'enregistrement de l'état est permanente | 500,00 |
| 3. Sous réserve de la disposition 4.1, pour l'enregistrement d'un état de modification du financement désigné comme mainlevée | Aucuns droits |
| 4. Sous réserve de la disposition 4.1, pour l'enregistrement d'un état de modification du financement qui n'est pas visé à la disposition 1, 2 ou 3 | 10,00 |
| 4.1 Pour l'enregistrement d'un état de financement ou d'un état de modification du financement, en plus des droits exigibles en vertu de la disposition 1, 2, 3 ou 4, si l'enregistrement n'est pas consigné au moyen d'un support électronique | 5,00 |

2 Le présent règlement entre en vigueur le 1^{er} décembre 1993.

ONTARIO REGULATION 759/93
made under the
ELECTRONIC REGISTRATION ACT
(MINISTRY OF CONSUMER AND
COMMERCIAL RELATIONS STATUTES), 1991

Made: November 19, 1993
Filed: November 23, 1993

DESIGNATION OF ACTS

1. The following Acts are designated Acts for the purposes of subsection 6 (1) of the Act:

RÈGLEMENT DE L'ONTARIO 759/93
pris en application de la
LOI DE 1991 SUR L'ENREGISTREMENT
ÉLECTRONIQUE DANS LE CADRE DE LOIS
RELEVANT DU MINISTÈRE DE LA CONSOMMATION
ET DU COMMERCE

pris le 19 novembre 1993
déposé le 23 novembre 1993

DÉSIGNATION DE LOIS

1 Les lois suivantes sont des lois désignées pour l'application du paragraphe 6 (1) de la Loi :

*Personal Property Security Act**Loi sur le privilège des réparateurs et des entreposeurs**Repair and Storage Liens Act**Loi sur les sûretés mobilières*

O. Reg. 759/93, s. 1.

Règl. de l'Ont. 759/93, art. 1.

2. Ontario Regulation 75/92 is revoked.**2 Le Règlement de l'Ontario 75/92 est abrogé.**

50/93

ONTARIO REGULATION 760/93
made under the
ENVIRONMENTAL PROTECTION ACT

Made: November 24, 1993

Filed: November 25, 1993

**EFFLUENT MONITORING AND EFFLUENT LIMITS —
PULP AND PAPER SECTOR**

**PART I
GENERAL**

INTERPRETATION

1.—(1) In this Regulation,

“AOX” means adsorbable organic halide;

“assessment parameter” means a parameter that is listed in Schedule 3;

“bleached pulp” means pulp that has been bleached through the use of chlorine or chlorine compounds;

“blowdown water” means recirculating water that is discharged from a cooling water system for the purpose of controlling the level of water in the cooling water system or for the purpose of discharging from the cooling water system materials contained in the cooling water system the further build-up of which would impair the operation of the system;

“cooling water effluent” means water and associated material that is used in an industrial process for the purpose of removing heat and that has not, by design, come into contact with process materials, but does not include blowdown water;

“cooling water effluent monitoring stream” means a cooling water effluent stream on which a sampling point is established under section 8;

“cooling water effluent sampling point” means a sampling point established on a cooling water effluent stream under section 8;

“Director”, in relation to obligations of a discharger, means a Director appointed under section 5 of the Act and responsible for the region in which the discharger's plant is located and includes an alternate named by the Director;

“discharger” means an owner or person in occupation or having the charge, management or control of a plant to which this Regulation applies;

“dried” includes machine dried and, in relation to bleached pulp or other types of pulp, means dried in a manner so that the moisture content of the pulp does not exceed 10 per cent;

“finished product” means pulp, paper and paper products that have completed the production process at a plant, and includes bleached pulp;

“limited parameter”, in relation to a plant, means a parameter for which a limit is specified for the plant in Column 3 or 4 of Schedule 2;

“pick up”, in relation to a sample, means pick up for the purpose of transportation to and analysis at a laboratory;

“plant” means an industrial facility and the developed property, waste disposal sites and wastewater treatment facilities associated with it;

“process change” means a change in equipment, production processes, process materials or treatment processes;

“process effluent” means,

(a) effluent that, by design, has come into contact with process materials,

(b) blowdown water,

(c) effluent that results from cleaning or maintenance operations at a plant during a period when all or part of the plant is shut down,

(d) effluent from a waste disposal site at a plant,

(e) effluent from a bark storage site at a plant,

(f) effluent that is discharged from an intake water treatment operation at a plant, but does not include effluent that is discharged from an intake water screening operation at a plant, and

(g) any effluent described in clauses (a) to (f) combined with cooling water effluent or storm water effluent;

“process effluent monitoring stream” means a process effluent stream on which a sampling point is established under section 8;

“process effluent sampling point” means a sampling point established on a process effluent stream under section 8;

“process materials”, in relation to a discharger's plant, means raw materials for use in an industrial process at the plant, manufacturing intermediates produced at the plant, or products or by-products of an industrial process at the plant, but does not include chemicals added to cooling water for the purpose of controlling organisms, fouling and corrosion;

“pulp” means processed cellulose fibre that is derived from wood, other plant material or recycled paper products;

“quarter” means all or part of a period of three consecutive months beginning on the first day of January, April, July or October;

“semi-annual period” means all or part of a period of six months beginning on the first day of January or July;

“specific parameter”, in relation to a plant, means 2, 3, 7, 8 – tetrachlorodibenzo-para-dioxin, 2, 3, 7, 8 – tetrachlorodibenzofuran, and 2, 3, 7, 8 substituted dioxin and furan congeners;

“storm water effluent” means run-off from a storm event or thaw that is not used in any industrial process.

(2) For greater certainty, this Regulation applies both to effluent streams that discharge continuously and to effluent streams that discharge intermittently.

(3) An obligation on a discharger to do a thing under this Regulation is discharged if another person has done it on the discharger's behalf. O. Reg. 760/93, s. 1.

PURPOSE

2. The purpose of this Regulation is to monitor and control the quality of effluent discharged from the plants listed in Schedule 1 and to require dischargers to prepare reports that describe methods that could be used to work toward the Ministry's goal of eliminating the generation of AOX at dischargers' plants by the year 2002. O. Reg. 760/93, s. 2.

APPLICATION

3.—(1) This Regulation applies only with respect to the plants listed in Schedule 1.

(2) This Regulation does not apply with respect to the discharge of effluent to a municipal sewer. O. Reg. 760/93, s. 3.

REQUIREMENTS UNDER APPROVALS, ORDERS, ETC.

4. For greater certainty, the requirements of this Regulation are in addition to and independent of requirements in an approval, order, direction or other instrument issued under any Act. O. Reg. 760/93, s. 4.

NON-APPLICATION OF GENERAL EFFLUENT MONITORING REGULATION

5. This Regulation is not a Sectoral Effluent Monitoring Regulation within the meaning of Ontario Regulation 695/88. O. Reg. 760/93, s. 5.

BY-PASSES

6. Beginning on January 1, 1996, a discharger shall not permit process effluent to be discharged from the discharger's plant unless the process effluent flows past a sampling point established on a process effluent stream in accordance with this Regulation before being discharged. O. Reg. 760/93, s. 6.

SAMPLING AND ANALYTICAL PROCEDURES

7.—(1) Each discharger shall carry out the establishment of sampling point obligations of this Regulation and the sampling and analysis obligations of this Regulation, including quality control sampling and analysis obligations, in accordance with the procedures described in the Ministry of Environment and Energy publication entitled "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater", dated July, 1993.

(2) Each discharger shall maintain the sampling equipment used at the discharger's plant for sampling required by this Regulation in a way that ensures that the samples collected at the plant under this Regulation accurately reflect the level of discharge of each limited parameter, assessment parameter and specific parameter from the plant. O. Reg. 760/93, s. 7.

PART II
SAMPLING POINTS

ESTABLISHMENT AND ELIMINATION OF SAMPLING POINTS

8.—(1) Each discharger shall, by February 23, 1994, establish a sampling point on each process effluent and cooling water effluent stream at the discharger's plant, as necessary so that the plant loadings calculated under sections 12 and 13 for each limited parameter and assessment parameter and the concentrations determined for each specific parameter accurately reflect the level of discharge of each such parameter from the plant.

(2) If circumstances change so that a new sampling point is necessary at a discharger's plant in order to permit the calculation of plant loadings under sections 12 and 13 for each limited parameter and assessment parameter and the determination of concentrations for each specific parameter that accurately reflect the level of discharge of each such parameter from the plant, the discharger shall, within thirty days of the change, establish the new sampling point.

(3) A discharger may eliminate a sampling point established under subsection (1) or (2) if the sampling point is no longer necessary to permit the calculation of plant loadings under sections 12 and 13 for each limited parameter and assessment parameter and the determination of concentrations for each specific parameter that accurately reflect the level of discharge of each such parameter from the plant.

(4) For the purposes of this section, a plant loading for a parameter or a concentration for a parameter that is based on analytical results that are significantly affected by dilution or masking due to the merging of streams upstream of a sampling point at a plant is not a loading or a concentration that accurately reflects the level of discharge of the parameter from the plant.

(5) In determining what is necessary to meet a discharger's obligations to establish sampling points under this section, the discharger shall consider both which streams should have sampling points and where on a stream a sampling point should be located. O. Reg. 760/93, s. 8.

REPORTS ON SAMPLING POINTS

9.—(1) By March 7, 1994, each discharger shall submit to the Director a list and plot plan showing the sampling points established under this Regulation at the discharger's plant as of February 23, 1994.

(2) Within thirty days after establishing a sampling point under this Regulation that is not shown on a list and plot plan submitted under this section, the discharger shall give the Director a written notice describing the location of the sampling point, together with a revised list and plot plan showing the sampling point.

(3) Within thirty days after eliminating a sampling point under this Regulation that is shown on a list and plot plan submitted under this section, the discharger shall give the Director a written notice describing where the sampling point used to be, together with a revised list and plot plan without the sampling point. O. Reg. 760/93, s. 9.

USE OF SAMPLING POINTS ESTABLISHED UNDER THIS PART

10. Subject to section 22, each discharger shall use the sampling points established under this Part for all sampling required by this Regulation.

PART III
CALCULATION OF LOADINGS

CALCULATION OF LOADINGS — GENERAL

11.—(1) For the purposes of performing a calculation under sections 12 and 13, a discharger shall use the actual analytical result obtained by the laboratory.

(2) Despite subsection (1), where the actual analytical result is less than one-tenth of the analytical method detection limit set out in the Ministry of Environment and Energy publication entitled "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" dated July, 1993, the discharger shall use the value zero for the purpose of performing a calculation under sections 12 and 13.

(3) Each discharger shall ensure that each calculation of a process effluent loading required by section 12 is performed as soon as reasonably possible after the analytical result on which the calculation is based becomes available to the discharger.

(4) Each discharger shall ensure that each calculation of a cooling water effluent loading required by section 13 is performed in time to comply with subsection 34 (4). O. Reg. 760/93, s. 11.

CALCULATION OF LOADINGS — PROCESS EFFLUENT

12.—(1) Each discharger shall calculate, in kilograms, a daily process effluent stream loading for each limited parameter in each process effluent monitoring stream of the discharger for each day on which a sample is collected under this Regulation from the stream for analysis for the parameter.

(2) When calculating a daily stream loading under subsection (1), the discharger shall multiply, with the necessary adjustment of units to yield a result in kilograms, the analytical result obtained from the sample for the parameter by the daily volume of effluent, as determined under section 27, for the stream for the day.

(3) Each discharger shall calculate, in kilograms, a daily process effluent plant loading for each limited parameter for each day for which the discharger is required to calculate a daily process effluent stream loading for the parameter under subsection (1).

(4) For the purposes of subsection (3), a daily process effluent plant loading for a parameter for a day is the sum, in kilograms, of the daily process effluent stream loadings for the parameter calculated under subsection (1) for the day.

(5) Where a discharger calculates only one daily process effluent stream loading for a parameter for a day under subsection (1), the daily process effluent plant loading for the parameter for the day for the purposes of subsection (3) is the single daily process effluent stream loading for the parameter for the day.

(6) Each discharger shall calculate, in kilograms, a monthly average process effluent plant loading for each limited parameter for each month in which a sample is collected under this Regulation more than once from a process effluent monitoring stream at the discharger's plant for analysis for the parameter.

(7) For the purposes of subsection (6), a monthly average process effluent plant loading for a parameter for a month is the arithmetic mean of the daily process effluent plant loadings for the parameter calculated under subsection (3) for the month. O. Reg. 760/93, s. 12.

CALCULATION OF LOADINGS — COOLING WATER

13.—(1) Each discharger shall calculate, in kilograms, a daily cooling water effluent stream loading for each assessment parameter in each cooling water effluent monitoring stream of the discharger for each day on which a sample is collected under this Regulation from the stream for analysis for the parameter.

(2) When calculating a daily stream loading under subsection (1), the discharger shall multiply, with the necessary adjustment of units to yield a result in kilograms, the analytical result obtained from the sample for the parameter by the daily volume of effluent, as determined under section 27, for the stream for the day.

(3) Each discharger shall calculate, in kilograms, a daily cooling water effluent plant loading for each assessment parameter for each day for which the discharger is required to calculate a daily cooling water effluent stream loading for the parameter under subsection (1).

(4) For the purposes of subsection (3), a daily cooling water effluent plant loading for a parameter for a day is the sum, in kilograms, of the daily cooling water effluent stream loadings for the parameter calculated under subsection (1) for the day.

(5) Where a discharger calculates only one daily cooling water effluent stream loading for a parameter for a day under subsection (1), the daily cooling water effluent plant loading for the parameter for the day for the purposes of subsection (3) is the single daily cooling water effluent stream loading for the parameter for the day.

(6) Each discharger shall calculate, in kilograms, a monthly average cooling water effluent plant loading for each assessment parameter for each month in which a sample is collected under this Regulation more than once from a cooling water effluent monitoring stream at the discharger's plant for analysis for the parameter.

(7) For the purposes of subsection (6), a monthly average cooling water effluent plant loading for a parameter for a month is the arithmetic mean of the daily cooling water effluent plant loadings for the parameter calculated under subsection (3) for the month. O. Reg. 760/93, s. 13.

PART IV PARAMETER AND LETHALITY LIMITS

PARAMETER LIMITS

14.—(1) Subject to subsection (2) and section 15, each discharger shall ensure that each daily process effluent plant loading calculated for a parameter under section 12 in connection with the discharger's plant does not exceed the daily plant loading limit specified for the parameter and the plant in Column 3 of Schedule 2.

(2) Subject to section 15, each discharger for which a daily plant loading limit for AOX is listed in Column 3 of Schedule 2 shall ensure that each daily process effluent plant loading calculated for the parameter under section 12 in connection with the discharger's plant,

- (a) from February 23, 1994 to December 30, 1995, does not exceed the phase-one daily plant loading limit specified for the parameter and the plant in Column 3 of Schedule 2;
- (b) from December 31, 1995 to December 30, 1999, does not exceed the phase-two daily plant loading limit specified for the parameter and the plant in Column 3 of Schedule 2; and
- (c) on and after December 31, 1999, does not exceed the phase-three daily plant loading limit specified for the parameter and the plant in Column 3 of Schedule 2.

(3) Subject to subsection (4) and section 15, each discharger shall ensure that each monthly average process effluent plant loading calculated for a parameter under section 12 in connection with the discharger's plant does not exceed the monthly average plant loading limit specified for the parameter and the plant in Column 4 of Schedule 2.

(4) Subject to section 15, each discharger for which a monthly average plant loading limit for AOX is listed in Column 4 of Schedule 2 shall ensure that each monthly average process effluent plant loading calculated for the parameter under section 12 in connection with the discharger's plant,

- (a) from February 23, 1994 to December 30, 1995, does not exceed the phase-one monthly average plant loading limit specified for the parameter and the plant in Column 4 of Schedule 2;
- (b) from December 31, 1995 to December 30, 1999, does not exceed the phase-two monthly average plant loading limit specified for the parameter and the plant in Column 4 of Schedule 2; and
- (c) on and after December 31, 1999, does not exceed the phase-three monthly average plant loading limit specified for the parameter and the plant in Column 4 of Schedule 2.

(5) Each discharger shall control the quality of each process effluent monitoring stream at the discharger's plant to ensure that the concentration of 2, 3, 7, 8-tetrachlorodibenzo-para-dioxin and the concentration of 2, 3, 7, 8-tetrachlorodibenzofuran are both non-measurable in any sample collected at a process effluent sampling point at the plant.

(6) For the purposes of subsection (5), the concentration of 2, 3, 7, 8-tetrachlorodibenzo-para-dioxin in a sample is non-measurable if analysis of the sample shows a concentration of 2, 3, 7, 8-tetrachlorodibenzo-para-dioxin of less than 20 picograms per litre and the concentration of 2, 3, 7, 8-tetrachlorodibenzofuran in a sample is non-measurable if analysis of the sample shows a concentration of 2, 3, 7, 8-tetrachlorodibenzofuran of less than 50 picograms per litre.

(7) Each discharger shall control the quality of each process effluent monitoring stream at the discharger's plant to ensure that the total toxic equivalent concentration of 2, 3, 7, 8 substituted dioxin and furan congeners in any sample collected at a process effluent sampling point at the plant, calculated in accordance with the methods described in the Ministry of Environment and Energy publication entitled "Protocol for

the Sampling and Analysis of Industrial/Municipal Wastewater", dated July, 1993, does not exceed 60 picograms per litre.

(8) Subject to subsection (9), each discharger shall control the quality of each process effluent monitoring stream at the discharger's plant to ensure that the pH value of any sample collected at a process effluent sampling point at the plant is within the range of 6.0 to 9.5.

(9) Throughout any day on which a discharger has used an alternate sampling point on a process effluent monitoring stream for sampling required by section 22, as permitted by subsections 22 (7) and (8), the discharger,

- (a) shall control the quality of the stream to ensure that the pH value of any sample collected at the alternate sampling point on the stream is within the range of 6.0 to 9.5; and
- (b) need not comply with subsection (8) with respect to the stream. O. Reg. 760/93, s. 14.

REVISED PARAMETER LIMITS

15.—(1) Beginning on January 1, 1996, each discharger may annually calculate a revised daily plant loading limit and a revised monthly average plant loading limit for each limited parameter.

(2) Despite subsection (1), beginning on January 1, 1995, each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 may annually calculate a revised daily plant loading limit and a revised monthly average plant loading limit for AOX.

(3) Each discharger shall calculate, to three significant figures, a revised daily plant loading limit for a limited parameter by dividing the revised reference production rate of finished product at the discharger's plant as determined under subsection (4) by the reference production rate of finished product specified in Schedule 4 for the discharger's plant, and multiplying that ratio by the daily plant loading limit specified for the parameter and the plant in Column 3 of Schedule 2.

(4) For the purposes of subsection (3), the revised reference production rate of finished product at a discharger's plant is equal to the highest value of the ninetieth percentiles of the daily production of finished product at the plant for the three calendar years preceding the calendar year in which the revised limit is to come into force.

(5) To determine the highest value of the ninetieth percentiles of the daily production of finished product at the plant for the three calendar years, the discharger shall do the following:

1. Determine, in tonnes, the amount of dried finished product that was produced by the plant on each day that the plant operated in each of the three calendar years.
2. For each of the three calendar years, determine the statistically derived value that is equal to the amount of dried finished product, produced daily by the plant, that was exceeded on 10 per cent of the days that the plant operated in that calendar year.
3. Take the highest of the values determined under step 2.

(6) The reference production rate and the revised reference production rate to be used for the purpose of calculating a revised daily plant loading limit for AOX are the rates of production of bleached pulp and, for the purpose, a reference in subsections (3) to (5) to finished product shall be deemed to be a reference to bleached pulp.

(7) For the purposes of subsection (3), the daily plant loading limit for AOX is the limit set out for the parameter and the plant in Column 3 of Schedule 2 that is in effect on the first day of January in the calendar year in which the revised limit is to come into force.

(8) If the revised daily plant loading limit calculated for a limited parameter under subsection (3) exceeds the daily plant loading limit

specified for the parameter and the plant in Column 3 of Schedule 2 by no more than 15 per cent, the discharger may notify the Director in writing of the value of the revised limit and of the value of the revised reference production rate used for the purpose of calculating that limit.

(9) A notice under subsection (8) shall be given to the Director in writing on or before January 31 in the calendar year in which the revised limit is to come into force.

(10) Where a notice is given under subsection (8), the revised daily plant loading limit calculated for the limited parameter under subsection (3) shall be deemed to replace the daily plant loading limit specified for the parameter and the plant in Column 3 of Schedule 2.

(11) Despite subsection (10), the daily plant loading limit specified for a parameter and a plant in Column 3 of Schedule 2 shall always be used for the purpose of making a calculation under subsection (3) or for the purpose of making a determination under subsection (8) or (14).

(12) Where a notice is given under subsection (8) with respect to a limited parameter and a revised daily plant loading limit is already in force with respect to the limited parameter, the revised daily plant loading limit calculated for the limited parameter under subsection (3) shall be deemed to replace the revised daily plant loading limit that is currently in force.

(13) Subsections (3) to (12) apply with necessary modifications for the purpose of calculating and using a revised monthly average plant loading limit and, for the purpose, a reference in those subsections to a revised daily plant loading limit shall be deemed to be a reference to a revised monthly average plant loading limit, a reference to a daily plant loading limit shall be deemed to be a reference to a monthly average plant loading limit, and a reference to Column 3 of Schedule 2 shall be deemed to be a reference to Column 4 of Schedule 2.

(14) If a revised limit calculated for a limited parameter under subsection (3) exceeds the applicable limit specified for the parameter and the plant in Column 3 or 4 of Schedule 2 by more than 15 per cent, the discharger may apply to the Director for approval to revise the limit.

(15) An application under subsection (14) shall be submitted together with the results of a receiving water assessment study that the discharger has prepared for the purpose of identifying what effect the proposed revised limit would have on the receiving water.

(16) The Director shall approve an application under subsection (14) if the Director is satisfied, based on the results of the receiving water assessment study, that the proposed revised limit would not have an adverse effect on the receiving water.

(17) Despite subsections (10), (12) and (16), a revised limit that is in force with respect to AOX expires,

- (a) on January 31, 1996, if a phase-one limit is used for the purpose of the calculation of the revised limit;
- (b) on January 31, 2000, if a phase-two limit is used for the purpose of the calculation of the revised limit.

(18) Nothing in this section shall be interpreted to relieve a discharger of the obligation to apply for any certificate of approval that may be required under the *Ontario Water Resources Act* or the *Environmental Protection Act*. O. Reg. 760/93, s. 15.

LETHALITY LIMITS

16. Each discharger shall control the quality of each process effluent monitoring stream and each cooling water effluent monitoring stream at the discharger's plant to ensure that each rainbow trout acute lethality test and each *Daphnia magna* acute lethality test performed on any grab sample collected at a process effluent sampling point or cooling water effluent sampling point at the plant results in mortality for no more than 50 per cent of the test organisms in 100 per cent effluent. O. Reg. 760/93, s. 16.

PART V MONITORING

MONITORING — GENERAL

17.—(1) Despite sections 18 to 26, a discharger need not collect samples from any stream at the discharger's plant on a day on which there is no process effluent that is being discharged from the plant.

(2) Where a discharger is required by this Regulation to pick up a set of samples and analyze it for certain parameters the discharger shall pick up a set of samples sufficient to allow all the analyses to be performed.

(3) A discharger shall use all reasonable efforts to ensure that all analyses required by this Regulation are completed as soon as reasonably possible and that the results of those analyses are made available to the discharger as soon as reasonably possible.

(4) Subject to subsection (5), each discharger shall pick up all sets of samples required to be picked up at the discharger's plant under sections 18, 19 and 20 between the hours of 7 a.m. and 10 a.m.

(5) If the Director is satisfied, on the basis of written submissions from a discharger, that the circumstances at the discharger's plant are such that it would be impractical to pick up a set of samples from each sampling point established at the plant under this Regulation within the time period specified in subsection (4), the Director may give the discharger a written notice in respect of the plant, varying the time period specified in subsection (4).

(6) Subject to subsections (7) and (8), where a discharger is required by section 18, 19 or 20 to pick up a set of samples the discharger shall pick up a set collected over the twenty-four-hour period immediately preceding the pick-up.

(7) The twenty-four-hour period referred to in subsection (6) may be shortened or enlarged by up to three hours to permit a discharger to take advantage of the three-hour range specified in subsection (4) or of a different three-hour period specified in a notice under subsection (5).

(8) Where a notice has been given under subsection (5) in respect of a plant specifying a time period longer than three hours, the twenty-four-hour period referred to in subsection (6) may be shortened or enlarged by up to that longer amount of time to permit the discharger to take advantage of the time period specified in the notice.

(9) If the circumstances at a plant change so that the Director is satisfied that the circumstances described in subsection (5) no longer apply at the plant, the Director may revoke a notice given in respect of a plant under subsection (5) by giving a notice of revocation in writing to a discharger for the plant. O. Reg. 760/93, s. 17.

MONITORING — PROCESS EFFLUENT — DAILY

18.—(1) Each discharger shall, on each day, pick up a set of samples collected at each process effluent sampling point at the discharger's plant and shall analyze each set of samples for the parameters for which the frequency of monitoring, as set out in Column 2 of Schedule 2 for the discharger's plant, is daily.

(2) A discharger need not meet the requirements of subsection (1) where it is impossible to do so because of sampling by a provincial officer. O. Reg. 760/93, s. 18.

MONITORING — PROCESS EFFLUENT — WEEKLY

19.—(1) Each discharger shall, on one day in each week, pick up a set of samples collected at each process effluent sampling point at the discharger's plant and shall analyze each set of samples for the parameters for which the frequency of monitoring, as set out in Column 2 of Schedule 2 for the discharger's plant, is weekly.

(2) There shall be an interval of at least four days between successive pick-up days at the plant under subsection (1).

(3) All samples picked up under subsection (1) in a week shall be picked up on the same day in the week. O. Reg. 760/93, s. 19.

MONITORING — PROCESS EFFLUENT — QUARTERLY

20.—(1) Each discharger shall, on one day in each quarter, pick up a set of samples collected at each process effluent sampling point at the discharger's plant and shall analyze each set of samples for the parameters for which the frequency of monitoring, as set out in Column 2 of Schedule 2 for the discharger's plant, is quarterly.

(2) There shall be an interval of at least forty-five days between successive pick-up days at the plant under subsection (1).

(3) All samples picked up under subsection (1) in a quarter shall be picked up on the same day in the quarter. O. Reg. 760/93, s. 20.

MONITORING — PROCESS EFFLUENT — QUALITY CONTROL

21.—(1) On one day in each year after 1993, on a day on which samples are picked up at the plant under subsection 19 (1), each discharger shall collect and pick up a duplicate sample for each sample picked up on that day under subsection 19 (1) at one process effluent sampling point at the discharger's plant and shall analyze each duplicate sample for the parameters for which the frequency of monitoring, as set out in Column 2 of Schedule 2 for the discharger's plant, is weekly.

(2) Each discharger shall prepare a travelling blank and travelling spiked blank sample for each sample for which a duplicate sample is picked up at the plant under subsection (1) and shall analyze the travelling blank and travelling spiked blank samples in accordance with the directions set out in the Ministry of Environment and Energy publication entitled "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater", dated July, 1993.

(3) There shall be an interval of at least six months between successive pick-up days at the plant under subsection (1). O. Reg. 760/93, s. 21.

MONITORING — PROCESS EFFLUENT — pH MEASUREMENT

22.—(1) Each discharger shall, on each day during the time period applicable to the plant under subsection 17 (4) or (5), collect a grab sample from each process effluent monitoring stream at the discharger's plant and shall analyze each sample for the parameter pH.

(2) Each discharger shall, within each twenty-four hour period beginning with the collection of the first grab sample at the plant under subsection (1) on each day, collect two more grab samples from each process effluent monitoring stream at the discharger's plant and shall analyze each sample for the parameter pH.

(3) There shall be an interval of at least four hours between each of the three collections at a stream under subsections (1) and (2) in each twenty-four-hour period.

(4) Each grab sample collected under subsections (1) and (2) shall be picked up within twenty-four hours of when it was collected.

(5) Instead of complying with subsections (1) to (4) with respect to a stream, a discharger may use an on-line analyzer at the sampling point on the stream and analyze the effluent at the sampling point for the parameter pH once in each day during the time period applicable to the plant under subsection 17 (4) or (5), and two more times in each twenty-four-hour period beginning with the first analysis at the plant under this subsection in each day.

(6) There shall be an interval of at least four hours between each of the three analyses at a sampling point under subsection (5) in each twenty-four-hour period.

(7) For the purposes of this section, a discharger shall use either the sampling point established under section 8 on the stream or an alternate sampling point located downstream of the sampling point but before the point of discharge of the stream to surface water or to an industrial sewer used in common with another plant.

(8) Before using an alternate sampling point under subsection (7), a discharger shall give the Director a written notice describing the location of the alternate sampling point, together with a revised version of the list and plot plan submitted under section 9 showing the alternate sampling point. O. Reg. 760/93, s. 22.

MONITORING — ACUTE LETHALITY TESTING —
RAINBOW TROUT

23.—(1) Where a discharger is required by this section to perform a rainbow trout acute lethality test, the discharger shall perform the test according to the procedures described in the Environment Canada publication entitled "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout", dated July, 1990.

(2) Each rainbow trout acute lethality test required by this section shall be carried out as a single concentration test using 100 per cent effluent.

(3) On one day in each month, on a day on which samples are picked up at the plant under subsection 19 (1), each discharger shall collect and immediately pick up a grab sample at each process effluent sampling point at the discharger's plant and shall perform a rainbow trout acute lethality test on each sample.

(4) There shall be an interval of at least fifteen days between successive pick-up days at the plant under subsection (3).

(5) All samples picked up under subsection (3) in a month shall be picked up on the same day in the month.

(6) Where a discharger has performed tests under subsection (3) for twelve consecutive months on samples collected from the same sampling point and the mortality of the rainbow trout in each test did not exceed 50 per cent, the discharger is relieved of the obligations under subsection (3) relating to the sampling point and shall instead collect and immediately pick up a grab sample at the sampling point on one day in each quarter and perform a rainbow trout acute lethality test on each sample.

(7) Samples picked up at a plant under subsection (6) shall be picked up on a day on which samples are picked up at the plant under subsection (3).

(8) If no samples are being picked up at a plant under subsection (3) during a quarter, samples picked up at the plant during the quarter under subsection (6) shall be picked up on a day on which samples are picked up at the plant under subsection 19 (1).

(9) There shall be an interval of at least forty-five days between successive pick-up days at the plant under subsection (6).

(10) All samples picked up under subsection (6) in a quarter shall be picked up on the same day in the quarter.

(11) If a rainbow trout acute lethality test performed under subsection (6) on any sample from a sampling point results in mortality of more than 50 per cent of the test rainbow trout, subsections (6) to (10) cease to apply in respect to samples from that sampling point, and a discharger shall instead comply with the requirements of subsection (3) relating to the sampling point, until the tests performed under subsection (3) on all samples collected from the sampling point for a further twelve consecutive months result in mortality for no more than 50 per cent of the rainbow trout for each test.

(12) A discharger shall notify the Director in writing of any change in the frequency of acute lethality testing under this Regulation at the discharger's plant, within thirty days after the day on which the change begins.

(13) A discharger may notify the Director in writing of any period in which the testing of samples collected at a sampling point under subsection (3) would always result in mortality of more than 50 per cent of the test rainbow trout.

(14) Where a notice is given under subsection (13), a discharger is relieved of the obligations under subsection (3) relating to the sampling

point during the period in which the testing of samples collected at the sampling point would always result in mortality of more than 50 per cent of the test rainbow trout.

(15) Subsections (13) and (14) are revoked on January 1, 1996.

(16) Subsections (2) to (15) apply with necessary modifications to each cooling water effluent sampling point and, for the purpose, the reference in subsection (3) to each process effluent sampling point shall be deemed to be a reference to each cooling water effluent sampling point and the reference in subsections (3) and (8) to subsection 19 (1) shall be deemed to be a reference to subsection 26 (1). O. Reg. 760/93, s. 23.

MONITORING — ACUTE LETHALITY TESTING —
DAPHNIA MAGNA

24.—(1) Where a discharger is required by this section to perform a *Daphnia magna* acute lethality test, the discharger shall perform the test according to the procedures described in the Environment Canada publication entitled "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to *Daphnia magna*", dated July, 1990.

(2) Subsections 23 (2) to (16) apply with necessary modifications to *Daphnia magna* acute lethality tests and, for the purpose, a reference to rainbow trout shall be deemed to be a reference to *Daphnia magna*.

(3) Each discharger shall pick up each set of samples required to be collected from a sampling point at the discharger's plant under this section on a day on which the discharger collects a sample from the sampling point under section 23, to the extent possible having regard to the frequency of monitoring required at the sampling point under this section and section 23. O. Reg. 760/93, s. 24.

MONITORING — CHRONIC TOXICITY TESTING —
FATHEAD MINNOW AND *CERIODAPHNIA DUBIA*

25.—(1) Where a discharger is required to perform a seven-day fathead minnow growth inhibition test, the discharger shall perform the test according to the procedure described in the Environment Canada publication entitled "Biological Test Method: Test of Larval Growth and Survival Using Fathead Minnows" dated February, 1992.

(2) Where a discharger is required to perform a seven-day *Ceriodaphnia dubia* reproduction inhibition and survivability test, the discharger shall perform the test according to the procedure described in the Environment Canada publication entitled "Biological Test Method: Test of Reproduction and Survival Using the Cladoceran *Ceriodaphnia dubia*", dated February, 1992.

(3) On one day in each semi-annual period, on a day on which samples are picked up at the plant under subsection 19 (1), each discharger shall collect and immediately pick up a grab sample from each process effluent sampling point at the discharger's plant, and shall perform a seven-day fathead minnow growth inhibition test and a seven-day *Ceriodaphnia dubia* reproduction inhibition and survivability test on each sample.

(4) There shall be an interval of at least ninety days between successive pick-up days at the plant under subsection (3).

(5) All samples picked up under subsection (3) in a semi-annual period shall be picked up on the same day in the semi-annual period.

(6) A discharger need not collect a sample from a sampling point in accordance with subsection (3) until twelve consecutive monthly rainbow trout acute lethality tests and twelve consecutive monthly *Daphnia magna* acute lethality tests performed on samples collected at the sampling point at a discharger's plant result in mortality for no more than 50 per cent of the test organisms in 100 per cent effluent. O. Reg. 760/93, s. 25.

MONITORING — COOLING WATER EFFLUENT —
WEEKLY ASSESSMENT

26.—(1) Each discharger shall, on one day in each week, pick up a set

of samples collected at each cooling water effluent sampling point at the discharger's plant and shall analyze each set of samples for each assessment parameter.

(2) There shall be an interval of at least four days between successive pick-up days at the plant under subsection (1).

(3) All samples picked up under subsection (1) in a week shall be picked up on the same day in the week. O. Reg. 760/93, s. 26.

PART VI EFFLUENT VOLUME

FLOW MEASUREMENT

27.—(1) For the purposes of this section, a volume of effluent for a stream for a day is the volume that flowed past the sampling point established under Part II on the stream during the twenty-four-hour period preceding the pick-up of the first sample picked up from the stream for the day.

(2) Each discharger shall determine in cubic metres a daily volume of effluent for each process effluent stream at the discharger's plant for each day on which a sample is collected under this Regulation from the stream, by integration of continuous flowrate measurements.

(3) Despite subsection (2), where a process effluent stream discharges on an intermittent basis, the daily volumes for the stream may be determined either by integration of continuous flowrate measurements or by the summation of individual batch volume measurements.

(4) Each discharger shall use flow measurement methods that allow the daily volumes for process effluent streams to be determined to an accuracy of within plus or minus 15 per cent.

(5) Each discharger shall determine in cubic metres a daily volume of effluent for each cooling water effluent stream at the discharger's plant for each day on which a sample is collected under this Regulation from the stream.

(6) Each discharger shall use flow measurement methods that allow the daily volumes for cooling water effluent streams to be determined to an accuracy of within plus or minus 20 per cent.

(7) Each discharger shall, no later than the day that this section comes into force, determine by calibration or confirm by means of a certified report of a registered professional engineer of the Province of Ontario that each flow measurement method used under subsections (2) and (3) meets the accuracy requirements of subsection (4) and that each flow measurement method used under subsection (5) meets the accuracy requirements of subsection (6).

(8) Where a discharger uses a new flow measurement method or alters an existing flow measurement method, the discharger shall determine by calibration or confirm by means of a certified report of a registered professional engineer of the Province of Ontario that each new or altered flow measurement method meets the accuracy requirements of subsection (4) or (6), as the case may be, within two weeks after the day on which the new or altered method or system is used.

(9) Each discharger shall develop and implement a maintenance schedule and a calibration schedule for each flow measurement system installed at the discharger's plant and shall maintain each flow measurement system according to good operating practices.

(10) Each discharger shall use reasonable efforts to set up each flow measurement system used for the purposes of this section in a way that permits inspection by a provincial officer. O. Reg. 760/93, s. 27.

CALCULATION OF PLANT VOLUMES

28.—(1) Each discharger shall calculate, in cubic metres, a daily process effluent plant volume for each day.

(2) For the purposes of subsection (1), a process effluent plant volume

for a day is the sum of the daily process effluent volumes determined under section 27 for the day.

(3) Each discharger shall calculate, in cubic metres, a monthly average process effluent plant volume for each month, by taking the arithmetic mean of the daily process effluent plant volumes calculated under subsection (1) for the month.

(4) Each discharger shall calculate, in cubic metres, a daily cooling water effluent plant volume for each day.

(5) For the purposes of subsection (4), a cooling water effluent plant volume for a day is the sum of the daily cooling water volumes determined under section 27 for the day.

(6) Each discharger shall calculate, in cubic metres, a monthly average cooling water effluent plant volume for each month, by taking the arithmetic mean of the daily cooling water effluent plant volumes calculated under subsection (4) for the month. O. Reg. 760/93, s. 28.

PART VII STORM WATER CONTROL STUDY

29.—(1) Each discharger shall complete a storm water control study in respect of the discharger's plant, in accordance with the requirements of the Ministry of Environment and Energy publication entitled "Protocol for Conducting a Storm Water Control Study", dated August, 1993.

(2) A discharger need not comply with subsection (1) in respect of the discharger's plant if,

(a) the plant meets the exemption criteria set out in the Ministry of Environment and Energy publication entitled "Protocol for Conducting a Storm Water Control Study", dated August, 1993; and

(b) the discharger notifies the Director in writing, by November 25, 1994, that the plant meets the exemption criteria referred to in clause (a).

(3) Subject to subsection (4), a discharger shall complete the storm water control study in respect of the discharger's plant by November 27, 1995.

(4) A discharger may postpone completion of the storm water control study in respect of the discharger's plant until January 1, 1997 if,

(a) in order to meet the requirements of Part IV, the discharger plans to make process changes, install waste water treatment facilities, implement management practices or make any other changes at the plant that would likely alter the quantity or quality of storm water discharged from the plant; and

(b) the discharger notifies the Director in writing, by November 27, 1995, of the plans referred to in clause (a).

(5) Each discharger shall ensure that a copy of each study completed under this section is available to Ministry staff at the discharger's plant, on request, during the plant's normal office hours. O. Reg. 760/93, s. 29.

PART VIII RECORDS AND REPORTS

RECORD KEEPING

30.—(1) Each discharger shall keep records, in an electronic format acceptable to the Director, of all analytical results obtained under sections 18, 19, 20, 22 and 26, all calculations performed under sections 12 and 13 and all determinations and calculations made or performed under sections 27 and 28.

(2) Each discharger shall keep records of all sampling and analytical procedures used in meeting the requirements of section 7, including, for

each sample, the date, the time of pick-up, the sampling procedures used and any incidents likely to affect the analytical results.

(3) Each discharger shall keep records of all calculations performed under section 15.

(4) Each discharger shall keep records of the results of all monitoring performed under sections 21 and 23 to 25.

(5) Each discharger shall keep records of all maintenance and calibration procedures performed under section 27.

(6) Each discharger shall keep records of all problems or malfunctions, including those related to sampling, analysis, acute lethality testing, chronic toxicity testing or flow measurement, that result or are likely to result in a failure to comply with a requirement of this Regulation, stating the date, duration and cause of each malfunction, and including a description of any remedial action taken.

(7) Each discharger shall keep records of any incident in which process effluent is discharged from the discharger's plant without flowing past a sampling point established on a process effluent stream in accordance with this Regulation before being discharged, stating the date, duration, cause and nature of each incident.

(8) Each discharger shall keep records of all process changes and redirections of or changes in the character of effluent streams that affect the quality of effluent at any sampling point established under this Regulation at the discharger's plant.

(9) Each discharger shall keep records of the amount of dried finished product, calculated in tonnes, that is produced daily at the discharger's plant.

(10) Each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall keep records of the amount of dried bleached pulp, calculated in tonnes, that is produced daily at the discharger's plant.

(11) Each discharger shall keep records of the location of each sampling point established at the discharger's plant under Part II.

(12) Each discharger shall make each record required by this section as soon as reasonably possible and shall keep each such record for a period of three years.

(13) Each discharger shall ensure that all records kept under this section are available to Ministry staff at the discharger's plant, on request, during the plant's normal office hours. O. Reg. 760/93, s. 30.

REPORTS AVAILABLE TO THE PUBLIC

31.—(1) On or before June 1 in each year, each discharger shall prepare a report relating to the previous calendar year and including,

- (a) a summary of plant loadings calculated under sections 12 and 13;
- (b) a summary of the results of monitoring performed under sections 18, 19, 20 and 22 to 26;
- (c) a summary of calculations performed under subsections 28 (1) and (4);
- (d) the value of any revised limits calculated under section 15;
- (e) a summary of the loadings, concentrations or other results that exceeded a limit under section 14, 15 or 16; and
- (f) a summary of the incidents in which process effluent was discharged from the discharger's plant without flowing past a sampling point established on a process effluent stream in accordance with this Regulation before being discharged.

(2) Each discharger shall ensure that each report prepared under

subsection (1) is available to any person at the discharger's plant, on request, during the plant's normal office hours.

(3) Each discharger shall provide the Director, upon request, with a copy of any report that the discharger has prepared under subsection (1). O. Reg. 760/93, s. 31.

REPORTS TO THE DIRECTOR-GENERAL

32.—(1) Each discharger shall notify the Director in writing of any change of name or ownership of the discharger's plant occurring after November 25, 1993, within thirty days after the end of the month in which the change occurs.

(2) Each discharger shall notify the Director in writing of any process change or redirection of or change in the character of an effluent stream that affects the quality of effluent at any sampling point established under this Regulation at the discharger's plant, within thirty days of the change or redirection.

(3) A discharger need not comply with subsection (2) where the effect of the change or redirection on effluent quality is of less than one week's duration.

(4) Each discharger shall notify the Director in writing if the discharger's plant has, for more than ninety consecutive days, operated at less than 75 per cent of the reference production rate specified in Schedule 4 for finished product at the discharger's plant, within thirty days of the end of the ninety-day period.

(5) Each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall notify the Director in writing if the discharger's plant has, for more than ninety consecutive days, operated at less than 75 per cent of the reference production rate specified in Schedule 4 for bleached pulp at the discharger's plant, within thirty days of the end of the ninety-day period. O. Reg. 760/93, s. 32.

REPORTS TO THE DIRECTOR ON COMPLIANCE WITH SECTION 6 AND PART IV

33.—(1) Each discharger shall report to the Director any incident in which process effluent is discharged from the discharger's plant without flowing past a sampling point established on a process effluent stream in accordance with this Regulation before being discharged.

(2) Each discharger shall report to the Director any loading, concentration or other result that exceeds a limit under section 14, 15 or 16.

(3) A report required under subsection (1) or (2) shall be given orally, as soon as reasonably possible, and in writing, as soon as reasonably possible. O. Reg. 760/93, s. 33.

QUARTERLY REPORTS TO THE DIRECTOR

34.—(1) No later than forty-five days after the end of each quarter, each discharger shall submit a report to the Director containing information relating to the discharger's plant throughout the quarter as required by subsections (3) to (8).

(2) A report under this section shall be submitted both in an electronic format acceptable to the Director and in hard copy generated from the electronic format and signed by the discharger.

(3) A report under this section shall include all information included in a report given under section 33 during the quarter.

(4) Each discharger shall report, for each month in the quarter, the monthly average plant loadings and the highest and lowest daily plant loadings calculated under sections 12 and 13 for each limited parameter and each assessment parameter.

(5) Each discharger shall report, for each month in the quarter, the monthly average process effluent plant volume and the highest and lowest daily process effluent plant volumes calculated under section 28.

(6) Each discharger shall report, for each month in the quarter, the

monthly average cooling water effluent plant volume and the highest and lowest daily cooling water effluent plant volumes calculated under section 28.

(7) Each discharger shall report the number of days in each month in the quarter on which process effluent was discharged from the discharger's plant.

(8) Each discharger shall report, for each month in the quarter, the highest and lowest pH results obtained under section 22 for each process effluent monitoring stream at the discharger's plant. O. Reg. 760/93, s. 34.

REPORTS TO THE DIRECTOR ON CHRONIC TOXICITY TESTING

35.—(1) Each discharger shall report to the Director the results of all monitoring performed under section 25, together with the date on which each sample was picked up, no later than sixty days after the end of each semi-annual period in which the monitoring was performed.

(2) A report under subsection (1) shall include a plot of percentage reduction in growth or reproduction against the logarithm of test concentration and shall include a calculation of the concentration at which a 25 per cent reduction in growth or reproduction would occur. O. Reg. 760/93, s. 35.

AOX PROGRESS REPORTS

36.—(1) On or before December 31, 1994, each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall submit a report to the Director outlining the steps taken at the discharger's plant to meet, on or before December 31, 1995, the phase-two limits that are specified for the parameter and the plant in Columns 3 and 4 of Schedule 2.

(2) On or before December 31 in each of the years 1996, 1997 and 1998, each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall submit a report to the Director outlining the steps taken at the discharger's plant to meet, on or before December 31, 1999, the phase-three limits that are specified for the parameter and the plant in Columns 3 and 4 of Schedule 2.

(3) A discharger is not required to submit a report under this section if the discharger has met the AOX limit that is the subject of the report for a period of twelve months preceding the date on which the discharger is required to submit the report. O. Reg. 760/93, s. 36.

AOX ELIMINATION REPORTS

37.—(1) On or before May 25, 1994, each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall submit a report to the Director that sets out the following information:

1. An outline of the methods by which AOX generated from the bleaching of pulp at the discharger's plant could be eliminated by the year 2002.
2. The timetable that would be required to implement each method identified under paragraph 1 and each of the stages involved in the implementation of each method.
3. An estimate of the financial cost to the discharger of implementing each method identified under paragraph 1.

(2) On or before January 31, 1996, each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall submit a report to the Director that sets out the following information:

1. A detailed description of the methods by which AOX generated from the bleaching of pulp at the discharger's plant could be eliminated by the year 2002.
2. The timetable that would be required to implement each method described under paragraph 1 and each of the stages involved in the implementation of each method.

3. An estimate of the financial cost to the discharger of implementing each method described under paragraph 1.
4. A strategy that could be used at the discharger's plant for informing the discharger's employees about the methods by which AOX generated from the bleaching of pulp at the discharger's plant could be eliminated.
5. A list of any short-term or long-term goals that the discharger has developed in respect of reducing or eliminating the generation of AOX at the discharger's plant.
6. An up-to-date description and diagram of where, within the discharger's bleaching processes and operations, AOX is generated at the discharger's plant.
7. The amounts of chlorine and chlorine compounds that were used during 1995 at the discharger's plant for the purpose of bleaching pulp.

(3) On or before January 31, 1999, each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall submit a report to the Director that sets out the following information:

1. A detailed description of any additional methods to those described under paragraph 1 of subsection (2), by which AOX generated from the bleaching of pulp at the discharger's plant could be eliminated by the year 2002.
2. An evaluation of the technical feasibility of implementing at the discharger's plant each method described under paragraph 1 of subsection (2) and paragraph 1 of this subsection, and an identification of which methods are technically feasible.
3. The timetable that would be required to implement each method identified as technically feasible under paragraph 2 and each of the stages involved in the implementation of each method.
4. An estimate of the financial cost to the discharger of implementing each method identified as technically feasible under paragraph 2.
5. An estimate of the reduction in the generation of AOX that could be anticipated in respect of the discharger's plant as a result of the implementation of each method identified as technically feasible under paragraph 2.
6. A list of any additional short-term and long-term goals to those listed under paragraph 5 of subsection (2), that the discharger has developed in respect of reducing or eliminating the generation of AOX at the discharger's plant.
7. An up-to-date description and diagram of where, within the discharger's bleaching processes and operations, AOX is generated at the discharger's plant.
8. The amounts of chlorine and chlorine compounds that were used during each of the years 1996, 1997 and 1998 at the discharger's plant for the purpose of bleaching pulp.

(4) On or before January 31 in each of the years 2000 and 2001, each discharger for which a limit for AOX is listed in Columns 3 and 4 of Schedule 2 shall submit a report to the Director that sets out the following information:

1. A detailed description of any additional methods to those described in any previous report prepared under this section, by which AOX generated from the bleaching of pulp at the discharger's plant could be eliminated by the year 2002.
2. An evaluation of the technical feasibility of implementing at the discharger's plant each additional method described under paragraph 1, and an identification of which methods are technically feasible.

3. The timetable that would be required to implement each method identified as technically feasible under paragraph 2 and each of the stages involved in the implementation of each method.
4. An estimate of the financial cost to the discharger of implementing each method identified as technically feasible under paragraph 2.
5. A re-evaluation, where necessary, of the technical feasibility of implementing at the discharger's plant any method identified as technically feasible in any previous report prepared under this section, and a description of the factors that have contributed to the need for the re-evaluation.
6. The amount of AOX that was generated at the discharger's plant during the previous calendar year, and the manner in which that amount was calculated.

(5) In describing, for the purposes of a report prepared under this section, the methods by which AOX generated from the bleaching of pulp at the discharger's plant could be eliminated by the year 2002, the discharger shall consider,

- (a) any methods that substitute other chemical or biochemical agents for chlorine and chlorine compounds for the purpose of bleaching pulp; and

- (b) how products that are produced at the discharger's plant could be redesigned so as to eliminate the need for the use of chlorine or chlorine compounds in the discharger's bleaching processes and operations. O. Reg. 760/93, s. 37.

REVIEW OF AOX REPORTS

38. A report submitted under section 37 shall be reviewed by the Ministry in relation to its goal of eliminating the generation of AOX at dischargers' plants by the year 2002, taking into account any relevant environmental, technological and economic considerations. O. Reg. 760/93, s. 38.

PART IX COMMENCEMENT AND REVOCATION PROVISIONS

39. Ontario Regulations 435/89 and 202/90 are revoked on February 23, 1994.

40.—(1) Subject to subsection (2), Part IV comes into force on January 1, 1996.

(2) Subsections 14 (2) and (4) and section 15 come into force on the date of filing.

(3) Parts V and VI come into force on February 23, 1994.

Schedule 1

LIST OF REGULATED PLANTS

Plant	Location	Owner as of September, 1993
Abitibi-Price Inc., Fort William Division	Thunder Bay	Abitibi-Price Inc.
Abitibi-Price Inc., Iroquois Falls Division	Iroquois Falls	Abitibi Price Inc.
Abitibi-Price Inc., Provincial Papers Division	Thunder Bay	Abitibi Price Inc.
Beaver Wood Fibre Company Ltd.	Thorold	Beaver Wood Fibre Company Ltd.
Boise Cascade Canada Ltd., Fort Frances	Fort Frances	Boise Cascade Canada Ltd.
Boise Cascade Canada Ltd., Kenora	Kenora	Boise Cascade Canada Ltd.
Canadian Pacific Forest Products, Dryden	Dryden	Canadian Pacific Forest Products Limited
Canadian Pacific Forest Products, Thunder Bay	Thunder Bay	Canadian Pacific Forest Products Limited
Domtar Inc., Containerboard Division, Red Rock	Red Rock	Domtar Inc.
Domtar Inc., Containerboard Division, Trenton	Trenton	Domtar Inc.
Domtar Inc., Fine Papers Division, Cornwall	Cornwall	Domtar Inc.
Domtar Inc., Fine Papers Division, St. Catharines	St. Catharines	Domtar Inc.
E.B. Eddy Forest Products Ltd., Espanola	Espanola	E.B. Eddy Forest Products Ltd.
E.B. Eddy Forest Products Ltd., Ottawa	Ottawa	E.B. Eddy Forest Products Ltd.
James River-Marathon Ltd.	Marathon	James River-Marathon Ltd.
Kimberly-Clark Canada Inc., Huntsville	Huntsville	Kimberly Clark of Canada Inc.
Kimberly-Clark Canada Inc., St. Catharines	St. Catharines	Kimberly Clark of Canada Inc.
Kimberly-Clark Canada Inc., Terrace Bay	Terrace Bay	Kimberly Clark of Canada Inc.
MacMillan Bloedel Ltd.	Sturgeon Falls	MacMillan Bloedel Ltd.
Malette Kraft Pulp and Power Company	Smooth Rock Falls	Malette Inc.
Noranda Forest Products Inc., Recycled Papers	Thorold	Noranda Forest Inc.
QUNO Inc.	Thorold	QUNO Inc.
St. Marys Paper Inc.	Sault Ste. Marie	St. Marys Paper Inc.
Sonoco Limited	Trenton	Sonoco Limited
Spruce Falls Inc.	Kapuskasing	Spruce Falls Inc.
Strathcona Paper Company	Napanee	Roman Corporation Ltd.

Schedule 2

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Abitibi-Price Inc., Fort William Division				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	4280	2140
6	Total Phosphorus	W	120	72.8
8	Total Suspended Solids (TSS)	D	5740	3370
16	Chloroform	W	1.59	0.805
17	Toluene	W	0.0920	0.0920
20	Phenol	W	0.177	0.177
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
 W = Weekly monitoring requirement
 Q = Quarterly monitoring requirement
 ATG = Analytical Test Group
 kg/day = Kilograms per day
 TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Abitibi-Price Inc., Iroquois Falls Division				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	9060	4530
6	Total Phosphorus	W	254	154
8	Total Suspended Solids (TSS)	D	12100	7130
16	Chloroform	W	3.37	1.70
17	Toluene	W	0.195	0.195
20	Phenol	W	0.374	0.374
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D** = Daily monitoring requirement
W = Weekly monitoring requirement
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ATG = Analytical Test Group
kg/day = Kilograms per day
TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furen congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Abitibi-Price Inc., Provincial Papers Division				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	4890	2450
6	Total Phosphorus	W	137	83.1
8	Total Suspended Solids (TSS)	D	6550	3850
16	Chloroform	W	1.82	0.919
17	Toluene	W	0.105	0.105
20	Phenol	W	0.202	0.202
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

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- ATG = Analytical Test Group
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- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Beaver Wood Fibre Company Ltd.				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	2030	1010
6	Total Phosphorus	W	56.6	34.4
8	Total Suspended Solids (TSS)	D	2690	1590
16	Chloroform	W	0.753	0.378
17	Toluene	W	0.0746	0.0746
20	Phenol	W	0.0833	0.0833
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Boise Cascade Canada Ltd., Fort Frances				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	11500	5760
6	Total Phosphorus	W	322	196
8	Total Suspended Solids (TSS)	D	15400	9060
16	Chloroform	W	4.28	2.16
17	Toluene	W	0.247	0.247
20	Phenol	W	0.475	0.475
33	Adsorbable Organic Halide - Phase-one	W	1970	1530
	- Phase-two	W	1180	917
	- Phase-three	W	629	489
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D** = Daily monitoring requirement
W = Weekly monitoring requirement
Q = Quarterly monitoring requirement
ATG = Analytical Test Group
kg/day = Kilograms per day
TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Boise Cascade Canada Ltd., Kenora				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	10600	5290
6	Total Phosphorus	W	296	180
8	Total Suspended Solids (TSS)	D	14200	8320
16	Chloroform	W	3.93	1.99
17	Toluene	W	0.227	0.227
20	Phenol	W	0.437	0.437
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D** = Daily monitoring requirement
W = Weekly monitoring requirement
Q = Quarterly monitoring requirement
ATG = Analytical Test Group
kg/day = Kilograms per day
TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Canadian Pacific Forest Products, Dryden				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	14900	7470
6	Total Phosphorus	W	418	254
8	Total Suspended Solids (TSS)	D	20000	11700
16	Chloroform	W	5.55	2.81
17	Toluene	W	0.321	0.321
20	Phenol	W	0.617	0.617
33	Adsorbable Organic Halide - Phase-one	W	3030	2350
	- Phase-two	W	1810	1410
	- Phase-three	W	968	752
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Canadian Pacific Forest Products, Thunder Bay				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	28400	14200
6	Total Phosphorus	W	796	483
8	Total Suspended Solids (TSS)	D	38100	22400
16	Chloroform	W	10.6	5.34
17	Toluene	W	0.611	0.611
20	Phenol	W	1.17	1.17
33	Adsorbable Organic Halide - Phase-one	W	4670	3620
	- Phase-two	W	2800	2170
	- Phase-three	W	1490	1160
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Domtar Inc., Containerboard Division, Red Rock				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	9760	4880
6	Total Phosphorus	W	273	166
8	Total Suspended Solids (TSS)	D	13100	7680
16	Chloroform	W	3.63	1.83
17	Toluene	W	0.210	0.210
20	Phenol	W	0.403	0.403
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Domtar Inc., Containerboard Division, Trenton				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	2490	1240
6	Total Phosphorus	W	69.6	42.3
8	Total Suspended Solids (TSS)	D	3310	1950
16	Chloroform	W	0.927	0.465
17	Toluene	W	0.0918	0.0918
20	Phenol	W	0.102	0.102
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Domtar Inc., Fine Papers Division, Cornwall				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	8460	4230
6	Total Phosphorus	W	237	144
8	Total Suspended Solids (TSS)	D	11300	6660
16	Chloroform	W	3.15	1.59
17	Toluene	W	0.182	0.182
20	Phenol	W	0.349	0.349
33	Adsorbable Organic Halide - Phase-one	W	1510	1170
	- Phase-two	W	905	704
	- Phase-three	W	483	375
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D** = Daily monitoring requirement
W = Weekly monitoring requirement
Q = Quarterly monitoring requirement
ATG = Analytical Test Group
kg/day = Kilograms per day
TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Domtar Inc., Fine Papers Division, St. Catharines				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	1140	570
6	Total Phosphorus	W	31.9	19.4
8	Total Suspended Solids (TSS)	D	1520	896
16	Chloroform	W	0.425	0.214
17	Toluene	W	0.0421	0.0421
20	Phenol	W	0.0470	0.0470
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: E.B. Eddy Forest Products Ltd., Espanola				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	12200	6080
6	Total Phosphorus	W	340	207
8	Total Suspended Solids (TSS)	D	16300	9570
16	Chloroform	W	4.52	2.29
17	Toluene	W	0.261	0.261
20	Phenol	W	0.502	0.502
33	Adsorbable Organic Halide - Phase-one	W	3920	3040
	- Phase-two	W	2350	1820
	- Phase-three	W	1250	973
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: E.B. Eddy Forest Products Ltd., Ottawa				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	1050	521
6	Total Phosphorus	W	29.2	17.7
8	Total Suspended Solids (TSS)	D	1390	818
16	Chloroform	W	0.388	0.195
17	Toluene	W	0.0385	0.0385
20	Phenol	W	0.0430	0.0430
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: James River-Marathon Ltd.				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	5330	2670
6	Total Phosphorus	W	149	90.6
8	Total Suspended Solids (TSS)	D	7140	4190
16	Chloroform	W	1.98	1.00
17	Toluene	W	0.115	0.115
20	Phenol	W	0.220	0.220
33	Adsorbable Organic Halide - Phase-one	W	1720	1330
	- Phase-two	W	1030	800
	- Phase-three	W	549	426
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
 W = Weekly monitoring requirement
 Q = Quarterly monitoring requirement
 ATG = Analytical Test Group
 kg/day = Kilograms per day
 TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Kimberly-Clark Canada Inc., Huntsville				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	689	343
6	Total Phosphorus	W	19.2	11.7
8	Total Suspended Solids (TSS)	D	916	539
16	Chloroform	W	0.256	0.129
17	Toluene	W	0.0254	0.0254
20	Phenol	W	0.0283	0.0283
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Kimberly-Clark Canada Inc., St. Catharines				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	823	410
6	Total Phosphorus	W	23.0	14.0
8	Total Suspended Solids (TSS)	D	1090	644
16	Chloroform	W	0.306	0.154
17	Toluene	W	0.0303	0.0303
20	Phenol	W	0.0338	0.0338
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Kimberly-Clark Canada Inc., Terrace Bay				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	13700	6860
6	Total Phosphorus	W	384	233
8	Total Suspended Solids (TSS)	D	18400	10800
16	Chloroform	W	5.10	2.58
17	Toluene	W	0.295	0.295
20	Phenol	W	0.567	0.567
33	Adsorbable Organic Halide - Phase-one	W	4420	3430
	- Phase-two	W	2650	2060
	- Phase-three	W	1410	1100
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
W = Weekly monitoring requirement
Q = Quarterly monitoring requirement
ATG = Analytical Test Group
kg/day = Kilograms per day
TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: MacMillan-Bloedel Ltd.				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	1760	876
6	Total Phosphorus	W	49.1	29.8
8	Total Suspended Solids (TSS)	D	2340	1380
16	Chloroform	W	0.653	0.328
17	Toluene	W	0.0647	0.0647
20	Phenol	W	0.0722	0.0722
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D** = Daily monitoring requirement
W = Weekly monitoring requirement
Q = Quarterly monitoring requirement
ATG = Analytical Test Group
kg/day = Kilograms per day
TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Malette Kraft Pulp and Power Company				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	4150	2080
6	Total Phosphorus	W	116	70.6
8	Total Suspended Solids (TSS)	D	5560	3270
16	Chloroform	W	1.54	0.780
17	Toluene	W	0.0892	0.0892
20	Phenol	W	0.171	0.171
33	Adsorbable Organic Halide - Phase-one	W	1340	1040
	- Phase-two	W	801	623
	- Phase-three	W	427	332
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Noranda Forest Products Inc., Recycled Papers				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	2840	1420
6	Total Phosphorus	W	46.3	28.1
8	Total Suspended Solids (TSS)	D	2200	1300
16	Chloroform	W	0.616	0.310
17	Toluene	W	0.0611	0.0611
20	Phenol	W	0.0682	0.0682
33	Adsorbable Organic Halide - Phase-one	W	914	710
	- Phase-two	W	548	426
	- Phase-three	W	293	227
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
- W = Weekly monitoring requirement
- Q = Quarterly monitoring requirement
- ATG = Analytical Test Group
- kg/day = Kilograms per day
- TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: QUNO Inc.				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	10500	5270
6	Total Phosphorus	W	295	179
8	Total Suspended Solids (TSS)	D	14100	8290
16	Chloroform	W	3.92	1.98
17	Toluene	W	0.226	0.226
20	Phenol	W	0.435	0.435
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
 W = Weekly monitoring requirement
 Q = Quarterly monitoring requirement
 ATG = Analytical Test Group
 kg/day = Kilograms per day
 TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: St. Marys Paper Inc.				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	6290	3150
6	Total Phosphorus	W	176	107
8	Total Suspended Solids (TSS)	D	8430	4950
16	Chloroform	W	2.34	1.18
17	Toluene	W	0.135	0.135
20	Phenol	W	0.260	0.260
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
 W = Weekly monitoring requirement
 Q = Quarterly monitoring requirement
 ATG = Analytical Test Group
 kg/day = Kilograms per day
 TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Sonoco Limited				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	1660	826
6	Total Phosphorus	W	46.3	28.1
8	Total Suspended Solids (TSS)	D	2200	1300
16	Chloroform	W	0.616	0.310
17	Toluene	W	0.0611	0.0611
20	Phenol	W	0.0682	0.0682
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D** = Daily monitoring requirement
W = Weekly monitoring requirement
Q = Quarterly monitoring requirement
ATG = Analytical Test Group
kg/day = Kilograms per day
TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Spruce Falls Inc.				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	11000	5480
6	Total Phosphorus	W	307	186
8	Total Suspended Solids (TSS)	D	14700	8630
16	Chloroform	W	4.08	2.06
17	Toluene	W	0.236	0.236
20	Phenol	W	0.453	0.453
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D = Daily monitoring requirement
 W = Weekly monitoring requirement
 Q = Quarterly monitoring requirement
 ATG = Analytical Test Group
 kg/day = Kilograms per day
 TEQ = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

PROCESS EFFLUENT LIMITS AND MONITORING FREQUENCY

PLANT: Strathcona Paper Company				
ATG	Parameter	Monitoring Frequency	Daily Plant Loading Limit	Monthly Average Plant Loading Limit
			kg/day	kg/day
	Column 1	Column 2	Column 3	Column 4
1A	Biochemical Oxygen Demand (5 day)	D	1270	631
6	Total Phosphorus	W	35.4	21.5
8	Total Suspended Solids (TSS)	D	1680	992
16	Chloroform	W	0.471	0.237
17	Toluene	W	0.0467	0.0467
20	Phenol	W	0.0521	0.0521
24	2,3,7,8-Tetrachlorodibenzo-para-dioxin	Q		
	2,3,7,8-Tetrachlorodibenzofuran	Q		
	TEQ	Q		

Explanatory Notes:

- D** = Daily monitoring requirement
- W** = Weekly monitoring requirement
- Q** = Quarterly monitoring requirement
- ATG** = Analytical Test Group
- kg/day** = Kilograms per day
- TEQ** = Total toxic equivalent of 2,3,7,8 substituted dioxin and furan congeners

Schedule 3

COOLING WATER ASSESSMENT MONITORING

PLANT: All Plants		
ATG	Parameter	Monitoring Frequency
	Column 1	Column 2
3	Hydrogen ion (pH)	W
5a	Dissolved Organic Carbon (DOC)	W
7	Specific Conductance	W
8	Total Suspended Solids (TSS)	W

Explanatory Notes:

W = Weekly monitoring requirement
ATG = Analytical Test Group

O. Reg. 760/93, Sched. 3.

Schedule 4
REFERENCE PRODUCTION RATES

Plant	Reference Production Rate	
	Bleached Pulp	Finished Product
	tonne/day	tonne/day
Abitibi-Price Inc., Fort William Division		428
Abitibi-Price Inc., Iroquois Falls Division		906
Abitibi Price Inc., Provincial Papers Division		489
Beaver Wood Fibre Company Ltd.		347
Boise Cascade Canada Ltd., Fort Frances	611	1151
Boise Cascade Canada Ltd., Kenora		1057
Canadian Pacific Forest Products, Dryden	940	1493
Canadian Pacific Forest Products, Thunder Bay	1449	2842
Domtar Inc., Containerboard Division, Red Rock		976
Domtar Inc., Containerboard Division, Trenton		427
Domtar Inc., Fine Papers Division, Cornwall	469	846
Domtar Inc., Fine Papers Division, St. Catharines		196
E.B. Eddy Forest Products Ltd., Espanola	1216	1216
E.B. Eddy Forest Products Ltd., Ottawa		179
James River-Marathon Ltd.	533	533
Kimberly-Clark Canada Inc., Huntsville		118
Kimberly-Clark Canada Inc., St. Catharines		141
Kimberly-Clark Canada Inc., Terrace Bay	1372	1372
MacMillan-Bloedel Ltd.		301
Malette Kraft Pulp and Power Company	415	415
Noranda Forest Products Inc., Recycled Papers	284	284
QUNO Inc.		1053
St. Marys Paper Inc.		629
Sonoco Limited		284
Spruce Falls Inc.		1096
Strathcona Paper Company		217

ONTARIO REGULATION 761/93
made under the
PUBLIC HOSPITALS ACT

Made: November 16, 1993
Approved: November 24, 1993
Filed: November 26, 1993

Amending Reg. 965 of R.R.O. 1990
(Hospital Management)

Note: Since January 1, 1993, Regulation 965 has been amended by Ontario Regulations 216/93 and 588/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 1 (1) of Regulation 965 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:

"attending midwife" means a member of the midwifery staff who attends a patient in the hospital;

"midwife" means a member of the College of Midwives of Ontario;

"midwifery staff" means those midwives to whom the board has granted privileges of assessing, monitoring, prescribing for or treating patients in the hospital;

2.—(1) Subclause 4 (1) (b) (i) of the Regulation is revoked and the following substituted:

- (i) criteria with respect to appointment and reappointment of members of the medical staff and, where applicable, the dental and midwifery staff,

(2) Subsection 4 (1) of the Regulation is amended by adding the following clause:

- (c.1) where the hospital has a midwifery staff, provide for the organization of the midwifery staff and the duties of the midwifery staff;

3. Clauses 7 (2) (a) and (b) of the Regulation are revoked and the following substituted:

- (a) make recommendations to the board concerning,
 - (i) where there is a dental or midwifery staff, every application for appointment or reappointment to the dental or midwifery staff,
 - (ii) where there is a dental or midwifery staff, the hospital privileges to be granted to each member of the dental or midwifery staff,
 - (iii) by-laws respecting the medical staff and, where there is a dental or midwifery staff, the dental or midwifery staff,
 - (iv) the dismissal, suspension or restriction of hospital privileges of any member of the medical staff or, where there is a dental or midwifery staff, the dental or midwifery staff,
 - (v) the quality of medical, dental and midwifery care provided in the hospital, and
 - (vi) clinical and general rules respecting the medical, dental and midwifery staff as may be necessary in the circumstances;
- (b) supervise the practice of medicine, dentistry and midwifery in the hospital;

4. Section 11 of the Regulation is revoked and the following substituted:

11.—(1) No person shall be admitted to a hospital as a patient except,

- (a) on the order or under the authority of a physician who is a member of the medical staff;
- (b) if the person is being admitted for treatment by a dentist who is a member of the dental staff, on the joint order of the dentist and a physician who is a member of the medical staff; or
- (c) on the order or under the authority of a midwife who is a member of the midwifery staff.

(2) No physician, dentist or midwife shall order the admission of a person to a hospital unless, in the opinion of the physician, dentist or midwife, it is clinically necessary that the person be admitted.

(3) No person shall be registered in a hospital as an out-patient except,

- (a) on the order or under the authority of a physician who is a member of the medical staff;
- (b) in the case of a person who is an out-patient solely for the purpose of attending a dental clinic in a hospital, on the order or under the authority of a dentist who is a member of the dental staff; or
- (c) on the order or under the authority of a midwife who is a member of the midwifery staff. O. Reg. 761/93, s. 4.

5.—(1) Subsection 14 (1) of the Regulation is revoked and the following substituted:

(1) A physician or midwife who knows or suspects that a person being admitted to the hospital on the physician's or midwife's order is or may become dangerous to himself or herself or to other persons, shall forthwith notify the administrator concerning the patient. O. Reg. 761/93, s. 5 (1).

(2) Subsection 14 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) An attending physician, attending dentist or attending midwife who knows or suspects that his or her patient is suffering from an infectious disease or condition shall forthwith notify,

.

6. Subsection 16 (1) of the Regulation is revoked and the following substituted:

(1) Where a patient is no longer in need of treatment in the hospital, the attending physician or midwife, or a member of the medical or midwifery staff designated by the physician or midwife, shall make an order that the patient be discharged and communicate the order to the patient. O. Reg. 761/93, s. 6.

7. Subsections 17 (3) and (4) of the Regulation are revoked.

8. Subsections 18 (1) and (3) of the Regulation are revoked and the following substituted:

(1) Where a person who is a member of the medical, dental or midwifery staff is unable for any reason to perform his or her professional duties with respect to a patient in the hospital, the person shall arrange for another member of the medical, dental or midwifery staff, as may be appropriate, to perform the person's duties. O. Reg. 761/93, s. 8, *part*.

.

(3) Where an administrator believes that a person who is a member of the medical, dental or midwifery staff is unable to perform the person's professional duties with respect to a patient in the hospital, the administrator shall notify the chief of staff or the chair of the medical advisory committee and, in the case of a member of the medical staff, the president or the secretary of the medical staff of the belief. O. Reg. 761/93, s. 8, *part*.

9.—(1) Clauses 19 (4) (a), (c) and (h) of the Regulation are revoked and the following substituted:

- (a) the names of the attending physicians, dentists and midwives of the patient;

- (c) records of all medical, dental and midwifery examinations carried out on the patient in the hospital;

- (h) records of all medical, dental and midwifery treatment carried out on the patient in the hospital;

(2) Clauses 19 (5) (a), (c) and (h) of the Regulation are revoked and the following substituted:

- (a) the names of the attending physicians, dentists and midwives of the out-patient at each visit;

- (c) records of all medical, dental and midwifery examinations carried out on the out-patient in the hospital;

- (h) records of all medical, dental and midwifery treatment carried out on the out-patient in the hospital;

10.—(1) Clause 22 (6) (a) of the Regulation is revoked and the following substituted:

- (a) the attending physician, dentist or midwife;

(2) Clause 22 (6) (d) of the Regulation is amended by striking out the portion before subclause (i) and substituting the following:

- (d) a member of the medical, dental or midwifery staff but only for,

11. Section 24 of the Regulation is revoked and the following substituted:

24.—(1) Every order for treatment or for a diagnostic procedure of a patient shall, except as provided in subsection (2), be in writing and shall be dated and authenticated by the physician, dentist or midwife giving the order.

(2) A physician, dentist or midwife may dictate an order for treatment or for a diagnostic procedure by telephone to a person designated by the administrator to take such orders.

(3) Where an order for treatment or for a diagnostic procedure has been dictated by telephone,

- (a) the person to whom the order was dictated shall transcribe the order, the name of the physician, dentist or midwife who

dictated the order, the date and the time of receiving the order and shall authenticate the transcription; and

- (b) the physician, dentist or midwife who dictated the order shall authenticate the order on the first visit to the hospital after dictating the order. O. Reg. 761/93, s. 11.

12.—(1) Clause 25 (1) (b) of the Regulation is revoked and the following substituted:

- (b) is authenticated by a member of the medical or midwifery staff,

(2) Subsection 25 (3) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(3) Every board shall ensure that procedures are established in a hospital that provide, within seventy-two hours after a patient is admitted to the hospital by a physician, that a physician,

(3) Section 25 of the Regulation is amended by adding the following subsection:

(8) Where a patient is admitted to a hospital by a midwife, the attending midwife shall, within seventy-two hours of admission or prior to discharge, if the patient is discharged within seventy-two hours of admission,

- (a) take a history of the patient;
- (b) give the patient a physical examination;
- (c) make a provisional assessment of the patient's condition; and
- (d) record, date and authenticate the history and a report of the findings of the physical examination and the provisional assessment of the patient. O. Reg. 761/93, s. 12 (3).

13. Subsection 26 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) Where the attending physician, dentist or midwife or the administrator requires a consent in writing before a diagnostic test or medical treatment is performed on a patient, the consent shall be signed by,

.

14. Forms 2 and 3 of the Regulation are revoked.

15. This Regulation comes into force on the day the *Midwifery Act, 1991* comes into force.

RUTH GRIER
Minister of Health

Dated at Toronto on November 16, 1993.

50/93

ONTARIO REGULATION 762/93
made under the
COURTS OF JUSTICE ACT

Made: October 28, 1993
Approved: November 24, 1993
Filed: November 26, 1993

Amending Reg. 187 of R.R.O. 1990
(District of Algoma Civil Case Management Rules)

Note: Regulation 187 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Rule 18 of Regulation 187 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

REVOCATION

18. These rules are revoked on December 31, 1994.

50/93

RÈGLEMENT DE L'ONTARIO 762/93
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 28 octobre 1993
approuvé le 24 novembre 1993
déposé le 26 novembre 1993

modifiant le Règl. 187 des R.R.O. de 1990
(Règles de gestion des causes civiles du district d'Algoma)

Remarque : Le Règlement 187 n'a pas été modifié en 1993. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 La Règle 18 du Règlement 187 des Règlements refundus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

ABROGATION

18 Les présentes règles sont abrogées le 31 décembre 1994.

ONTARIO REGULATION 763/93
made under the
COURTS OF JUSTICE ACT

Made: October 28, 1993
Approved: November 24, 1993
Filed: November 26, 1993

Amending Reg. 189 of R.R.O. 1990
(Essex Civil Case Management Rules)

Note: Since January 1, 1993, Regulation 189 has been amended by Ontario Regulation 211/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Rule 17 of Regulation 189 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

REVOCATION

17. These rules are revoked on December 31, 1994.

50/93

RÈGLEMENT DE L'ONTARIO 763/93
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 28 octobre 1993
approuvé le 24 novembre 1993
déposé le 26 novembre 1993

modifiant le Règl. 189 des R.R.O. de 1990
(Règles de gestion des causes civiles d'Essex)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 189 a été modifié par le Règlement de l'Ontario 211/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 La Règle 17 du Règlement 189 des Règlements refundus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

ABROGATION

17 Les présentes règles sont abrogées le 31 décembre 1994.

ONTARIO REGULATION 764/93
made under the
COURTS OF JUSTICE ACT

Made: October 12, 1993
Approved: November 24, 1993
Filed: November 26, 1993

Amending O. Reg. 704/91
(Toronto Family Case Management Rules)

Note: Ontario Regulation 704/91 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subrule 6.02 (2) of Ontario Regulation 704/91 is revoked and the following substituted:

(2) These rules are revoked on November 30, 1994.

50/93

RÈGLEMENT DE L'ONTARIO 764/93
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 12 octobre 1993
approuvé le 24 novembre 1993
déposé le 26 novembre 1993

modifiant le Règl. de l'Ont. 704/91
(Règles de gestion des causes en droit de la famille de Toronto)

Remarque : Le Règlement de l'Ontario 704/91 n'a pas été modifié en 1993. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 Le paragraphe 6.02 (2) du Règlement de l'Ontario 704/91 est abrogé et remplacé par ce qui suit :

(2) Les présentes règles sont abrogées le 30 novembre 1994.

ONTARIO REGULATION 765/93
made under the
COURTS OF JUSTICE ACT

Made: October 28, 1993
Approved: November 24, 1993
Filed: November 26, 1993

Amending O. Reg. 703/91
(Toronto Civil Case Management Rules)

Note: Since January 1, 1993, Ontario Regulation 703/91 has been amended by Ontario Regulation 210/93. There are no prior amendments.

1. Subrule 1.01 (4) of Ontario Regulation 703/91 is amended by striking out "case management judge" in the second line and substituting "court".

2. Subrule 2.02 (4) of the Regulation is amended by striking out "case management judge" in the second line and substituting "court".

3. Rule 2.06 of the Regulation is amended by striking out "the case management judge's" in the fourth line.

4. Subrule 2.07 (1) of the Regulation is amended by striking out "the case management judge's" in the fourth line.

5.—(1) Subrule 3.01 (1) of the Regulation is amended by adding at the end "except where these rules provide otherwise".

(2) Subrule 3.01 (3) of the Regulation is amended by striking out "to the case management judge" in the first line.

(3) Clauses 3.01 (4) (a) and (b) of the Regulation are amended by striking out "case management judge" in the second and third lines and substituting in each case "court".

(4) Clause 3.01 (4) (c) of the Regulation is amended by adding after "case management judge" in the first line "or registrar".

6. The Regulation is amended by adding the following rule:

MOTIONS DEALT WITH BY REGISTRAR

3.01.1 Despite subrule 3.01 (1), the registrar shall make an order granting the relief sought on the following motions:

1. A first motion for an extension of time,
 - i. of not more than thirty days, to serve the statement of claim or to file a pleading with proof of service,
 - ii. of not more than sixty days, to complete examinations for discovery.
2. A motion for an order on consent, where the consent of all parties is filed, the consent states that no party affected by the order is under disability, and the order is for,
 - i. amendment of a pleading,
 - ii. addition, deletion or substitution of a party,
 - iii. change of or appointment of a solicitor of record,

RÈGLEMENT DE L'ONTARIO 765/93
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 28 octobre 1993
approuvé le 24 novembre 1993
déposé le 26 novembre 1993

modifiant le Règl. de l'Ont. 703/91
(Règles de gestion des causes civiles de Toronto)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement de l'Ontario 703/91 a été modifié par le Règlement de l'Ontario 210/93. Il n'y a pas de modifications antérieures.

1 Le paragraphe 1.01 (4) du Règlement de l'Ontario 703/91 est modifié par substitution, à «juge responsable de la gestion de la cause» aux deuxième et troisième lignes, de «tribunal».

2 Le paragraphe 2.02 (4) du Règlement est modifié par substitution, à «juge responsable de la gestion de la cause» aux première et deuxième lignes, de «tribunal».

3 La règle 2.06 du Règlement est modifiée par substitution, à «par l'ordonnance du juge responsable de la gestion de la cause» aux cinquième et sixième lignes, de «par ordonnance».

4 Le paragraphe 2.07 (1) du Règlement est modifié par substitution, à «par l'ordonnance du juge responsable de la gestion de la cause» aux cinquième et sixième lignes, de «par ordonnance».

5 (1) Le paragraphe 3.01 (1) du Règlement est modifié par insertion, au début du paragraphe, de «Sauf disposition contraire des présentes règles,».

(2) Le paragraphe 3.01 (3) du Règlement est modifié par suppression de «au juge responsable de la gestion de la cause,» aux première et deuxième lignes.

(3) Les alinéas 3.01 (4) a) et b) du Règlement sont modifiés par substitution, à «juge responsable de la gestion de la cause» à la troisième ligne dans le premier cas et aux deuxième et troisième lignes dans le second, de «tribunal».

(4) L'alinéa 3.01 (4) c) du Règlement est modifié par substitution, à «consigne» à la première ligne, de «ou le greffier consignent».

6 Le Règlement est modifié par adjonction de la règle suivante :

MOTIONS DONT LE GREFFIER EST RESPONSABLE

3.01.1 Malgré le paragraphe 3.01 (1), le greffier rend une ordonnance accordant la mesure de redressement demandée sur les motions suivantes :

1. Une première motion en prorogation d'un délai :
 - i. d'au plus trente jours pour signifier la déclaration ou pour déposer un acte de procédure avec la preuve de sa signification,
 - ii. d'au plus soixante jours pour terminer les interrogatoires préalables.
2. Une motion visant l'obtention d'une ordonnance sur consentement, lorsque le consentement de toutes les parties est déposé et qu'il y est déclaré qu'aucune partie visée par l'ordonnance n'est incapable, et que l'ordonnance vise, selon le cas :
 - i. la modification d'un acte de procédure,
 - ii. la jonction, la radiation ou la substitution d'une partie,
 - iii. le changement de procureur ou la nomination d'un procureur,

- iv. setting aside the noting of a party in default,
- v. setting aside a default judgment,
- vi. discharge of a certificate of pending litigation,
- vii. security for costs in a specified amount,
- viii. re-attendance of a witness to answer questions on an examination,
- ix. fulfilment of undertakings given on an examination, or
- x. transfer of the action from case management to the Commercial List established effective January 7, 1991 by a practice direction for the Toronto Region.

3. A motion for an unopposed order, where no responding material is filed and the notice of motion or the case management motion form states that no party affected by the order is under disability, and the order is for relief set out in subparagraphs i to x of paragraph 2. O. Reg. 765/93, s. 6.

7. Subrule 6.02 (2) of the Regulation is revoked and the following substituted:

(2) These rules are revoked on December 31, 1994.

50/93

ONTARIO REGULATION 766/93
made under the
COURTS OF JUSTICE ACT

Made: October 28, 1993
Approved: November 24, 1993
Filed: November 26, 1993

Amending Reg. 194 of R.R.O. 1990
(Rules of Civil Procedure)

Note: Since January 1, 1993, Regulation 194 has been amended by Ontario Regulations 212/93, 465/93 and 466/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Subrules 37.12.1 (2) and (3) of Regulation 194 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

(2) Where the motion is on consent, the consent and a draft order shall be filed with the notice of motion.

(3) Where the motion is unopposed, a notice from the responding party stating that the party does not oppose the motion and a draft order shall be filed with the notice of motion. O. Reg. 766/93, s. 1 (1).

(2) Clause 37.12.1 (4) (b) of the Regulation is revoked and the following substituted:

- (b) the moving party shall serve with the notice of motion and immediately file, with proof of service in the court office where the motion is to be heard, a motion record, a draft order and a factum entitled factum for a motion in writing, setting out the moving party's argument;

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- iv. l'annulation de la constatation de défaut d'une partie,
- v. l'annulation d'un jugement par défaut,
- vi. la mainlevée d'un certificat d'affaire en instance,
- vii. le cautionnement pour dépens d'un montant précis,
- viii. la présence de nouveau d'un témoin pour qu'il réponde à des questions dans le cadre d'un interrogatoire,
- ix. le respect d'engagements donnés à un interrogatoire,
- x. le transfert de l'action du système de gestion des causes au rôle commercial établi par une directive de pratique pour la région de Toronto qui a pris effet le 7 janvier 1991.

3. Une motion visant l'obtention d'une ordonnance non contestée, lorsqu'aucun document de défense n'est déposé et qu'il est déclaré dans l'avis de motion ou la formule de motion relative à la gestion de la cause qu'aucune partie visée par l'ordonnance n'est incapable, et que l'ordonnance vise l'une des mesures de redressement énoncées aux sous-dispositions i à x de la disposition 2. Règl. de l'Ont. 765/93, art. 6.

7 Le paragraphe 6.02 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Les présentes règles sont abrogées le 31 décembre 1994.

RÈGLEMENT DE L'ONTARIO 766/93
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 28 octobre 1993
approuvé le 24 novembre 1993
déposé le 26 novembre 1993

modifiant le Règl. 194 des R.R.O. de 1990
(Règles de procédure civile)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 194 a été modifié par les Règlements de l'Ontario 212/93, 465/93 et 466/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 (1) Les paragraphes 37.12.1 (2) et (3) du Règlement 194 des Règlements refondus de l'Ontario de 1990 sont abrogés et remplacés par ce qui suit :

(2) Si la motion est présentée sur consentement, l'acte de consentement et un projet d'ordonnance sont déposés avec l'avis de motion.

(3) Si la motion n'est pas contestée, un avis de la partie intimée indiquant qu'elle ne conteste pas la motion et un projet d'ordonnance sont déposés avec l'avis de motion. Règl. de l'Ont. 766/93, par. 1 (1).

(2) L'alinéa 37.12.1 (4) b) du Règlement est abrogé et remplacé par ce qui suit :

- b) l'auteur de la motion signifie, avec l'avis de motion, et dépose immédiatement au greffe du tribunal devant lequel la motion doit être entendue, avec la preuve de leur signification, le dossier de motion, un projet d'ordonnance et un mémoire intitulé mémoire en vue d'une motion sur pièces, qui énonce ses arguments;

ONTARIO REGULATION 767/93
made under the
PROVINCIAL OFFENCES ACT

Made: November 24, 1993
Filed: November 26, 1993

Amending Reg. 949 of R.R.O. 1990
(Parking Infractions)

Note: Since January 1, 1993, Regulation 949 has been amended by Ontario Regulations 372/93, 502/93, 503/93 and 554/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Subsections 9 (3) and (4) of Regulation 949 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

(3) Part B of the Table comes into force on January 1, 1994. O. Reg. 767/93, s. 1 (1).

(2) The Table to section 9 of the Regulation is revoked and the following substituted:

TABLE

Part A	Amherstburg Barrie Belleville Brampton Brantford Brockville Dryden Durham Georgina Gloucester Innisfil Kenora Kingston Markham Meaford Milton Mississauga New Tecumseth Newmarket Niagara-On-The-Lake Oakville Orillia Osgoode Pelham Richmond Hill Sioux Lookout St. Catharines Thunder Bay Timmins Vanier Vaughan Wasaga Beach Westport
Part B	Guelph Ottawa Pembroke Windsor

2. This Regulation comes into force on December 1, 1993.

50/93

ONTARIO REGULATION 768/93
made under the
NURSING ACT, 1991

Made: November 10, 1993
Approved: November 24, 1993
Filed: November 26, 1993

FEEs

1.—(1) Every member shall pay an annual fee.

(2) The annual fee is \$65.42.

(3) The annual fee for a year must be paid on or before December 31 of the previous year. O. Reg. 768/93, s. 1.

2. The Executive Director shall notify the member of the amount of the fee and the day on which the fee is due. O. Reg. 768/93, s. 2.

3.—(1) If a member fails to pay an annual fee on or before the day on which the fee is due, the member shall pay a penalty in addition to the annual fee.

(2) The penalty is \$20.56. O. Reg. 768/93, s. 3.

4. There is a \$20.56 fee for reinstatement of a member whose certificate of registration has been suspended or revoked. O. Reg. 768/93, s. 4.

5.—(1) The application fee for a certificate of registration is \$19.63.

(2) The fee for the issuance of a certificate of registration of a prescribed class is \$85.98. O. Reg. 768/93, s. 5.

6. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF NURSES OF ONTARIO:

PAT MANDY
President

MARGARET RISK
Executive Director

Dated at Toronto on November 10, 1993.

50/93

ONTARIO REGULATION 769/93
made under the
OPTOMETRY ACT, 1991

Made: November 10, 1993
Approved: November 24, 1993
Filed: November 26, 1993

FEEs

1.—(1) Every member shall pay an annual fee.

(2) The annual fee for a member is \$500.

(3) The annual fee for a calendar year must be paid on or before December 15 in the preceding year. O. Reg. 769/93, s. 1.

2. When a member is first issued a general or academic certificate of registration, the annual fee shall be prorated according to the portion of the year between the day the certificate is issued and the end of the year. O. Reg. 769/93, s. 2.

3.—(1) The Registrar shall mail to each member annually at least thirty days before the due date of annual fees a request notice for payment of the annual fee.

(2) Upon receipt of payment, the Registrar shall issue a receipt to the member. O. Reg. 769/93, s. 3.

4. If a member fails to pay the annual fee on or before December 15 of the preceding year, the member shall pay a penalty of \$50 in addition to the annual fee. O. Reg. 769/93, s. 4.

5. A member whose certificate of registration was suspended by any statutory committee of the College shall not be reinstated until the member pays a reinstatement fee of \$150 and all outstanding fees. O. Reg. 769/93, s. 5.

6. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OPTOMETRISTS OF ONTARIO:

JOSEPH MITTELMAN
President

IRVING BAKER
Registrar

Dated at Toronto on November 10, 1993.

50/93

ONTARIO REGULATION 770/93
made under the
PHYSIOTHERAPY ACT, 1991

Made: November 10, 1993
Approved: November 24, 1993
Filed: November 26, 1993

COMMITTEES

1.—(1) The Executive Committee shall be composed of,

- (a) the President and Vice-President of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two members of the Council who are members of the College.

(2) The President of the Council shall be the chair of the Executive Committee. O. Reg. 770/93, s. 1.

2. The Registration Committee shall be composed of five persons of whom,

- (a) two are members of the Council who are members of the College;
- (b) two are members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one is a member of the College who is not a member of the Council. O. Reg. 770/93, s. 2.

3. The Complaints Committee shall be composed of five persons of whom,

- (a) two are members of the Council who are members of the College;
- (b) two are members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one is a member of the College who is not a member of the Council. O. Reg. 770/93, s. 3.

4. The Discipline Committee shall be composed of ten persons of whom,

- (a) three are members of the Council who are members of the College;
- (b) four are members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) three are members of the College who are not members of the Council. O. Reg. 770/93, s. 4.

5. The Fitness to Practise Committee shall be composed of four persons of whom,

- (a) two are members of the Council who are members of the College;
- (b) one is a member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one is a member of the College who is not a member of the Council. O. Reg. 770/93, s. 5.

6. The Quality Assurance Committee shall be composed of five persons of whom,

- (a) two are members of the Council who are members of the College;
- (b) one is a member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two are members of the College who are not members of the Council. O. Reg. 770/93, s. 6.

7. The Patient Relations Committee shall be composed of three persons of whom,

- (a) one is a member of the Council elected to the Council by members of the College;
- (b) one is a member of the Council selected for Council membership by a faculty of physiotherapy; and
- (c) one is a member of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 770/93, s. 7.

8. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PHYSIOTHERAPISTS OF ONTARIO:

BARBARA STOKES
Chair

CHRISTINE SMITH
Secretary-Treasurer

Dated at Toronto on November 10, 1993.

50/93

ONTARIO REGULATION 771/93
made under the
DIETETICS ACT, 1991

Made: November 10, 1993
Approved: November 24, 1993
Filed: November 26, 1993

ELECTION OF COUNCIL MEMBERS

ELECTORAL DISTRICTS

1. For the purpose of the election of members to the Council, the following electoral districts are established:

1. Electoral district 1, southwestern area, composed of the counties of Elgin, Essex, Kent, Lambton, Middlesex, Oxford, Bruce, Grey, Perth and Huron.
2. Electoral district 2, central western area, composed of the counties of Brant, Dufferin and Wellington and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo.
3. Electoral district 3, central eastern area, composed of the counties of Haliburton, Northumberland, Peterborough, Victoria, Simcoe, The Municipality of Metropolitan Toronto and the regional municipalities of Durham, Peel and York.
4. Electoral district 4, eastern area, composed of the counties of Frontenac, Hastings, Lanark, Prince Edward and Renfrew, and the united counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, Stormont, Dundas and Glengary and The Regional Municipality of Ottawa-Carleton.
5. Electoral district 5, northeastern area, composed of the territorial districts of Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury, Timiskaming and The District Municipality of Muskoka.
6. Electoral district 6, northwestern area, composed of the territorial districts of Kenora, Rainy River and Thunder Bay. O. Reg. 771/93, s. 1.

2. The electoral district in which a member is eligible to vote is the district in which, on the day nominations close, the member principally practises or the district, in which, on that day, the member principally resides. O. Reg. 771/93, s. 2.

3. The Council shall consist of seven elected members as follows:

1. One member from each of the electoral districts 1, 2, 4, 5 and 6.
2. Two members from electoral district 3. O. Reg. 771/93, s. 3.

TERM OF OFFICE

4.—(1) The term of office of a member elected to the Council shall be three years commencing with the first regular meeting of the Council immediately following his or her election.

(2) A member of the Council is eligible for re-election, but shall not serve for more than two consecutive terms not including,

- (a) the remainder of an unexpired term served by a person who becomes a member under section 17; or
- (b) the term served by a member elected in the first election of the election of the Council for electoral districts 1, 2, 3 and 4. O. Reg. 771/93, s. 4.

ELECTION DATE

5.—(1) The first election of members to the Council shall be held for each electoral district not later than twelve months after the date section 2 of the Act comes into force.

(2) An election of members to the Council shall be held in April, 1995 and in every third year after that for electoral districts 1 and 3.

(3) An election of members to the Council shall be held in April, 1996 and in every third year after that for electoral districts 2 and 4.

(4) An election of members to the Council shall be held in April, 1997 and in every third year after that for electoral districts 5 and 6.

(5) The Council shall set the date for each election of members to the Council. O. Reg. 771/93, s. 5.

ELIGIBILITY FOR ELECTION

6.—(1) A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is engaged in the practice of dietetics in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of dietetics, he or she is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any fees prescribed by regulation;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended due to a finding of professional misconduct, incompetence or incapacity in the six years preceding the date of the election; and
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation.

(2) Candidates must disclose membership on the executive of a professional association or union, or other professional related bodies. O. Reg. 771/93, s. 6.

REGISTRAR TO SUPERVISE NOMINATIONS

7. The Registrar shall supervise the nomination of candidates. O. Reg. 771/93, s. 7.

NOTICE OF ELECTION AND NOMINATIONS

8.—(1) No later than ninety days before the date of an election or by-election, the Registrar shall notify, in writing, every member who is eligible to vote in the electoral district for which the election is to be held of the date, time and place of the election and of the nomination procedure.

(2) The Registrar shall provide each member eligible to vote with a nomination paper. O. Reg. 771/93, s. 8.

NOMINATION PROCEDURE

9.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least sixty days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least six members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) On receipt of a nomination, the Registrar shall provide each candidate with a biographical summary form and the candidate shall return the completed biographical summary form by the deadline set by the Registrar.

(4) A candidate may withdraw his or her nomination for election to the Council by submitting, in writing, his or her notice of withdrawal to the Registrar at least forty-eight days before the date of the election. O. Reg. 771/93, s. 9.

ACCLAMATION

10.—(1) If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation.

(2) If the number of candidates acclaimed under subsection (1) for an electoral district still remains less than the number of members to be elected to the Council or if there is no candidate in that electoral district, the Registrar shall declare the existing candidates to be elected by acclamation and shall postpone the date for the election in the electoral district and shall send another call for nominations to all members eligible to vote in the electoral district.

(3) If the number of candidates nominated for election after the second call for nominations, together with any candidates previously acclaimed, remains less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the additional candidates to be elected by acclamation. O. Reg. 771/93, s. 10.

REGISTRAR'S ELECTORAL DUTIES

11.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, and without limiting the generality of the foregoing, the Registrar may,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than thirty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to be held a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure including the deadline for receipt of ballots and biographical information about the candidates.

(3) Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of nominations and the election for such period of time as the Registrar considers appropriate to compensate for the interruption. O. Reg. 771/93, s. 11.

NUMBER OF VOTES TO BE CAST

12.—(1) Voting for candidates for election to Council shall be by secret ballot using the ballot forms supplied by the Registrar.

(2) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(3) A member shall not cast more than one vote for any one candidate. O. Reg. 771/93, s. 12.

TIE OF VOTES

13. If there is a tie in an election of members to the Council, the Registrar shall cast the deciding vote by lot. O. Reg. 771/93, s. 13.

ELECTION RESULTS

14.—(1) Following receipt of the election returns, the Registrar shall forthwith notify,

- (a) each candidate of the results of the election and the number of votes cast for each candidate in the electoral district;

(b) each defeated candidate that he or she may request a recount; and

(c) each elected member of the time and place of the first regular meeting of the Council following the election.

(2) The Registrar shall destroy all ballots thirty-one days after the announcement of the results of an election unless a candidate challenges the election or its results. O. Reg. 771/93, s. 14.

RECOUNTS

15.—(1) A candidate may require a recount by submitting a written request to the Registrar no more than thirty days after the date of an election and by paying a fee of \$300.

(2) The Registrar shall hold the recount no more than fifteen days after receiving the request.

(3) The recount shall be conducted in the same manner as the original counting of the ballots except that the candidates or their authorized representatives and a representative of the College named by the Registrar may be present at the recount.

(4) The full fee shall be returned to the candidate if the recount changes the result and a different candidate is elected. O. Reg. 771/93, s. 15.

DISQUALIFICATION OF ELECTED MEMBERS

16.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) fails, without reasonable cause, to attend two consecutive meetings of the Council;
- (d) fails, without reasonable cause, to attend three consecutive meetings of a committee of which he or she is a member;
- (e) ceases to practise or reside in the electoral district for which the member was elected;
- (f) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which he or she has been selected;
- (g) becomes the subject of a disciplinary or incapacity proceeding; or
- (h) ceases to be a member.

(2) If the result of a disciplinary or incapacity proceeding referred to in clause (1)(g) is that the member is not found to have committed an act of professional misconduct or to be incompetent or incapacitated, the member shall be reinstated to the Council.

(3) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 771/93, s. 16.

FILLING OF VACANCIES

17.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for the electoral district; or

- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months and less than twenty-four months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) If the seat of an elected Council member becomes vacant in an electoral district within six months of the original election, the Council shall appoint the runner-up and, if there is no eligible runner-up, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(4) The term of a member appointed under clause (1) (b) or elected under clause (1) (c) or subsection (2) or (3) shall continue until the time the former Council member's term would have expired.

(5) When an election of members to the Council is not held within the prescribed period, the members of the Council then in office shall continue in office until their successors are elected. O. Reg. 771/93, s. 17.

18. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DIETITIANS OF ONTARIO:

JUDITH PRATT-JEFFERIES
Chair

DOREEN CHAULK
Vice-Chair

Dated at Toronto on November 10, 1993.

50/93

ONTARIO REGULATION 772/93
made under the
MASSAGE THERAPY ACT, 1991

Made: November 12, 1993
Approved: November 24, 1993
Filed: November 26, 1993

ELECTIONS

ELECTORAL DISTRICTS

1. The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1, composed of the territorial districts of Kenora, Rainy River, Thunder Bay, Cochrane, Algoma, Manitoulin, Sudbury and Timiskaming.
2. Electoral district 2, composed of the Territorial District of Nipissing, the counties of Renfrew, Hastings, Prince Edward, Frontenac and Lanark, the united counties of Lennox and Addington, Leeds and Grenville, Prescott and Russell, Stormont, Dundas and Glengarry and The Regional Municipality of Ottawa-Carleton.
3. Electoral district 3, composed of The District Municipality of

Muskoka, the Territorial District of Parry Sound, the counties of Haliburton, Peterborough, Northumberland, Victoria and Simcoe and the regional municipalities of Durham and York.

4. Electoral district 4, composed of The Municipality of Metropolitan Toronto.
5. Electoral district 5, composed of the counties of Dufferin, Brant and Wellington and the regional municipalities of Peel, Halton, Waterloo, Hamilton-Wentworth, Haldimand-Norfolk and Niagara.
6. Electoral district 6, composed of the counties of Grey, Bruce, Huron, Perth, Oxford, Elgin, Kent, Middlesex, Lambton and Essex. O. Reg. 772/93, s. 1.

2. One member shall be elected for each electoral district. O. Reg. 772/93, s. 2.

ELIGIBILITY TO VOTE

3. The electoral district in which a member is eligible to vote is the district in which, twenty-one days prior to the election, the member principally practises or, if the member is not engaged in the practice of massage therapy, the member principally resides. O. Reg. 772/93, s. 3.

ELECTION DATE

4.—(1) An election of members to the Council shall be held in January, 1994, in January, 1996 and in every third year after that for electoral districts 1 and 6.

(2) An election of members to the Council shall be held in January, 1994 and in every third year after that for electoral districts 2 and 5.

(3) An election of members to the Council shall be held in January, 1994, in January, 1995 and in every third year after that for electoral districts 3 and 4.

(4) Each election of members to the Council shall be held in January, on the date to be set by the Council. O. Reg. 772/93, s. 4.

TERMS OF OFFICE

5.—(1) Except for the members elected in 1994 for electoral districts 1, 3, 4 and 6, the term of office of a member elected to the Council is three years.

(2) The term of office commences at the first regular meeting of the Council after a member has been elected.

(3) After an election, the serving elected members of the Council shall continue in office until their successors take office at the first regular meeting of the Council after the election. O. Reg. 772/93, s. 5.

ELIGIBILITY FOR ELECTION

6. A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is engaged in the practice of massage therapy in the electoral district for which he or she is nominated and such district is the location of the member's principal practice, or, if the member is not engaged in the practice of massage therapy, the member's principal residence is in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any prescribed fees;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member complied, more than three years before the date of the election, with all aspects of an order of the Discipline Committee or Fitness to Practise Committee;

- (e) the member's certificate of registration is not subject to a term, condition or limitation imposed by the Discipline Committee or Fitness to Practise Committee; and
- (f) the member has not been a voting member of the provincial board of directors of the Ontario Massage Therapist Association or an appointed official of the Association within the year preceding the closing of nominations O. Reg. 772/93, s. 6.

REGISTRAR'S ELECTORAL DUTIES

7. The Registrar shall supervise the nomination of candidates. O. Reg. 772/93, s. 7.

8.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Registrar may, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election and any recounts.

(2) Where there is an interruption of mail service during a nomination or election, the Registrar may extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption.

(3) No later than fourteen days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 772/93, s. 8.

9. Voting for candidates for election to the Council shall be by secret ballot using the ballot forms supplied by the Registrar. O. Reg. 772/93, s. 9.

NOTICE OF NOMINATION AND ELECTION

10. No later than forty-five days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and the nomination procedure. O. Reg. 772/93, s. 10.

NOMINATION PROCEDURE

11.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least thirty days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least ten members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) A candidate may withdraw his or her nomination for election to the Council by advising the Registrar in writing not less than twenty days before the election. O. Reg. 772/93, s. 11.

ACCLAMATION

12. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 772/93, s. 12.

ELECTION PROCEDURE

13.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 772/93, s. 13.

14. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 772/93, s. 14.

15.—(1) A candidate may require a recount by giving a written request to the Registrar no more than ten days after the date of an election and paying the prescribed fee.

(2) The Registrar shall hold the recount no more than ten days after receiving the request. O. Reg. 772/93, s. 15.

DISQUALIFICATION OF ELECTED COUNCIL MEMBERS

16.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) fails, without cause, to attend two consecutive regular meetings of the Council;
- (d) fails, without cause, to attend two consecutive regular meetings of a committee for which he or she is a member;
- (e) no longer practises or resides in the electoral district for which the member was elected;
- (f) fails, without cause, to attend a hearing or review of a panel for which he or she has been selected;
- (g) ceases to be a member; or
- (h) breaches section 36 (confidentiality) of the *Regulated Health Professions Act, 1991*.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 772/93, s. 16.

FILLING OF VACANCIES

17.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election for that electoral district in accordance with this Regulation.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election for that electoral district in accordance with this Regulation.

(3) The term of a member appointed under clause (1) (b) or elected in an election under clause (1) (c) or subsection (2) shall continue until

the time the former Council member's term of office would have expired. O. Reg. 772/93, s. 17.

18. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MASSAGE THERAPISTS OF ONTARIO:

E. E. S. COWALL
Chair

NEIL ANDERSON
Secretary-Treasurer

Dated at Toronto on November 12, 1993.

50/93

ONTARIO REGULATION 773/93
made under the
MEDICAL LABORATORY TECHNOLOGY ACT, 1991

Made: November 10, 1993
Approved: November 24, 1993
Filed: November 26, 1993

ELECTION OF COUNCIL MEMBERS

ELECTORAL DISTRICTS

1. The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1, the Southwest Region, composed of the District Health Council areas for Essex County, Grey-Bruce, Kent County, Lambton and Thames Valley and the counties, without regard to the District Health Council areas, of Huron and Perth.
2. Electoral district 2, the Central West Region, composed of the District Health Council areas for Brant, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Waterloo Region and Wellington-Dufferin.
3. Electoral district 3, composed of the Metropolitan Toronto District Health Council area.
4. Electoral district 4, the Central East Region, composed of the District Health Council areas for Durham Region, Haliburton, Kawartha and Pine Ridge, Peel, Simcoe County and York Region.
5. Electoral district 5, the East Region, composed of the District Health Council areas for Eastern Ontario, Hastings and Prince Edward counties, Kingston, Frontenac, Lennox and Addington, Ottawa-Carleton and Renfrew County.
6. Electoral district 6, the Northeast Region, composed of the District Health Council areas for Algoma, Cochrane, Manitoulin-Sudbury, Muskoka-Parry Sound and Nipissing, and the non-District Health Council area of Timiskaming.
7. Electoral district 7, the Northwest Region, composed of the District Health Council areas for Kenora-Rainy River and Thunder Bay.
8. Electoral district 8, composed of the whole province and members residing outside Ontario, for the purpose of electing a member-at-large.
9. Electoral district 9, composed of the whole province and members residing outside Ontario for the purpose of electing an academic member of the Council. O. Reg. 773/93, s. 1.

ELIGIBILITY TO VOTE

2.—(1) A member is entitled to vote in an election if,

- (a) the member is a holder of a current certificate of registration as a general member or an inactive member; and
- (b) on the one hundred and twentieth day immediately preceding the election, the member practises or resides in Ontario and the member's mailing address registered with the College is in the electoral district for which an election is being held.

(2) If the member resides outside Ontario and is not practising in Ontario, then the member is only eligible to vote for the member-at-large and the academic member. O. Reg. 773/93, s. 2.

NUMBER OF MEMBERS TO BE ELECTED

3. The number of members to be elected in an electoral district is as follows:

1. For each of electoral districts 1, 5, 6, 7, 8 and 9, one member.
2. For each of electoral districts 2, 3 and 4, two members. O. Reg. 773/93, s. 3.

TERM OF OFFICE

4.—(1) Except for the election of members to the initial Council, the term of office for a member elected to Council is three years, effective January 1 of the calendar year following the election.

(2) The term of office of a member elected at a regular election held after the prescribed date expires as if the member had been elected on the prescribed date.

(3) The term of office of a member whose office becomes vacant by reason of the member's disqualification expires upon the declaration of the vacancy and the term of office of a member elected in a by-election or appointed to replace a member whose office is vacant expires when the member's predecessor's office would have otherwise expired.

(4) Where a regular election is not held as prescribed, the elected members of the Council then in office continue in office until their successors are elected or appointed. O. Reg. 773/93, s. 4.

INITIAL ELECTION OF COUNCIL

5.—(1) The first election of members to the Council shall be held in September, 1994.

(2) The first term of office for the member for electoral district 2 who receives the second-highest number of votes, the member for electoral district 3 who receives the second-highest number of votes, the member for electoral district 4 who receives the second-highest number of votes and the member for electoral district 8 shall be one year and elections shall be held for these positions in 1995 and every three years thereafter.

(3) The first term of office for the member for electoral district 2 receiving the highest number of votes, the member for electoral district 3 receiving the highest number of votes, the member for electoral district 4 receiving the highest number of votes and the member for electoral district 9 shall be two years and elections shall be held for these positions in 1996 and every three years thereafter.

(4) The first term of office for the members elected in 1994 for electoral districts 1, 5, 6 and 7 shall be three years and elections for these positions shall be held in 1997 and every three years thereafter. O. Reg. 773/93, s. 5.

ELECTION DATE

6. An annual election shall be held during September for those positions on the Council coming vacant at the end of that year. O. Reg. 773/93, s. 6.

ELIGIBILITY FOR ELECTION

7.—(1) A member is eligible for election to the Council for an electoral district other than electoral district 9 if,

- (a) the member is entitled to vote in the election;
- (b) the member's certificate of registration has not been revoked or suspended at any time in the six years immediately preceding the election; and
- (c) between the 120 days preceding the election and the election,
 - (i) the member continues to practise in Ontario,
 - (ii) the member's mailing address registered with the College continues to be in the electoral district for which the election is held,
 - (iii) the member is not in default of payment of any obligation to the College under a regulation or the by-laws,
 - (iv) the member is not the subject of proceedings for incompetence, professional misconduct or incapacity,
 - (v) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation,
 - (vi) the member is not an officer, director or employee of a professional association of medical laboratory technologists or an executive officer of a central bargaining unit of a union representing medical laboratory technologists, and
 - (vii) the member is not eligible for election as an academic member.

(2) A member is eligible for election to the Council for electoral district 9 if,

- (a) the member is entitled to vote in the election;
- (b) the member's certificate of registration has not been revoked or suspended at any time within the six years immediately preceding the election;
- (c) the member is not in default of any obligation to the College under a regulation or the by-laws;
- (d) the member is not the subject of proceedings for incompetence, professional misconduct or incapacity;
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation;
- (f) the member is not an officer, director or employee of a professional association of medical laboratory technologists or an executive officer of a provincial bargaining unit of a union representing medical laboratory technologists; and
- (g) the member's primary employment is to teach a course of study accredited by the Conjoint Committee for the Accreditation of Educational Programs in Medical Laboratory Technology. O. Reg. 773/93, s. 7.

NOMINATION AND ELECTION PROCEDURE

8.—(1) The call for nominations, the details of the nomination procedure, deadline for receipt of nominations, the date the ballots will be mailed and the deadline for receipt of complete ballots shall be published annually in a regular mailing by the College to all members.

(2) The mailing shall normally reach members no later than 120 days before the date of the election.

(3) Where there is an interruption of postal service during a period affecting publication of the call for nominations or the receipt of nominations by the College, the Registrar shall extend the deadline for the receipt of nominations and of ballots for such period as the Registrar considers necessary to compensate for the interruption. O. Reg. 773/93, s. 8.

9.—(1) The nomination of a candidate for election shall be in writing and shall be given to the Registrar at least ninety days before the ballots are mailed.

(2) The nomination shall be signed by the member and by at least five members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) Despite subsection (2), the nomination for electoral district 9 shall be signed by five members whose primary employer is a recognized academic institution for the education of medical laboratory technologists.

(4) A candidate may withdraw the nomination for election to the Council, in writing, by registered mail, no later than the deadline for receipt of nominations by the College. O. Reg. 773/93, s. 9.

10. Where no nomination is received for an electoral district, the Council shall appoint one or more members for the term or terms required. O. Reg. 773/93, s. 10.

11. If the number of candidates nominated for an electoral district is equal to the number of members to be elected in that electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 773/93, s. 11.

REGISTRAR'S ELECTORAL DUTIES

12. The Registrar shall supervise and administer the nomination and election of candidates and, for the purpose of carrying out that duty, the Registrar shall, subject to the by-laws,

- (a) cause to be mailed to every member who is eligible to vote a list of the candidates in the electoral district, a ballot, an explanation of the voting procedure and any other accompanying materials approved by the Council;
- (b) establish a deadline for the receiving of ballots;
- (c) where there is an interruption of postal service during an election, extend the holding of the election for such period of time as the Registrar considers necessary to compensate for the interruption;
- (d) establish procedures for the opening and counting of the ballots;
- (e) provide for the immediate notification of all candidates and Council members of the results of the election; and
- (f) provide for the destruction of ballots thirty-one days following the announcement of the election, unless a candidate challenges the election or its results. O. Reg. 773/93, s. 12.

NUMBER OF VOTES TO BE CAST

13.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 773/93, s. 13.

TIE VOTES

14. Where there is a tie in an election, the Registrar shall break the tie by lot. O. Reg. 773/93, s. 14.

RECOUNTS

15.—(1) Within thirty days from the date of the election, a candidate may require a recount of the ballots in the electoral district in which the member was nominated, by depositing the appropriate fee and a written request for the recount.

(2) Where a recount has been requested, the Registrar shall appoint the time and the place and arrange for the recount, which shall take place within fifteen days from the date of the request.

(3) The recount shall be conducted, subject to clause 12 (d), in the same manner as the original counting of the ballots.

(4) The candidate or a representative appointed by the candidate may be present at the recount.

(5) The recount shall be conducted by two scrutineers appointed by the Registrar.

(6) If the recount changes the result of the election, the full amount of the fee shall be returned to the candidate but, if the recount does not change the result of the election, the candidate forfeits the fee to the College. O. Reg. 773/93, s. 15.

DISQUALIFICATION OF ELECTED MEMBERS

16.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) fails, without cause, to attend three consecutive meetings of the Council;
- (d) fails, without cause, to attend three meetings of a committee to which the member has been appointed;
- (e) fails, in the opinion of the Council, to discharge properly or honestly any office to which the member has been elected or appointed;
- (f) ceases to practise or reside in the electoral district for which the member was elected, unless the term of office is due to expire in the next twelve months;
- (g) becomes an officer, director or employee of a professional association of medical laboratory technologists or an executive officer of a central bargaining unit of a union representing medical laboratory technologists;
- (h) becomes bankrupt; or
- (i) is found to be mentally incompetent.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 773/93, s. 16.

FILLING OF VACANCIES

17.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant until the next election; or
- (b) appoint a successor from among the members of the College who would be eligible for election if an election were held.

(2) If the seat of an elected Council member becomes vacant in an

electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election for that electoral district in accordance with this Regulation.

(3) The term of office for a member appointed under subsection (1) or elected under subsection (2) shall continue until the time the former Council member's term would have expired. O. Reg. 773/93, s. 17.

18. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO:

NANCY E. MCBRIDE
Chair

SHEILA R. WOODCOCK
Registrar

Dated at Toronto on November 10, 1993.

50/93

ONTARIO REGULATION 774/93
made under the
OPTICIANRY ACT, 1991

Made: November 12, 1993
Approved: November 24, 1993
Filed: November 26, 1993

ELECTION OF COUNCIL MEMBERS

ELECTORAL DISTRICTS

1.—(1) The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1 (Southern) composed of the counties of Brant, Dufferin and Wellington and the regional municipalities of Peel, Halton, Waterloo, Hamilton-Wentworth, Haldimand-Norfolk and Niagara.
2. Electoral district 2 (Eastern) composed of the counties of Victoria, Peterborough, Northumberland, Haliburton, Hastings, Lennox and Addington, Prince Edward, Frontenac, Lanark, Leeds, Grenville, Dundas, Stormont, Russell, Glengarry, Prescott and Renfrew, and the regional municipalities of Durham and Ottawa-Carleton.
3. Electoral district 3 (Northern) composed of the territorial districts of Kenora, Rainy River, Thunder Bay, Cochrane, Sudbury, Timiskaming, Nipissing, Parry Sound, Algoma and Manitoulin, The District Municipality of Muskoka and The Regional Municipality of Sudbury.
4. Electoral district 4 (Western) composed of the counties of Bruce, Grey, Huron, Perth, Lambton, Middlesex, Oxford, Elgin, Kent and Essex.
5. Electoral district 5 (Central) composed of The Municipality of Metropolitan Toronto, The Regional Municipality of York and the County of Simcoe.
6. Electoral district 6 (Holder of Certificate of Proficiency in the Fitting of Contact Lenses, issued by the Board of Ophthalmic Dispensers under the *Ophthalmic Dispensers Act*) composed of the whole of the province of Ontario.

(2) Only members who are registered opticians shall be eligible to vote in an election of members to the Council.

(3) Each member who is eligible to vote is eligible to vote both in electoral district 6, and in one of electoral districts 1 to 5, being the electoral district in which, on January 1 in the year of election for that district, the member principally resides or, if the member does not reside in Ontario, in which the member principally practises opticianry. O. Reg. 774/93, s. 1.

NUMBER OF MEMBERS ELECTED

2. One member shall be elected to the Council from each of the electoral districts, except electoral district 5, from which two members shall be elected. O. Reg. 774/93, s. 2.

FIRST ELECTION AND TERMS OF OFFICE

3.—(1) The first election of members from each electoral district shall take place in October, 1994.

(2) The term of office of members of the Council from electoral districts 4 and 6 who are elected in the first election of members to the Council shall be one year, commencing January 1, 1995.

(3) The term of office of members of the Council from electoral districts 1 and 5 who are elected in the first election of members to the Council shall be two years, commencing January 1, 1995.

(4) The term of office of members of the Council from electoral districts 2 and 3 who are elected in the first election of members to the Council shall be three years, commencing January 1, 1995. O. Reg. 774/93, s. 3.

SUBSEQUENT ELECTION DATES AND TERMS OF OFFICE

4.—(1) Subject to section 3, an election of a member or members to the Council for an electoral district shall be held in October in the year in which the term of office of that district's member or members expires.

(2) Subject to section 3, the term of office of a member elected to the Council shall be three years.

(3) The Council shall set the date for each election of members to the Council. O. Reg. 774/93, s. 4.

ELIGIBILITY FOR ELECTION

5. A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is a registered optician who is engaged in the practice of opticianry in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of opticianry, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any prescribed fees;
- (c) the member has not been found guilty at any disciplinary proceeding in the three years preceding the date of the election;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election;
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation;
- (f) in the case of electoral district 6, the member is currently a holder of a Certificate of Proficiency in the Fitting of Contact Lenses, issued by the Board of Ophthalmic Dispensers under the *Ophthalmic Dispensers Act*; and
- (g) the member is not a candidate for election in, or already a member of the Council for, another electoral district. O. Reg. 774/93, s. 5.

REGISTRAR TO SUPERVISE NOMINATIONS

6. The Registrar shall supervise the nomination of candidates. O. Reg. 774/93, s. 6.

NOTICE OF ELECTION AND NOMINATIONS

7. No later than 120 days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure. O. Reg. 774/93, s. 7.

NOMINATION PROCEDURE

8.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least ninety days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least five members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) A candidate may withdraw his or her nomination for election to the Council by written notice to the Registrar. O. Reg. 774/93, s. 8.

ACCLAMATION

9. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidate or candidates to be elected by acclamation. O. Reg. 774/93, s. 9.

REGISTRAR'S ELECTORAL DUTIES

10.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty the Registrar may, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than sixty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 774/93, s. 10.

NUMBER OF VOTES TO BE CAST

11.—(1) A member may cast as many votes on a ballot in an election of members to the Council for each electoral district in which the member is eligible to vote as there are members to be elected to the Council from each such electoral district.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 774/93, s. 11.

TIE VOTES

12. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 774/93, s. 12.

RECOUNTS

13.—(1) A candidate may request a recount by applying in writing to the Registrar no more than seven days after receiving notification of the results of an election and paying the prescribed recount fee.

(2) The Registrar shall hold the recount no more than seven days after receiving the request. O. Reg. 774/93, s. 13.

INTERRUPTION OF MAIL SERVICE

14. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 774/93, s. 14.

DISQUALIFICATION OF ELECTED MEMBERS

15.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) fails, without cause, to attend two consecutive meetings of the Council;
- (d) fails, without cause, to attend two consecutive meetings of a committee of which he or she is a member; or
- (e) neither practises nor resides in the electoral district for which the member was elected.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 774/93, s. 15.

FILLING OF VACANCIES ON THE COUNCIL

16.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) The term of a member appointed under clause (1) (b) or elected in an election under clause (1) (c) or subsection (2) shall continue until the time the former Council member's term would have expired. O. Reg. 774/93, s. 16.

17. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF OPTICIANS OF ONTARIO:

BARBARA SKINNER
Chair

MARLENE BLOOM
for Secretary-Treasurer

Dated at Toronto on November 12, 1993.

ONTARIO REGULATION 775/93 made under the RESPIRATORY THERAPY ACT, 1991

Made: November 12, 1993
Approved: November 24, 1993
Filed: November 26, 1993

ELECTION OF COUNCIL MEMBERS

ELECTORAL DISTRICTS

1. The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1 composed of the territorial districts of Kenora, Rainy River and Thunder Bay.
2. Electoral district 2 composed of the territorial districts of Cochrane, Timiskaming, Sudbury, Algoma, Manitoulin, Parry Sound and Nipissing and The District Municipality of Muskoka.
3. Electoral district 3 composed of the counties of Frontenac, Hastings, Lanark, Prince Edward and Renfrew and the united counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, Stormont, Dundas and Glengarry, and The Regional Municipality of Ottawa-Carleton.
4. Electoral district 4 composed of the counties of Haliburton, Victoria, Peterborough, Northumberland and Simcoe, the regional municipalities of Durham, York and Peel and The Municipality of Metropolitan Toronto.
5. Electoral district 5 composed of the regional municipalities of Halton, Hamilton-Wentworth, Niagara, Waterloo and Haldimand-Norfolk and the counties of Brant, Dufferin and Wellington.
6. Electoral district 6 composed of the counties of Grey, Bruce, Huron, Perth, Middlesex, Oxford, Elgin, Lambton, Kent and Essex.

(2) The electoral district in which a member is eligible to vote is the district in which, on the ninetieth day prior to the election, the member principally practises or, if the member is not engaged in the practice of respiratory therapy, in which, on that day, the member principally resides. O. Reg. 775/93, s. 1.

NUMBER OF MEMBERS ELECTED

2.—(1) There shall be eight members of the College elected to the Council.

- (2) The number of members to be elected in an electoral district is,
 - (a) one for each of electoral districts 1, 2, 3 and 6;
 - (b) two for each of electoral districts 4 and 5. O. Reg. 775/93, s. 2.

TERM OF OFFICE

3.—(1) Except for the first elected Council, the term of office of a member elected to the Council is three years.

(2) The term of office begins with the first regular Council meeting immediately following the election and the member shall continue to serve until his or her successor takes office in accordance with this Regulation. O. Reg. 775/93, s. 3.

ELECTION DATE

4.—(1) An election of members to the Council for each electoral district shall be held in October, 1994.

(2) An election of members to the Council shall be held in October, 1997 and in every third year after that for one member in each of electoral districts 1 and 2 and for two members in electoral district 5.

(3) An election of members to the Council shall be held in October, 1996 and in every third year after that for one member in each of electoral districts 3 and 6 and for two members in electoral district 4.

(4) The Council shall set the date for each election of members to the Council. O. Reg. 775/93, s. 4.

ELIGIBILITY FOR ELECTION

5.—(1) A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member holds an active General or Limited certificate of registration;
- (b) the member is engaged in the practice of respiratory therapy in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of respiratory therapy, is resident in the electoral district for which he or she is nominated;
- (c) the member is not in default of payment of any prescribed fees;
- (d) the member is not the subject of any disciplinary or incapacity proceeding;
- (e) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election as a result of a professional misconduct, incompetence or incapacity proceeding;
- (f) the member's certificate of registration is not subject to a term, condition or limitation arising from a professional misconduct, incompetence or incapacity proceeding;
- (g) the member is not an employee of the College of Respiratory Therapists of Ontario and has not been such an employee for one year prior to the election; and
- (h) the member is not an elected member or officer of a professional association involving respiratory therapy or cardio-respiratory diagnostics. O. Reg. 775/93, s. 5.

6. The Registrar shall supervise the nomination of candidates. O. Reg. 775/93, s. 6.

NOTICE OF ELECTION AND NOMINATIONS

7.—(1) No later than ninety days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure.

(2) A member is eligible to vote in a Council election if, on the date of the election, the member holds an active certificate of registration. O. Reg. 775/93, s. 7.

NOMINATION PROCEDURE

8.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least sixty days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least three members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) A candidate may withdraw his or her nomination for election to the Council by written notification to the Registrar. O. Reg. 775/93, s. 8.

ACCLAMATION

9. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 775/93, s. 9.

REGISTRAR'S ELECTORAL DUTIES

10.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Registrar may, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than forty-five days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 775/93, s. 10.

NUMBER OF VOTES TO BE CAST

11.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 775/93, s. 11.

TIE VOTES

12. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 775/93, s. 12.

RECOUNTS

13.—(1) A candidate may request a recount by giving a written notice to the Registrar within ten days after notification of the results of the election.

(2) The Registrar shall hold the recount no more than fifteen days after receiving the request. O. Reg. 775/93, s. 13.

INTERRUPTION OF MAIL SERVICE

14. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nomination or election for such a period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 775/93, s. 14.

DISQUALIFICATION OF ELECTED MEMBERS

15.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) is the subject of any disciplinary or incapacity hearing;

- (d) fails, without cause, to attend two consecutive meetings of the Council;
- (e) fails, without cause, to attend two consecutive meetings of a committee of which he or she is a member or two hearings to which the member has been appointed to serve on the panel;
- (f) ceases to either practise or reside in the electoral district for which the member was elected; or
- (g) becomes an elected member or officer of a professional association involving respiratory therapy or cardio-respiratory diagnostics.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 775/93, s. 15.

FILLING OF VACANCIES

16.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint, as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or

- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) The term of a member appointed under clause (1) (b) or elected in an election under clause (1) (c) or subsection (2) shall continue until the time the former member's term would have expired. O. Reg. 775/93, s. 16.

17. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF RESPIRATORY THERAPISTS OF ONTARIO:

DIANE THOMPSON
Chair

MARGARET CARTER
Vice-Chair

Dated at Toronto on November 12, 1993.

50/93

Correction

Ontario Regulation 712/93 under the *Massage Therapy Act, 1991* published in the November 20, 1993 issue of *The Ontario Gazette*.

The reference to "dental hygiene" in section 1 of Ontario Regulation 712/93 should have read "massage therapy".

50/93

Publications under the Regulations Act

Publications en vertu de la Loi sur les règlements

1993—12—18

ONTARIO REGULATION 776/93 made under the INSURANCE ACT

Made: December 2, 1993
Filed: December 2, 1993

STATUTORY ACCIDENT BENEFITS SCHEDULE — ACCIDENTS ON OR AFTER JANUARY 1, 1994

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**PART I
INTERPRETATION**

DEFINITIONS

- 1. In this Regulation,

“accident” means an incident in which, directly or indirectly, the use or operation of an automobile causes an impairment or causes damage to

any prescription eyewear, denture, hearing aid, prosthesis or other medical or dental device;

“chiropractor” means a person authorized by law to practise chiropractic;

“dentist” means a person authorized by law to practise dentistry;

“health practitioner”, in respect of a particular impairment, means a physician or,

- (a) a chiropractor, if the impairment is one that a chiropractor is authorized by law to treat,
- (b) a dentist, if the impairment is one that a dentist is authorized by law to treat,
- (c) an optometrist, if the impairment is one that an optometrist is authorized by law to treat, or
- (d) a psychologist, if the impairment is one that a psychologist is authorized by law to treat;

“impairment” means a loss or abnormality of psychological, physiological or anatomical structure or function;

“insured automobile”, in respect of a particular motor vehicle liability policy, means any automobile covered by the policy;

“insured person”, in respect of a particular motor vehicle liability policy, means,

- (a) the named insured, any person specified in the policy as a driver of the insured automobile, the spouse of the named insured, and any dependant of the named insured or spouse, if the named insured, specified driver, spouse or dependant,
 - (i) is involved in an accident in or outside of Ontario that involves the insured automobile or another automobile, or
 - (ii) is not involved in an accident but suffers psychological or mental injury as a result of an accident in or outside of Ontario that results in a physical injury to his or her spouse, child, grandchild, parent, grandparent, brother, sister, dependant or spouse's dependant,
- (b) in respect of accidents in Ontario, a person who is involved in an accident involving the insured automobile, or
- (c) in respect of accidents outside Ontario, a person who is an occupant of the insured automobile and who is a resident of Ontario or was a resident of Ontario at some point during the sixty days before the accident;

“member of a health profession” means a member of a College as defined in the *Regulated Health Professions Act, 1991*;

“optometrist” means a person who is authorized by law to practise optometry;

“personal and vocational characteristics” include,

- (a) employment history,
- (b) education and training,
- (c) vocational interests and aptitudes,
- (d) vocational skills,
- (e) physical abilities,
- (f) cognitive abilities, and
- (g) language abilities;

"physician" means a person authorized by law to practise medicine;

"psychologist" means a person authorized by law to practise psychology;

"spouse" means either of a man and a woman who,

- (a) are married to each other,
- (b) have together entered into a marriage that is voidable or void, in good faith on the part of the person asserting a right under this Regulation, or
- (c) have lived together in a conjugal relationship outside marriage at some point during the previous year and have lived together in a conjugal relationship outside marriage,
 - (i) continuously for a period of at least one year, or
 - (ii) in a relationship of some permanence, if they are the natural or adoptive parents of a child or have demonstrated a settled intention to treat a child as a child of their family;

"temporary disability benefits" means,

- (a) benefits paid under Part II, III or IV of this Regulation,
- (b) benefits paid under Part V of this Regulation, unless the benefits are paid more than 104 weeks after the onset of the disability,
- (c) benefits paid under section 32 of this Regulation,
- (d) benefits paid under Part IV of Regulation 672 of the Revised Regulations of Ontario, 1990, unless the benefits have been paid for more than 156 weeks,
- (e) benefits paid under Part II of Subsection 2 of Schedule C to the *Insurance Act* as it existed before June 22, 1990, unless the benefits have been paid for more than 104 weeks,
- (f) benefits paid under section 37, subsection 43 (9) or subsection 147 (2) of the *Workers' Compensation Act*, or
- (g) any other periodic temporary benefit paid under an income continuation plan or law, other than,
 - (i) unemployment insurance benefits,
 - (ii) benefits paid under Part V of this Regulation more than 104 weeks after the onset of the disability,
 - (iii) benefits paid under Part IV of Regulation 672 of the Revised Regulations of Ontario, 1990 for more than 156 weeks, or
 - (iv) benefits paid under Part II of subsection 2 of Schedule C to the *Insurance Act* as it existed before June 22, 1990 that have been paid for more than 104 weeks. O. Reg. 776/93, s. 1.

PARTIAL INABILITY TO CARRY ON NORMAL LIFE

2. For the purpose of this Regulation, a person suffers a partial inability to carry on a normal life as a result of an accident if, and only if, as a result of the accident, the person suffers an impairment that results in a substantial inability to engage in,

- (a) personal care activities in which the person ordinarily engaged before the accident;
- (b) mobility activities in which the person ordinarily engaged before the accident;

(c) household activities in which the person ordinarily engaged before the accident;

(d) activities in which the person ordinarily engaged before the accident that require the exercise of cognitive powers;

(e) activities in which the person ordinarily engaged before the accident that require the ability to control emotions or behaviour; or

(f) activities in which the person ordinarily engaged before the accident that require communication abilities. O. Reg. 776/93, s. 12.

COMPLETE INABILITY TO CARRY ON NORMAL LIFE

3. For the purpose of this Regulation, a person suffers a complete inability to carry on a normal life as a result of an accident if, and only if, as a result of the accident, the person suffers an impairment that continuously prevents the person from engaging in substantially all of the activities in which the person ordinarily engaged before the accident. O. Reg. 776/93, s. 3.

DEPENDANTS

4. For the purpose of this Regulation, a person is a dependant of another person if the person is principally dependent for financial support or care on the other person or the other person's spouse. O. Reg. 776/93, s. 4.

EMPLOYMENT

5. For the purpose of this Regulation, a person is employed if, for salary, wages, other remuneration or profit, the person is engaged in employment, including self-employment, or is the holder of an office, and "employment" has a corresponding meaning. O. Reg. 776/93, s. 5.

PAYMENTS FOR LOSS OF INCOME

6. For the purpose of this Regulation, payments of severance pay or termination pay are not payments for loss of income. O. Reg. 776/93, s. 6.

PART II INCOME REPLACEMENT BENEFITS

ENTITLEMENT TO BENEFITS

7.—(1) An insured person who sustains an impairment as a result of an accident is entitled to a weekly income replacement benefit if the insured person meets any of the following qualifications:

1. The insured person was employed at the time of the accident and, as a result of and within two years of the accident, suffers a substantial inability to perform the essential tasks of that employment.
2. The insured person,
 - i. was not employed at the time of the accident,
 - ii. was employed at some point during the 156 weeks before the accident,
 - iii. was sixteen years of age or more or was excused from attendance at school under the *Education Act* at the time of the accident, and
 - iv. as a result of and within two years of the accident, suffers a substantial inability to perform the essential tasks of the employment in which the insured person spent the most time during the time period designated under subsection (2).

3. The insured person,

- i. was entitled at the time of the accident to start work within one year under a contract of employment that was made before the accident, and
- ii. as a result of and within two years of the accident, suffers a substantial inability to perform the essential tasks of the employment he or she was entitled to start under the contract.

4. The insured person,

- i. was on strike from or was locked out from an employment at the time of the accident or was, at the time of the accident, on a layoff from an employment to which he or she was entitled to be recalled pursuant to a collective agreement, and
- ii. as a result of and within two years of the accident, suffers a substantial inability to perform the essential tasks of the employment.

5. The insured person,

- i. received weekly caregiver benefits under Part IV as a result of the accident but is no longer receiving them because there is no person who meets the qualifications set out in subsection 18 (5), or would have qualified for weekly caregiver benefits as a result of the accident but for,
 - A. the death as a result of the accident of the person in respect of whom the insured person was the primary caregiver, or
 - B. the operation of subsection 18 (3),
- ii. was employed at some point during the period that began 156 weeks before the person first became a primary caregiver and ended on the day of the accident, and
- iii. as a result of and within two years of the accident, suffers a substantial inability to perform the essential tasks of the employment in which the insured person spent the most time during the time period designated under subsection (4).

6. The insured person,

- i. was on pregnancy leave or parental leave from an employment at the time of the accident, and
- ii. as a result of and within two years of the accident, suffers a substantial inability to perform the essential tasks of the employment.

(2) Subject to subsection (3), a person who applies for benefits under paragraph 1 or 2 of subsection (1) shall designate one of the following time periods:

1. The four weeks before the accident.
2. The fifty-two weeks before the accident.
3. The 156 weeks before the accident.

(3) A person who was self-employed at any time during the four weeks before the accident shall not designate the four-week period under paragraph 1 of subsection (2).

(4) A person who applies for benefits under paragraph 5 of subsection (1) shall designate a period of fifty-two consecutive weeks in the period that began 156 weeks before the person first became a primary caregiver and ended on the day of the accident. O. Reg. 776/93, s. 7.

PERIOD OF BENEFIT

8.—(1) Subject to subsections (2) to (4), a weekly income replacement benefit under section 7 is payable during the period that the insured person suffers a substantial inability to perform the essential tasks of the employment in respect of which he or she qualifies for the benefit under section 7.

(2) The insurer is not required to pay a weekly income replacement benefit,

- (a) under paragraph 3 of subsection 7 (1), until the day the person would have been entitled under the contract to begin employment;
- (b) under paragraph 4 of subsection 7 (1), until the day the person would have been entitled to return to employment;
- (c) under paragraph 5 of subsection 7 (1), until the day on which there is no person who meets the qualifications set out in subsection 18 (5); and
- (d) under paragraph 6 of subsection 7 (1), until the day the person would have returned to employment.

(3) No weekly income replacement benefit is payable under this Part for the first week of the disability.

(4) Subsection (3) does not apply to a weekly income replacement benefit payable under paragraph 5 of subsection 7 (1) if the person entitled to the benefit received weekly caregiver benefits under Part IV as a result of the accident. O. Reg. 776/93, s. 8.

GROSS ANNUAL INCOME

9.—(1) For the purpose of determining the amount of a person's weekly income replacement benefit under paragraph 1 or 2 of subsection 7 (1), the person's gross annual income from employment shall be deemed to be the following amount:

1. In the case of a person who designated the four weeks before the accident under paragraph 1 of subsection 7 (2), the person's gross income from employment for the four weeks before the accident, multiplied by thirteen.
2. In the case of a person who designated the fifty-two weeks before the accident under paragraph 2 of subsection 7 (2), the person's gross income from employment for the fifty-two weeks before the accident.
3. In the case of a person who designated the 156 weeks before the accident under paragraph 3 of subsection 7 (2), the person's gross income from employment for the 156 weeks before the accident, divided by three.

(2) For the purpose of subsection (1), a person who,

- (a) is entitled to weekly income replacement benefits under paragraph 1 of subsection 7 (1);
- (b) designated the four weeks before the accident under paragraph 1 of subsection 7 (2); and
- (c) started the employment in which he or she was engaged at the time of the accident during the four weeks before the accident,

may elect that the person's gross income from employment for the four weeks before the accident be deemed to be the amount determined by taking the person's gross income from employment for the part of the four-week period for which the person earned income from the employment in which he or she was engaged at the time of the accident and extrapolating it over the rest of the four-week period.

(3) For the purpose of subsection (1), a person who,

- (a) is entitled to weekly income replacement benefits under paragraph 1 of subsection 7 (1);
- (b) designated the fifty-two weeks before the accident under paragraph 2 of subsection 7 (2);
- (c) was self-employed at the time of the accident; and
- (d) started the self-employment in which he or she was engaged at the time of the accident during the fifty-two weeks before the accident,

may elect that the person's gross income from employment for the fifty-two weeks before the accident be deemed to be the amount determined by taking the person's income from the self-employment in which he or she was engaged at the time of the accident for the part of the fifty-two-week period for which the person earned income from that employment and extrapolating it over the rest of the fifty-two-week period.

(4) For the purpose of determining the amount of a person's weekly income replacement benefit under paragraph 5 of subsection 7 (1), the person's gross annual income from employment shall be deemed to be the person's gross income from employment for the time period designated under subsection 7 (4).

(5) For the purpose of determining the amount of a person's weekly income replacement benefit under paragraph 3, 4 or 6 of subsection 7 (1), the person's gross annual income from employment shall be deemed to be the greatest of the following amounts:

1. If the person is qualified under paragraph 3 of subsection 7 (1), the gross income payable under the contract of employment, extrapolated to reflect an annual income.
2. If the person is qualified under paragraph 4 of subsection 7 (1), the gross income payable in the employment he or she was on strike from, was locked out from or was on a layoff from, extrapolated to reflect an annual income.
3. If the person is qualified under paragraph 6 of subsection 7 (1), the gross income payable in the employment he or she was on leave from, extrapolated to reflect an annual income.
4. If the person is also qualified under paragraph 1 or 2 of subsection 7 (1), his or her gross annual income as determined under subsections (1) and (2).

(6) A determination under subsection (1) or (4) of the person's gross income from employment for a period of time shall include temporary disability benefits received in respect of that period and benefits received under the *Unemployment Insurance Act* (Canada) in respect of that period.

(7) If a person is entitled to weekly income replacement benefits under paragraph 1 of subsection 7 (1) and is not entitled to a benefit under paragraph 4 or 6 of subsection 7 (1), a determination under subsection (1) of the person's gross income from employment for a period of time shall be made by taking the person's gross income from employment for the part of that period for which the person earned income from employment and extrapolating it over any part of the period for which the person,

- (a) did not receive temporary disability benefits or benefits under the *Unemployment Insurance Act* (Canada); and
- (b) did not earn any income from employment for one of the following reasons:
 1. The person was not employed.
 2. The person was on a leave of absence without pay.
 3. The person was on a layoff from employment.
 4. The person was on strike from employment or was locked out from employment. O. Reg. 776/93, s. 9.

AMOUNT OF BENEFIT

10.—(1) The amount of a weekly income replacement benefit shall be 90 per cent of the insured person's net weekly income from employment determined in accordance with section 81 or 82.

(2) Subject to subsection (3) and section 75, the amount of a weekly income replacement benefit shall not be less than \$185 if, during the week in respect of which the benefit is payable,

- (a) the insured person is suffering a partial or complete inability to carry on a normal life as a result of the accident, if 104 weeks or less have elapsed since the person first qualified for weekly income replacement benefits or weekly caregiver benefits; or
- (b) the insured person is suffering a complete inability to carry on a normal life as a result of the accident, if more than 104 weeks have elapsed since the person first qualified for weekly income replacement benefits or weekly caregiver benefits.

(3) The insurer may deduct from the amount of the weekly income replacement benefits payable to an insured person a percentage of the net income received by the insured person in respect of any employment subsequent to the accident.

(4) The percentage mentioned in subsection (3) shall be,

- (a) 75 per cent, if the insured person started the employment more than twenty-six weeks after the onset of the disability in respect of which the weekly income replacement benefits are paid and has been engaged in the employment for less than twenty-six weeks; and
- (b) 90 per cent, in any other case.

(5) Subject to section 82, for the purpose of subsection (3), the net income received by a person in respect of an employment subsequent to the accident shall be determined by subtracting the following amounts from the gross income received by the person in respect of the employment subsequent to the accident:

1. The premium payable by the person under the *Unemployment Insurance Act* (Canada) on the gross income.
2. The contribution payable by the person under the *Canada Pension Plan* on the gross income.
3. The income tax payable by the person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) on the gross income.

(6) For the purpose of subsection (3), net income from self-employment for a person who was self-employed at the time of the accident shall be determined without making any deductions for,

- (a) expenses that were not reasonable or necessary to prevent a loss of revenue;
- (b) salary expenses that were paid to replace the person's active participation in the business, except to the extent that those expenses were reasonable for that purpose; and
- (c) non-salary expenses that were different in nature or greater than the non-salary expenses incurred before the accident, except to the extent that those expenses were necessary to prevent or reduce any losses resulting from the accident.

(7) If the insured person was self-employed at the time of the accident and the person incurs losses from self-employment as a result of the accident, the insurer shall add to the amount of the weekly income replacement benefits payable to the person 90 per cent of the losses from self-employment incurred as a result of the accident.

(8) For the purpose of subsection (7), losses from self-employment shall be determined in the same manner as losses from the business in

which the person was self-employed would be determined under subsection 9 (2) of the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario), without making any deductions for,

- (a) expenses that were not reasonable or necessary to prevent a loss of revenue;
- (b) salary expenses that were paid to replace the person's active participation in the business, except to the extent that those expenses were reasonable for that purpose;
- (c) non-salary expenses that were different in nature or greater than the non-salary expenses incurred before the accident, except to the extent that those expenses were necessary to prevent or reduce any losses resulting from the accident;
- (d) expenses that are eligible for capital cost allowance or an allowance on eligible capital property; or
- (e) losses deductible under section 111 of the *Income Tax Act* (Canada).

(9) The weekly amount paid to a person under this Part shall not exceed \$1,000 after making any deductions permitted by subsection 75 (1). O. Reg. 776/93, s. 10.

WITHDRAWAL FROM THE WORKFORCE

11.—(1) If an insured person who is receiving weekly income replacement benefits under this Part had permanently withdrawn from the workforce at the time of the accident, the insurer may, subject to subsections (2) to (9), stop payment of the benefits.

(2) An insurer that believes it is entitled to stop payment of benefits under subsection (1) shall notify the insured person of its intention to stop payment and the notice shall provide the information contained in subsections (3) and (4).

(3) If the insured person does not dispute the stoppage in payment in accordance with sections 279 to 283 of the *Insurance Act* within thirty days after the notice was given, the insurer may stop paying the benefits.

(4) If the insured person disputes the stoppage in payment in accordance with sections 279 to 283 of the *Insurance Act* within thirty days after the notice was given, the insurer shall continue to pay the benefit until the dispute is resolved.

(5) Subsection (4) does not apply if the insured person notifies the insurer in writing that the person does not wish to receive payments of the benefit pending resolution of the dispute.

(6) If the dispute is the subject of a court proceeding or arbitration proceeding, the insurer has the burden of proving on clear and convincing evidence that the insured person had permanently withdrawn from the workforce at the time of the accident.

(7) When a dispute is resolved and it is determined that the insurer is not entitled to stop payment of the benefit, the insurer shall pay with interest any payments that were withheld under subsection (5).

(8) The interest payable under subsection (7) shall be calculated from the date each payment would have been made in the absence of subsection (5) at the bank rate in effect on the date the first payment was withheld under subsection (5).

(9) In subsection (8), "bank rate" means the bank rate established by the Bank of Canada as the minimum rate at which the Bank of Canada makes short term advances to the banks listed in Schedule I to the *Bank Act* (Canada).

(10) When a dispute is resolved and it is determined that the insurer is entitled to stop payment of the benefit, the insured person shall repay to the insurer the amount of the benefits received under this Part after the notice was given under subsection (2). O. Reg. 776/93, s. 11.

BENEFITS AFTER AGE SIXTY-FIVE

12.—(1) Subject to subsection (2), no weekly income replacement benefits are payable to a person under this Part after the person attains sixty-five years of age.

(2) If a person who is entitled to weekly income replacement benefits under paragraph 1, 3 or 4 of subsection 7 (1) attained sixty-five years of age before the accident, the amount determined under subsection 10 (1) during each of the first 208 weeks of the disability in respect of which the benefit is payable shall be deemed to be the amount that would be determined in the absence of this section multiplied by the factor set out in Column 2 of the Table to this subsection opposite the range that includes the number of weeks that the person has suffered from the disability in respect of which the benefit is payable.

TABLE

NUMBER OF WEEKS OF DISABILITY	FACTOR
Less than 52	1.0
52 or more but less than 104	0.8
104 or more but less than 156	0.6
156 or more but less than 208	0.3

(3) No further income replacement benefits are payable under this Part to a person to whom subsection (2) applies if more than 208 weeks have passed since the onset of the disability in respect of which the benefit is paid.

(4) Subsection 10 (2) applies to weekly income replacement benefits paid to a person to whom subsection (2) applies.

(5) Subsections 10 (3) to (8) do not apply to weekly income replacement benefits paid to a person to whom subsection (2) applies.

(6) Subsections (1) and (3) do not prevent a person from qualifying for weekly disability benefits under Part V. O. Reg. 776/93, s. 12.

RESPONSIBILITY TO SEEK EMPLOYMENT

13.—(1) An insured person who is entitled to weekly income replacement benefits under this Part shall make reasonable efforts to,

- (a) return to the employment in which he or she engaged at the time of the accident; or
- (b) obtain employment that satisfies the criteria set out in subsection 30 (2).

(2) Subsection (1) does not apply if,

- (a) employment would be detrimental to the person's treatment or recovery; or
- (b) the insured person is participating in a vocational rehabilitation program.

(3) If an insured person does not comply with subsection (1), the insurer may notify the person that the insurer intends to reduce the amount of the weekly benefit in accordance with subsection (4) and the notice shall provide the information contained in subsections (4) and (5).

(4) If at least thirty days have elapsed after the insured person received the notice and the person is still not complying with subsection (1), the insurer may, despite subsection 10 (2) but subject to subsection (5), deduct from the net weekly income used to determine the amount of the benefit under subsection 10 (1) 90 per cent of the net weekly income determined in accordance with section 81 or 82 that the person could earn in an employment that satisfies the criteria set out in subsection 30 (2).

(5) If within thirty days after receiving the notice, the insured person disputes the reduction in accordance with sections 279 to 283 of the *Insurance Act* and furnishes the insurer with a certificate from a health

practitioner stating that employment would be detrimental to the person's treatment or recovery or that the insured person is participating in a vocational rehabilitation program, the insurer shall continue to pay the benefit without any reduction until the dispute is resolved.

(6) Subsections (3) and (4) do not apply if the insurer is making a reduction under subsection 73 (4). O. Reg. 776/93, s. 13.

TEMPORARY RETURN TO EMPLOYMENT

14.—(1) A person receiving weekly income replacement benefits under this Part may return to or start an employment at any time during the 104 weeks following the onset of the disability in respect of which the benefits are paid without affecting his or her entitlement to resume receiving benefits under this Part if, as a result of the accident, he or she is unable to continue in the employment.

(2) After the 104-week period referred to in subsection (1), a person receiving weekly income replacement benefits under this Part may return to or start an employment for periods of up to ninety days without affecting his or her entitlement to resume receiving benefits under this Part if, as a result of the accident, he or she is unable to continue in the employment. O. Reg. 776/93, s. 14.

PART III EDUCATION DISABILITY BENEFITS

WEEKLY BENEFITS

15.—(1) An insured person who sustains an impairment as a result of an accident is entitled to a weekly education disability benefit if the insured person meets the following qualifications:

1. The insured person,
 - i. was less than sixteen years of age at the time of the accident,
 - ii. was enrolled on a full-time basis in elementary, secondary or post-secondary education at time of the accident, or
 - iii. completed his or her education less than one year before the accident and was not employed, after completing his or her education and before the accident, in an employment that reflected his or her education and training.
2. The insured person, as a result of and within two years of the accident,
 - i. suffers a substantial inability to continue his or her education, in the case of an insured person who qualifies under subparagraph i or ii of paragraph 1,
 - ii. suffers a substantial inability to engage in employment that reflects his or her education and training, in the case of an insured person who qualifies under subparagraph iii of paragraph 1, or
 - iii. suffers a partial or complete inability to carry on a normal life, in the case of an insured person who qualifies under subparagraph i, ii or iii of paragraph 1.

(2) Subject to subsections (3) and (4), the weekly education disability benefit is payable during the period that the insured person suffers,

- (a) a substantial inability to continue his or her education, in the case of an insured person who qualifies under subparagraph i of paragraph 2 of subsection (1);
- (b) a substantial inability to engage in employment that reflects his or her education and training, in the case of an insured person who qualifies under subparagraph ii of paragraph 2 of subsection (1); or

(c) a partial or complete inability to carry on a normal life, in the case of an insured person who qualifies under subparagraph iii of paragraph 2 of subsection (1).

(3) No weekly education disability benefit is payable under this section,

(a) for any period before the insured person attains sixteen years of age; or

(b) for the first week of the disability.

(4) If an insured person qualifies for weekly education disability benefits under subparagraph iii of paragraph 2 of subsection (1) and does not qualify under subparagraph i or ii of paragraph 2 of subsection (1), no weekly education disability benefit is payable under this section more than 104 weeks after the insured person first qualified for weekly education disability benefits unless the insured person is suffering a complete inability to carry on a normal life as a result of the accident.

(5) The amount of a weekly education disability benefit shall be equal to half of the net weekly income determined in accordance with section 81 or 82 using a gross annual income from employment equal to 52 multiplied by the Average Weekly Earnings for Ontario, Industrial Aggregate, for the month of June in the year immediately preceding the year in which the benefit is first payable, as published by Statistics Canada under the authority of the *Statistics Act* (Canada). O. Reg. 776/93, s. 15.

LUMP SUM BENEFITS

16.—(1) Subject to subsections (2) and (3), an insured person who sustains an impairment as a result of an accident is entitled to a lump sum education disability benefit of,

- (a) \$2,000 for each year of elementary education that the person is unable to attend or successfully complete as a result of the accident;
- (b) \$4,000 for each year or, if the person is enrolled in a secondary school organized on a semester basis, \$2,000 for each semester, to a maximum of \$4,000 in any year, of secondary education that the person is unable to attend or successfully complete as a result of the accident; and
- (c) \$8,000 for each year or, if the person is enrolled in a post-secondary educational institution organized on a semester basis, \$4,000 for each semester, to a maximum of \$8,000 in any year, of post-secondary education that the person is unable to attend or successfully complete as a result of the accident.

(2) A person who was sixteen years of age or more at the time of the accident is entitled to lump sum education disability benefits under this section in respect of not more than,

- (a) one year of elementary education;
- (b) one year or, if the person is enrolled in a secondary school organized on a semester basis, two semesters of secondary education; or
- (c) one year or, if the person is enrolled in a post-secondary educational institution organized on a semester basis, two semesters of post-secondary education.

(3) If the accident occurred before the person attained sixteen years of age, only one lump sum education disability benefit is payable under this section after the person attains sixteen years of age.

(4) A lump sum education disability benefit under this section shall be paid at the end of the year or semester in respect of which it is payable.

(5) If a person is unable to attend or successfully complete a year or semester of education as a result of an accident, a determination for the

purpose of this section of whether the education was elementary, secondary or post-secondary education shall be made on the assumption that, if the accident had not occurred, the person would have successfully attended and completed all previous years and semesters of education that he or she was unable to attend or successfully complete as a result of the accident. O. Reg. 776/93, s. 16.

TEMPORARY RETURN TO EDUCATION

17.—(1) A person receiving education disability benefits under this Part may return to elementary, secondary or post-secondary education at any time during the 104 weeks following the onset of the disability in respect of which the benefits are paid without affecting his or her entitlement to resume receiving benefits under this Part if, as a result of the accident, he or she is unable to continue in elementary, secondary or post-secondary education.

(2) After the 104-week period referred to in subsection (1), a person receiving education disability benefits under this Part may return to elementary, secondary or post-secondary education for periods of up to ninety days without affecting his or her entitlement to resume receiving benefits under this Part if, as a result of the accident, he or she is unable to continue in elementary, secondary or post-secondary education. O. Reg. 776/93, s. 17.

PART IV CAREGIVER BENEFITS

18.—(1) An insured person who sustains an impairment as a result of an accident is entitled to a weekly caregiver benefit if the insured person meets the following qualifications:

1. At the time of the accident, the insured person was residing with a person in respect of whom the insured person was the primary caregiver and the person receiving the care was less than sixteen years of age or required the care because of physical or mental incapacity.
2. The insured person was not employed on a full-time basis and was not self-employed at the time of the accident.
3. As a result of and within two years of the accident, the insured person,
 - i. suffers a substantial inability to engage in the caregiving activities in which he or she engaged at the time of the accident, or
 - ii. suffers a partial or complete inability to carry on a normal life.

(2) Subject to subsections (3) and (4), the weekly caregiver benefit under this section is payable during the period that the insured person suffers,

- (a) a substantial inability to engage in the caregiving activities in which he or she engaged at the time of the accident; or
- (b) a partial or complete inability to carry on a normal life.

(3) No weekly caregiver benefit is payable under this section for the first week of the disability.

(4) If an insured person qualifies for weekly caregiver benefits under subparagraph ii of paragraph 3 of subsection (1) and does not qualify under subparagraph i of paragraph 3 of subsection (1), no weekly caregiver benefit is payable under this section more than 104 weeks after the insured person first qualified for weekly caregiver benefits unless the insured person is suffering a complete inability to carry on a normal life as a result of the accident.

(5) The amount of a weekly caregiver benefit shall be \$250 for the first person who meets the following qualifications, plus \$50 for each additional person who meets the following qualifications:

1. The person resided with the insured person at the time of the accident.
 2. The insured person was the primary caregiver in respect of the person at the time of the accident.
 3. At the time the benefit is paid, the person,
 - i. is less than sixteen years of age; or
 - ii. requires care because of physical or mental incapacity.
- O. Reg. 776/93, s. 18.

PART V OTHER DISABILITY BENEFITS

19.—(1) An insured person who sustains an impairment as a result of an accident is entitled to a weekly disability benefit if the insured person, as a result of and within two years of the accident, suffers a partial or complete inability to carry on a normal life and,

- (a) the insured person never met the qualifications for a benefit under subsection 7 (1), 15 (1) or 18 (1), or under Part VI, in respect of the accident;
- (b) the insured person received weekly income replacement benefits under Part II as a result of the accident and payment of the benefits ceased under section 11 or 12; or
- (c) the insured person received weekly caregiver benefits under Part IV as a result of the accident and there is no longer any person who meets the qualifications set out in subsection 18 (5).

(2) Subject to subsection (3), the amount of the weekly disability benefit under this section shall be \$185.

(3) The insurer may deduct from the amount of the weekly disability benefits payable to an insured person under this section a percentage of the net income received by the insured person in respect of any employment subsequent to the accident.

(4) The percentage mentioned in subsection (3) shall be,

- (a) 75 per cent, if the insured person started the employment more than twenty-six weeks after the onset of the disability in respect of which the weekly disability benefits are paid and has been engaged in the employment for less than twenty-six weeks; and
- (b) 90 per cent, in any other case.

(5) Subject to section 82, for the purpose of subsection (3), the net income received by a person in respect of an employment subsequent to the accident shall be determined by subtracting the following amounts from the gross income received by the person in respect of the employment subsequent to the accident:

1. The premium payable by the person under the *Unemployment Insurance Act* (Canada) on the gross income.
2. The contribution payable by the person under the *Canada Pension Plan* on the gross income.
3. The income tax payable by the person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) on the gross income.

(6) Subject to subsection (7), the weekly disability benefit is payable during the period that the insured person suffers a partial or complete inability to carry on a normal life.

(7) No weekly disability benefit is payable under this section,

- (a) for any period before the insured person attains sixteen years of age;

- (b) for the first week of the disability; or
- (c) more than 104 weeks after the insured person first qualified for weekly disability benefits, weekly income replacement benefits or weekly caregiver benefits, unless the insured person is suffering a complete inability to carry on a normal life as a result of the accident. O. Reg. 776/93, s. 19.

PART VI LOSS OF EARNING CAPACITY BENEFITS

ENTITLEMENT TO BENEFITS

20.—(1) An insurer shall pay an insured person weekly loss of earning capacity benefits instead of weekly income replacement benefits under Part II, weekly education disability benefits under section 15, weekly caregiver benefits under Part IV or weekly disability benefits under Part V if the payment of loss of earning capacity benefits is authorized by this Part.

(2) A weekly loss of earning capacity benefit under this Part is payable during the lifetime of the insured person and is subject to such adjustments in the amount of the benefit as are provided in this Regulation. O. Reg. 776/93, s. 20.

INSURER'S OFFER

21.—(1) Subject to subsections (7) to (9), an insurer shall promptly deliver a written offer to an insured person with respect to the payment of weekly loss of earning capacity benefits if one or more of the following circumstances occurs:

1. The insured person qualified for weekly income replacement benefits under Part II and continues to qualify for those benefits 104 weeks after the onset of the disability in respect of which he or she first qualified for those benefits.
2. The insured person qualified for weekly income replacement benefits under Part II, did not qualify for those benefits 104 weeks after the onset of the disability in respect of which he or she first qualified for those benefits, but subsequently becomes entitled to resume receiving weekly income replacement benefits under section 14.
3. The insured person qualified for weekly caregiver benefits under Part IV, subsequently elected under section 61 to receive weekly income replacement benefits under Part II, and 104 weeks after the onset of the disability in respect of which he or she first qualified for weekly caregiver benefits continues to qualify for weekly income replacement benefits.
4. The insured person qualified for weekly education disability benefits under section 15 and, 104 weeks after the onset of the disability in respect of which he or she first qualified for those benefits or on the date the person attains sixteen years of age, whichever occurs later, continues to qualify for weekly education disability benefits.
5. The insured person qualified for weekly education disability benefits under section 15, does not qualify for those benefits 104 weeks after the onset of the disability in respect of which he or she first qualified for those benefits or on the date the person attains sixteen years of age, whichever occurs later, but subsequently becomes entitled to resume receiving weekly education disability benefits under section 17.
6. The insured person qualified for weekly caregiver benefits under Part IV, is unable as a result of the accident to earn what he or she could reasonably have earned at the time of the accident, elects at any time 104 weeks or more after the onset of the disability in respect of which he or she first qualified for weekly caregiver benefits to be governed by this Part instead of Part IV or V and,
 - i. continues to qualify for weekly caregiver benefits, or

- ii. ceases to qualify for weekly caregiver benefits because there is no longer any person who meets the qualifications set out in subsection 18 (5).
7. The insured person qualified for weekly disability benefits under Part V, continues to qualify for those benefits 104 weeks after the onset of the disability in respect of which he or she first qualified for those benefits, and,
- i. is unable as a result of the accident to earn what he or she could reasonably have earned at the time of the accident,
 - ii. would have joined or returned to the workforce at some time after the accident, and
 - iii. elects to be governed by this Part instead of Part V.

(2) If a person qualifies for weekly caregiver benefits under Part IV 104 weeks after the onset of the disability in respect of which he or she first qualified for those benefits, the insurer shall promptly provide the person with notice that he or she may be entitled to make the election referred to in paragraph 6 of subsection (1).

(3) If a person qualifies for weekly disability benefits under Part V 104 weeks after the onset of the disability in respect of which he or she first qualified for those benefits, the insurer shall promptly provide the person with notice that he or she may be entitled to make the election referred to in paragraph 7 of subsection (1).

(4) An election under paragraph 6 or 7 of subsection (1) may not be changed.

(5) An offer under subsection (1) shall specify,

- (a) the insured person's pre-accident earning capacity determined in accordance with section 29;
- (b) the type of employment that best satisfies the criteria set out in subsection 30 (2);
- (c) the insured person's residual earning capacity determined in accordance with section 30; and
- (d) the amount of the weekly loss of earning capacity benefit, if any, determined in accordance with section 28.

(6) The offer shall include a notice that, if the offer is not accepted within forty-five days after its receipt or such longer period to which the insurer and the insured person may agree, the insured person shall be deemed to have rejected the offer in respect of both residual earning capacity and pre-accident earning capacity and the insured person will be required to be assessed under section 27.

(7) Subsection (1) does not apply if the insured person is sixty-five years of age or older.

(8) The time for delivering an offer under subsection (1) may be extended by agreement between the insurer and the insured person.

(9) If an insured person suffers an impairment as a result of an accident that occurs after the accident in respect of which an offer would, in the absence of this subsection, be given under subsection (1), and the latter accident results in a disability in respect of which weekly benefits are payable under Part II, section 15, Part IV or Part V, the operation of subsection (1) is delayed until 104 weeks after the latter accident. O. Reg. 776/93, s. 21.

INSURED PERSON'S RESPONSE TO OFFER

22.—(1) An insured person who receives the insurer's offer under section 21 may give the insurer a written response,

- (a) agreeing to the insurer's offer; or

- (b) rejecting the insurer's offer in respect of the person's pre-accident earning capacity or the person's residual earning capacity, or both.

(2) The rejection of an offer under clause (1) (b) does not prevent the insurer and insured person from entering into negotiations in an effort to enter into an agreement regarding the payment of loss of earning capacity benefits.

(3) Any agreement to pay weekly loss of earning capacity benefits under this Part shall be in writing and shall specify the particulars set out in subsection 21 (5).

(4) If the insured person and insurer enter into an agreement under this Part and the payment of loss of earning capacity benefits is authorized under the agreement, the insurer shall begin to pay weekly loss of earning capacity benefits in accordance with the agreement. O. Reg. 776/93, s. 22.

PROCEDURE IF NO AGREEMENT

23.—(1) An insured person who does not accept the insurer's offer within forty-five days after receiving it shall be deemed to have rejected the insurer's offer in respect of both residual earning capacity and pre-accident earning capacity.

(2) An insured person who rejects the insurer's offer in respect of residual earning capacity shall be assessed under section 27, and the insurer shall give the person notice of that requirement.

(3) If an insured person rejects the insurer's offer in respect of pre-accident earning capacity, the dispute may be resolved in accordance with sections 279 to 283 of the *Insurance Act*, based on section 29 of this Regulation.

(4) If an insured person rejects the insurer's offer in respect of both pre-accident earning capacity and residual earning capacity, the dispute may be resolved in accordance with sections 279 to 283 of the *Insurance Act*, based on sections 29 and 30 of this Regulation, but no steps shall be taken under sections 279 to 283 of the *Insurance Act*, other than the filing of an application for mediation, pending receipt of the report of the designated assessment centre under section 27.

(5) Forty-five days after receipt by the insurer of the report from the designated assessment centre under subsection 27 (5), the insurer shall commence payment of weekly loss of earning capacity benefits based on the insurer's offer made under section 21 in respect of pre-accident earning capacity and the gross annual income determined by the centre in respect of residual earning capacity, unless the insured person disputes the report within thirty days of receiving it in accordance with sections 279 to 283 of the *Insurance Act* or has disputed the insurer's offer in respect of pre-accident earning capacity in accordance with those sections.

(6) If, six months after the centre notifies the insured person under subsection 27 (2), no report has been submitted under subsection 27 (5) and the centre has informed the insurer that the report has not been submitted because of the insured person's failure to co-operate, the insurer may, on notice to the person and until a report is submitted under subsection 27 (5), pay the person weekly loss of earning capacity benefits based on the insurer's offer made under section 21.

(7) By agreement between the insurer and the insured person,

- (a) the forty-five-day period referred to in subsection (1) may be extended;
- (b) the assessment referred to in subsection (2) may be delayed;
- (c) the forty-five-day period referred to in subsection (5) may be extended;
- (d) the thirty-day period referred to in subsection (5) may be extended.

(8) Subject to subsections (5) and (6) and to subsection 281 (4) of the *Insurance Act*, the insurer shall continue to pay benefits under Part II, section 15, Part IV or Part V pending resolution of a dispute under subsection (3) or (4), if the person continues to qualify for those benefits. O. Reg. 776/93, s. 23.

AGREEMENT BEFORE OFFER

24. A person who has not received an offer under section 21 and who is entitled to receive weekly income replacement benefits under Part II, weekly education disability benefits under section 15, weekly caregiver benefits under Part IV or weekly disability benefits under Part V may agree in writing with the insurer that the insurer will pay the person weekly loss of earning capacity benefits instead of the weekly benefits the person would otherwise be entitled to. O. Reg. 776/93, s. 24.

ASSESSMENT BEFORE OFFER

25. A person who has not received an offer under section 21 and who is entitled to receive weekly income replacement benefits under Part II, weekly education disability benefits under section 15, weekly caregiver benefits under Part IV or weekly disability benefits under Part V may agree in writing with the insurer that the person shall be assessed under section 27. O. Reg. 776/93, s. 25.

DESIGNATED ASSESSMENT CENTRES (RESIDUAL EARNING CAPACITY)

26.—(1) The Commissioner of Insurance may, for the purpose of this Part,

- (a) designate assessment centres; and
- (b) specify the types of impairments that each designated assessment centre is authorized to assess.

(2) The accident benefits advisory committee appointed under section 7 of the *Insurance Act* may, for the purpose of this Part, establish procedures, standards and guidelines that shall be used by designated assessment centres in conducting assessments. O. Reg. 776/93, s. 26.

ASSESSMENT

27.—(1) If an insured person agrees to be assessed under section 25 or is required by subsection 23 (2) to be assessed under this section, the insurer shall, within fifteen days, notify the designated assessment centre nearest to the insured person that is authorized to assess impairments of the type sustained by the insured person.

(2) The centre shall promptly notify the insured person and shall arrange for the assessment.

(3) For the purpose of the assessment,

- (a) the insured person and the insurer shall provide the centre with information requested by the centre that is reasonably necessary; and
- (b) the insured person shall submit to such reasonable physical, psychological and mental examinations as the centre may request.

(4) The centre shall designate the type of employment that best satisfies the criteria set out in subsection 30 (2), without considering any impairment that,

- (a) if the operation of subsection 21 (1) was not delayed under subsection 21 (9), occurred after the accident and did not result from the accident; or
- (b) if the operation of subsection 21 (1) was delayed under subsection 21 (9), occurred after the first accident, unless the impairment resulted from an accident.

(5) The centre shall submit a report to the insured person and the insurer that includes,

- (a) a statement identifying the employment designated by the centre under subsection (4);
- (b) the centre's determination of the gross annual income that the person could earn from the type of employment designated by the centre under subsection (4);
- (c) a statement of the centre's reasons for the conclusions referred to in clauses (a) and (b), including,
 - (i) a description of any possible deterioration in the insured person's impairment that the centre had regard to under paragraph 3 of subsection 30 (2), and
 - (ii) a description of the insured person's personal and vocational characteristics at the time of the assessment that the centre had regard to under paragraph 3 of subsection 30 (2); and
- (d) copies of any reports made by people who examined the insured person under clause (3) (b).

(6) If the centre concludes that there is no employment that complies with the criteria set out in subsection 30 (2), the person's residual earning capacity shall be deemed to be zero.

(7) The insurer shall pay the fees charged by the centre in respect of the assessment. O. Reg. 776/93, s. 27.

AMOUNT OF BENEFIT

28.—(1) The amount of a weekly loss of earning capacity benefit for an insured person shall be determined in accordance with the following formula:

$$A = 0.90 \times (B - C)$$

where,

- A = the amount of the weekly loss of earning capacity benefit,
- B = the person's pre-accident earning capacity, determined in accordance with section 29,
- C = the person's residual earning capacity, determined in accordance with section 30.

(2) Despite subsection (1), the amount of a weekly loss of earning capacity benefit for an insured person who has received weekly education disability benefits under section 15 shall be the amount determined in accordance with the following formula:

$$A = B - (0.90 \times C)$$

where,

- A = the amount of the weekly loss of earning capacity benefit,
- B = the person's pre-accident earning capacity, determined in accordance with section 29,
- C = the person's residual earning capacity, determined in accordance with section 30.

(3) Subject to section 75, the amount of a weekly loss of earning capacity benefit shall not be less than \$185 if, during the week in respect of which the benefit is payable, the insured person is suffering a complete inability to carry on a normal life as a result of the accident.

(4) The weekly amount paid to a person under this Part shall not exceed \$1,000 after making any deductions permitted by subsection 75 (1). O. Reg. 776/93, s. 28.

DETERMINING PRE-ACCIDENT EARNING CAPACITY

29.—(1) For the purpose of determining the amount of a weekly loss of earning capacity benefit under this Part, the pre-accident earning capacity of a person who is entitled to receive weekly income replacement benefits under paragraph 1, 3, 4 or 6 of subsection 7 (1) shall be deemed to be the person's net weekly income from employment used in section 10 in determining the amount of weekly income replacement benefits immediately before payment of the weekly loss of earning capacity benefits begins, converted to a full-time net weekly income in accordance with section 86, if section 86 applies.

(2) Despite subsection (1), the pre-accident earning capacity of a person who is entitled to receive weekly income replacement benefits under paragraph 1 of subsection 7 (1) and who was self-employed at the time of the accident shall be the net weekly income determined in accordance with section 81 or 82 using the gross annual income from employment that the person could reasonably have earned at the time of the accident, having regard to the person's personal and vocational characteristics at that time.

(3) For the purpose of determining the amount of a weekly loss of earning capacity benefit under this Part, the pre-accident earning capacity of a person who is entitled to receive weekly income replacement benefits under paragraph 2 or 5 of subsection 7 (1), weekly caregiver benefits under Part IV or weekly disability benefits under Part V shall be deemed to be the person's net weekly income determined in accordance with section 81 or 82 using the gross annual income from employment that the person could reasonably have earned at the time of the accident, having regard to the person's personal and vocational characteristics at that time.

(4) The amount of a person's pre-accident earning capacity determined under subsections (1), (2) and (3) shall not be less than,

- (a) the net weekly income determined in accordance with section 81 or 82 using a gross annual income from employment equal to the person's gross income from employment, including any temporary disability benefits and any benefits received under the *Unemployment Insurance Act* (Canada), for a period specified by the person of fifty-two consecutive weeks in the 156-week period before the accident, in the case of a person entitled to receive weekly income replacement benefits under paragraphs 1, 2, 3, 4 or 6 of subsection 7 (1), or a person who was self-employed at the time of the accident; or
- (b) the net weekly income determined in accordance with section 81 or 82 using a gross annual income from employment equal to the person's gross income from employment, including any temporary disability benefits and any benefits received under the *Unemployment Insurance Act* (Canada), for a period specified by the person of fifty-two consecutive weeks in the period that began 156 weeks before the person first became a primary caregiver and ended on the day of the accident, in the case of a person who is entitled to receive weekly income benefits under paragraph 5 of subsection 7 (1) or weekly caregiver benefits under Part IV.

(5) For the purpose of determining the amount of a weekly loss of earning capacity benefit under this Part, the pre-accident earning capacity of a person who is entitled to weekly education disability benefits under section 15 shall be determined in accordance with the following formula:

$$B = D \times E$$

where,

- B = the pre-accident earning capacity,
- D = the factor in the Table to this subsection set out opposite the range that includes the age the person has attained at the time the weekly loss of earning capacity benefit is to be paid,
- E = the net weekly income determined in accordance with section 81 or 82 using a gross annual income from employment equal

to 52 multiplied by the Average Weekly Earnings for Ontario, Industrial Aggregate, for the month of June in the year immediately preceding the year in which the determination of pre-accident earning capacity is first made under this section, as published by Statistics Canada under the authority of the *Statistics Act* (Canada).

TABLE

AGE RANGE (YEARS)	FACTOR
16 or over but under 18	0.55
18 or over but under 20	0.60
20 or over but under 22	0.65
22 or over but under 24	0.70
24 or over but under 26	0.75
26 or over but under 28	0.80
28 or over but under 30	0.85
30 or over	0.90

(6) For the purpose of subsections (2) and (3), a temporary disability that the person had at the time of the accident shall not be considered in determining the gross annual income from employment that the person could reasonably have earned at that time. O. Reg. 776/93, s. 29.

DETERMINING RESIDUAL EARNING CAPACITY

30.—(1) For the purpose of this Part, the residual earning capacity of a person shall be deemed to be the net weekly income determined in accordance with section 81 or 82 using the gross annual income that the person could earn from the type of employment that best satisfies the criteria set out in subsection (2).

(2) The criteria referred to in subsection (1) are:

1. The person,
 - i. is able and qualified to perform the essential tasks of the employment, or
 - ii. would be able and qualified to perform the essential tasks of the employment if the person had not refused to obtain treatment or participate in rehabilitation that was reasonable, available and necessary to permit the person to engage in the employment.
2. The employment exists in the area in which the person lives and is accessible to the person.
3. It would be reasonable to expect the person to engage in the employment having regard to the possibility of deterioration in the person's impairment and to the person's personal and vocational characteristics.

(3) For the purpose of subsection (2), a person is able and qualified to perform the essential tasks of an employment if,

- (a) the person does not have any impairment that permanently prevents the person from performing those tasks; and
- (b) the person has the job skills and any licence or other credentials required to perform those tasks, or could obtain those skills and the licence or credentials without significant effort. O. Reg. 776/93, s. 30.

TERMINATION OF OTHER BENEFITS

31. No weekly income replacement benefits are payable to a person under Part II, no weekly education disability benefits are payable to a person under section 15, no weekly caregiver benefits are payable to a person under Part IV and no weekly disability benefits are payable to a person under Part V,

- (a) after loss of earning capacity benefits begin to be paid to the person under this Part; or

- (b) if the amount of the weekly loss of earning capacity benefits payable to the person has been determined in accordance with this Part to be zero. O. Reg. 776/93, s. 31.

TEMPORARY SUPPLEMENT TO BENEFITS

32.—(1) If a person who is entitled to receive weekly loss of earning capacity benefits as a result of an accident and who is engaged in an employment becomes unable for a temporary period, as a result of the accident, to engage in employment in which the person could earn the gross annual income that was used to determine the person's residual earning capacity for the purpose of determining the amount of the person's weekly loss of earning capacity benefit, the insurer shall, during that period, pay the person a weekly supplement to the loss of earning capacity benefits.

(2) Subsection (1) applies only if the person provides the insurer with a certificate from a health practitioner stating that the person has become unable for a temporary period, as a result of the accident, to engage in employment in which the person could earn the gross annual income that was used to determine the person's residual earning capacity for the purpose of determining the amount of the person's weekly loss of earning capacity benefit.

(3) Subsection (2) does not prevent the insurer from disputing a claim for a weekly supplement under this section in accordance with sections 279 to 283 of the *Insurance Act*, but the insurer shall pay the weekly supplement pending resolution of the dispute.

(4) Subject to subsections (5) and (6), the amount of the weekly supplement shall be equal to the lesser of the following amounts:

1. 90 per cent of the person's residual earning capacity that was used for the purpose of determining the amount of the person's weekly loss of earning capacity benefit before the temporary period.
2. 90 per cent of the net weekly income determined in accordance with section 81 or 82 from the type of employment in which the person is unable to engage during the temporary period.

(5) The sum of the weekly loss of earning capacity benefits and the weekly supplement shall not exceed \$1,000 after making any deductions permitted by section 75.

(6) No supplement shall be paid under this section for a period of more than one year or after the person attains sixty-five years of age.

(7) Subsection (1) applies whether or not the person is engaged in the type of employment that satisfies the criteria set out in subsection 30 (2) at the time the determination occurs. O. Reg. 776/93, s. 32.

MANDATORY REVIEW OF AMOUNT OF BENEFIT

33.—(1) The insurer shall review the amount of the weekly loss of earning capacity benefit,

- (a) three years after loss of earning capacity benefits are first paid to a person; and
- (b) eight years after loss of earning capacity benefits are first paid to the person.

(2) Subsection (1) does not apply after the person attains sixty-five years of age.

(3) After each review, the insurer shall,

- (a) if the insurer believes there has been no material change in the ability of the person to earn the amount that is being used for the purpose of determining the person's residual earning capacity, offer to continue to pay the person a weekly loss of earning capacity benefit in the same amount as the person's current benefit; or

- (b) in any other case, offer to pay the person a weekly loss of earning capacity benefit in an amount determined under section 28 based on the insurer's estimate of the person's current residual earning capacity determined in accordance with section 30 and specified in the offer.

(4) An offer under this section shall be made in writing and shall include the particulars set out in clauses 21 (5) (b) to (d).

(5) Sections 21 to 30 apply, with necessary modifications, for the purpose of adjusting the amount of the weekly loss of earning capacity benefits payable to the person. O. Reg. 776/93, s. 33.

DETERIORATION IN IMPAIRMENT

34.—(1) A person receiving weekly loss of earning capacity benefits may require the insurer to review the amount of the benefit if the person provides the insurer with a certificate from a health practitioner stating that the person has suffered a permanent deterioration in his or her impairment as a result of the accident that makes the person unable to engage in employment in which the person could earn the gross annual income that was used to determine the person's residual earning capacity for the purpose of determining the amount of the person's weekly loss of earning capacity benefit.

(2) Subsection (1) does not apply after the person attains sixty-five years of age.

(3) Subsection (1) applies whether or not the person is engaged in the type of employment that satisfies the criteria set out in subsection 30 (2) at the time the deterioration occurs.

(4) Subsection (1) applies only if,

- (a) more than one year has elapsed since loss of earning capacity benefits were first paid to the person in respect of the accident and a review is not yet required by clause 33 (1) (a);
- (b) more than one year has elapsed since the review required by clause 33 (1) (a) and a review is not yet required by clause 33 (1) (b); or
- (c) more than one year has elapsed since the review required by clause 33 (1) (b).

(5) No review may be required under subsection (1) within one year after a previous review was made under this section.

(6) Subsections 33 (3) to (5) apply, with necessary modifications, to a review required by this section. O. Reg. 776/93, s. 34.

ADJUSTMENT AT AGE SIXTY-FIVE

35.—(1) When a person who is receiving weekly loss of earning capacity benefits under this Part attains sixty-five years of age, the amount of the weekly loss of earning capacity benefits shall be adjusted to the amount determined in accordance with the following formula:

$$A = B \times 0.02 \times C$$

where,

A = the amount to which the amount of the weekly loss of earning capacity benefits shall be adjusted,

B = the amount of the weekly loss of earning capacity benefit that the person was entitled to receive immediately before attaining sixty-five years of age, without making any deductions permitted by section 75,

C = the lesser of,

- i. 35, and
- ii. the number of years during which the person qualified for weekly income replacement benefits under Part II,

weekly education disability benefits under section 15, weekly caregiver benefits under Part IV, weekly disability benefits under Part V or weekly loss of earning capacity benefits under this Part before attaining sixty-five years of age.

(2) The amount of a weekly loss of earning capacity benefit that has been adjusted under subsection (1) shall not be less than \$185 if, during the week in respect of which the benefit is payable, the insured person is suffering a complete inability to carry on a normal life as a result of the accident. O. Reg. 776/93, s. 35.

PART VII SUPPLEMENTARY MEDICAL BENEFITS

ENTITLEMENT TO BENEFITS

36.—(1) If an insured person sustains an impairment as a result of an accident, the insurer shall pay for all reasonable expenses incurred by or on behalf of the insured person as a result of the accident for,

- (a) medical, surgical, dental, optometric, hospital, nursing, ambulance, audiometric and speech-language pathology services;
- (b) chiropractic, psychological, occupational therapy and physiotherapy services;
- (c) medication;
- (d) prescription eyewear;
- (e) dentures and other dental devices;
- (f) hearing aids, wheelchairs or other mobility devices, prostheses, orthotics and other medical devices;
- (g) transportation for the insured person to and from treatment sessions, including transportation for an aide or attendant;
- (h) other goods and services of a medical nature that the insured person requires.

(2) The insurer is not liable to pay any expense under subsection (1) for goods or services that are experimental in nature.

(3) Transportation expenses under clause (1) (g) in respect of an insured person's automobile are limited to expenses for fuel, oil, maintenance, tires and parking.

(4) Subject to subsection (5), clause 39 (11) (b) and subsection 39 (12), the insurer shall pay an expense under subsection (1) pending resolution of a dispute relating to the expense in accordance with sections 279 to 283 of the *Insurance Act*.

(5) The insurer is not liable to pay more than \$3,000 in respect of an expense under clause (1) (d), (e) or (f) pending the determination of a dispute relating to the expense in accordance with sections 279 to 283 of the *Insurance Act*. O. Reg. 776/93, s. 36.

CERTIFICATE

37.—(1) The insurer may require a person claiming payment of an expense under section 36 to furnish a certificate from the person's health practitioner stating that the expense is reasonable and is necessary for the person's treatment.

(2) In the case of an expense that is of a continuing nature, the insurer may require a certificate to be furnished under subsection (1) as often as reasonably necessary. O. Reg. 776/93, s. 37.

DESIGNATED ASSESSMENT CENTRES (MEDICAL AND REHABILITATION)

38.—(1) The Commissioner of Insurance may, for the purpose of this Part,

- (a) designate assessment centres; and
- (b) specify the types of impairments that each designated assessment centre is authorized to assess.

(2) The accident benefits advisory committee appointed under section 7 of the *Insurance Act* may, for the purpose of this Part, establish procedures, standards and guidelines that shall be used by designated assessment centres in conducting assessments. O. Reg. 776/93, s. 38.

ASSESSMENT

39.—(1) If the insurer receives a certificate under section 37 in respect of an expense, the insurer may give the insured person a notice requiring the insured person to be assessed under this section.

(2) Subsection (1) does not apply to an expense under clause 36 (1) (b) or (c) unless,

- (a) the expense was incurred more than eight weeks after the accident; or
- (b) the insurer has already paid more than \$2,000 for expenses under clauses 36 (1) (b) and (c) in respect of the insured person as a result of the accident.

(3) Subsection (1) does not apply to an expense under clause 36 (1) (d), (e) or (g).

(4) Subsection (1) does not apply to an expense under clause 36 (1) (f) if the Ministry of Health pays part of the cost of the item for which the expense was incurred.

(5) If the insurer gives a notice under subsection (1), the insurer and the insured person shall endeavour to agree on one or more people, at least one of whom shall be a health practitioner, to conduct the assessment.

(6) If the insurer and the insured person cannot agree on who shall conduct the assessment within fourteen days after the insured person received notice under subsection (1), the assessment shall be conducted by the designated assessment centre nearest to the insured person that is authorized to assess impairments of the type sustained by the insured person.

(7) If the assessment is required to be conducted by a designated assessment centre,

- (a) the insurer shall, within fifteen days, notify the designated assessment centre; and
- (b) the centre shall promptly notify the insured person and arrange for the assessment.

(8) For the purpose of the assessment,

- (a) the insured person and the insurer shall provide the person or persons who conduct the assessment with such information as is reasonably necessary; and
- (b) the insured person shall submit to such reasonable physical, psychological and mental examinations as are requested by the person or persons who conduct the assessment.

(9) After conducting the assessment, the person or persons who conducted the assessment shall prepare a report and provide a copy of the report to,

- (a) the insurer;
- (b) the insured person; and
- (c) the insured person's health practitioner.

(10) The report shall include,

- (a) a statement of whether, in the opinion of the person or persons who conducted the assessment, the expense claimed is reasonable and is necessary for the insured person's treatment; and
- (b) recommendations relating to the future provision of goods and services referred to in section 36 to the insured person.

(11) Subject to the determination of a dispute relating to the expense in accordance with sections 279 to 283 of the *Insurance Act*,

- (a) if the report of the assessment states that, in the opinion of the person or persons who conducted the assessment, an expense is reasonable and necessary for the insured person's treatment, the insurer shall pay for the expense;
- (b) if the report of the assessment does not state that, in the opinion of the person or persons who conducted the assessment, an expense is reasonable and necessary for the insured person's treatment, the insurer is not required to pay for the expense unless clause (c) applies; and
- (c) if the assessment was conducted in respect of an expense under clause 36 (1) (b) or (c) that was incurred within twelve weeks after the accident, the insurer shall pay for the expense.

(12) If the insured person fails or refuses to make himself or herself reasonably available for an assessment under this section, the insurer is not required to pay the expense until the person submits to the assessment. O. Reg. 776/93, s. 39.

PART VIII REHABILITATION BENEFITS

ENTITLEMENT TO BENEFITS

40.—(1) If an insured person sustains an impairment as a result of an accident, the insurer shall pay for reasonable measures,

- (a) to reduce or eliminate the effects of any disability resulting from the impairment; and
- (b) to facilitate the insured person's reintegration into his or her family, the labour market and the rest of society.

(2) The payments required by subsection (1) for the purpose of facilitating the insured person's reintegration into the labour market include payment for vocational rehabilitation measures that are reasonably necessary to enable the person to,

- (a) engage in an employment that is as similar as possible to employment in which he or she engaged before the accident; or
- (b) lead as normal a work life as possible.

(3) In determining what payments are required under subsection (2), regard shall be had to the insured person's personal and vocational characteristics.

(4) The payments required by subsection (1) for the purpose of facilitating the insured person's reintegration into his or her family and the rest of society include payment for social rehabilitation measures that are reasonably necessary to,

- (a) return the insured person as much as possible to the family and social situations in which he or she lived before the accident;
- (b) assist the insured person to adjust to family and social situations as a result of the accident; and
- (c) maintain the insured person's level of function within the home and family.

(5) The payments required under this section include payment of all reasonable expenses incurred by or on behalf of the insured person as a result of the accident for a purpose referred to in clause (1) (a) or (b) for.

- (a) social rehabilitation, including life skills training, family counselling, social rehabilitation counselling, financial counselling, home renovations and home devices to accommodate the needs of the insured person, vehicles, vehicle modifications to accommodate the needs of the insured person, and communications aids for the insured person's home;
- (b) vocational rehabilitation, including employment counselling, vocational assessments, vocational training, academic training, workplace modifications and workplace devices to accommodate the needs of the insured person, and communications aids for the insured person's employment;
- (c) services provided by a case manager related to the co-ordination of medical, rehabilitation and attendant care services for the insured person;
- (d) transportation for the insured person to and from counselling sessions, training sessions and assessments, including transportation for an aide or attendant;
- (e) other goods and services that the insured person requires.

(6) Transportation expenses under clause (5) (d) in respect of an insured person's automobile are limited to expenses for fuel, oil, maintenance, tires and parking.

(7) Subject to subsection (8), clause 45 (11) (b) and subsection 45 (12), the insurer shall pay an expense under subsection (5) pending resolution of a dispute relating to the expense in accordance with sections 279 to 283 of the *Insurance Act*.

(8) The insurer is not liable to pay an expense under clause (5) (c) pending resolution of a dispute relating to the expense in accordance with sections 279 to 283 of the *Insurance Act* unless the insurer agreed to the appointment of the case manager before the expense was incurred. O. Reg. 776/93, s. 40.

HOME MODIFICATIONS

41.—(1) If it is more reasonable to purchase a new home to accommodate the needs of an insured person than to renovate the insured person's existing home, the insurer shall contribute to the cost of a new home in an amount equal to the value of the renovations to the existing home that would have been required to accommodate the needs of the insured person.

(2) Expenses incurred only for the purpose of giving an insured person access to areas of his or her home that are not needed for ordinary living shall be deemed not to be reasonable expenses for the purposes of this Part. O. Reg. 776/93, s. 41.

VEHICLE MODIFICATIONS

42.—(1) If it is more reasonable to purchase a new vehicle to accommodate the needs of an insured person than to modify an existing vehicle, the insurer shall contribute to the cost of a new vehicle in an amount equal to the cost of the new vehicle, less the trade-in value of the existing vehicle.

(2) Expenses incurred to purchase or modify a vehicle to accommodate the needs of an insured person shall be deemed not to be reasonable expenses for the purposes of this Part if they are incurred within five years after the last expenses incurred for that purpose in respect of the same accident. O. Reg. 776/93, s. 42.

CERTIFICATE

43.—(1) The insurer may require a person claiming payment of an expense under section 40 to furnish one of the following certificates, as selected by the person claiming payment:

1. A certificate from the person's physician stating that the expense is reasonable and is necessary for the person's rehabilitation.

2. A certificate from the person's chiropractor or psychologist stating that the expense is reasonable and is necessary for the person's rehabilitation, if the impairment is one that the chiropractor or psychologist is authorized by law to treat.
3. A certificate from the person's physician or, if the impairment is one that a psychologist is authorized by law to treat, the person's psychologist, stating that,
 - i. a member of a health profession, other than a physician or psychologist, has expressed in writing the opinion that the expense is reasonable and is necessary for the person's rehabilitation, and
 - ii. the physician or psychologist does not disagree with the opinion.

(2) Subsection (1) does not apply to an expense under clause 40 (5) (c) or an expense for a vocational rehabilitation program referred to in subsection 76 (4).

(3) If a physician or psychologist signs a certificate under paragraph 3 of subsection (1), he or she shall attach to the certificate the written opinion of the member of the health profession.

(4) In the case of an expense that is of a continuing nature, the insurer may require a certificate to be furnished under subsection (1) as often as reasonably necessary. O. Reg. 776/93, s. 43.

DESIGNATED ASSESSMENT CENTRES (MEDICAL AND REHABILITATION)

44. The assessment centres designated for the purpose of Part VII shall be deemed to have been designated for the purpose of this Part and,

- (a) the Commissioner of Insurance may, for the purpose of this Part, specify the types of impairments that each designated assessment centre is authorized to assess; and
- (b) the accident benefits advisory committee appointed under section 7 of the *Insurance Act* may, for the purpose of this Part, establish procedures, standards and guidelines that shall be used by designated assessment centres in conducting assessments. O. Reg. 776/93, s. 44.

ASSESSMENT

45.—(1) If the insurer receives a certificate under section 43 in respect of an expense, the insurer may give the insured person a notice requiring the insured person to be assessed under this section.

(2) Subsection (1) does not apply to an expense under clause 40 (5) (c) or (d) or an expense for a vocational rehabilitation program referred to in subsection 76 (4).

(3) If the insurer gives a notice under subsection (1), the insurer and the insured person shall endeavour to agree on one or more people to conduct the assessment.

(4) If the assessment is in respect of an expense under clause 40 (5) (a) or (c), at least one of the persons agreed on to conduct the assessment shall be a health practitioner.

(5) If the assessment is in respect of an expense under clause 40 (5) (b), at least one of the persons agreed on to conduct the assessment shall be a person with expertise in vocational rehabilitation.

(6) If the assessment is in respect of an expense under clause 40 (5) (a), (b) or (e) and insurer and the insured person cannot agree on who shall conduct the assessment within fourteen days after the insured person received notice under subsection (1), the assessment shall be conducted by the designated assessment centre nearest to the insured person that is authorized to assess impairments of the type sustained by the insured person.

(7) If the assessment is required to be conducted by a designated assessment centre,

- (a) the insurer shall, within fifteen days, notify the designated assessment centre; and
- (b) the centre shall promptly notify the insured person and arrange for the assessment.

(8) For the purpose of an assessment under this section,

- (a) the insured person and the insurer shall provide the person or persons who conduct the assessment with such information as is reasonably necessary; and
- (b) the insured person shall submit to such reasonable physical, psychological and mental examinations as are requested by the person or persons who conduct the assessment.

(9) After conducting the assessment, the person or persons who conducted the assessment shall prepare a report and provide a copy of the report to,

- (a) the insurer;
- (b) the insured person; and
- (c) the insured person's health practitioner.

(10) The report shall include,

- (a) a statement of whether, in the opinion of the person or persons who conducted the assessment, the expense claimed is reasonable and is necessary for the insured person's rehabilitation; and
- (b) recommendations relating to the future provision of goods and services referred to in section 40 to the insured person.

(11) Subject to the determination of a dispute relating to the expense in accordance with sections 279 to 283 of the *Insurance Act*,

- (a) if the report of the assessment states that, in the opinion of the person or persons who conducted the assessment, an expense is reasonable and necessary for the insured person's treatment, the insurer shall pay for the expense; and
- (b) if the report of the assessment does not state that, in the opinion of the person or persons who conducted the assessment, an expense is reasonable and necessary for the insured person's treatment, the insurer is not required to pay for the expense.

(12) If the insured person fails or refuses to make himself or herself reasonably available for an assessment under this section, the insurer is not required to pay the expense until the person submits to the assessment. O. Reg. 776/93, s. 45.

PART IX MAXIMUM LIMIT ON SUPPLEMENTARY MEDICAL BENEFITS AND REHABILITATION BENEFITS

46.—(1) The total of all benefits paid under Parts VII and VIII in respect of an insured person shall not exceed \$1,000,000 in respect of any one accident.

(2) The maximum limit applicable under subsection (1) shall be the maximum limit that was in effect on the date of the accident, even if the maximum limit has been revised under section 80. O. Reg. 776/93, s. 46.

PART X ATTENDANT CARE BENEFITS

ENTITLEMENT TO BENEFITS

47.—(1) If an insured person sustains an impairment as a result of an

accident, the insurer shall pay for all reasonable expenses incurred by or on behalf of the insured person as a result of the accident for,

- (a) services provided by an aide or attendant; or
- (b) services provided by a long-term care facility, including a nursing home, home for the aged or chronic care hospital.

(2) For the purposes of clause (1) (a), an aide or attendant may be any person who is capable of providing the services, including a family member of the insured person, even if the aide or attendant does not possess any special qualifications.

(3) Subsection (1) does not apply to expenses for which payment may be obtained under clause 36 (1) (g) or 40 (5) (d).

(4) Subject to subsections (5) to (7), the maximum amount payable under this section in respect of an insured person is \$3,000 per month.

(5) If, as a result of the accident, the insured person suffers cervical spinal cord injuries, severe brain injuries or an upper bilateral amputation or other injuries that cause the total loss of use of both hands or arms, the maximum amount payable under this section in respect of the insured person is \$6,000 per month.

(6) If, as a result of the accident, the insured person suffers injuries mentioned in subsection (5) and another injury that by itself would have required services referred to in subsection (1), the maximum amount payable under this section in respect of the insured person is \$10,000 per month.

(7) If, as a result of the accident, the insured person suffers severe brain injuries that cause violent behaviour that may result in physical harm to the insured person or other persons, the maximum amount payable under this section in respect of the insured person is \$10,000 per month.

(8) For the purposes of this section, brain injuries are severe brain injuries only if, within a reasonable period after the accident, the person scored or would have scored nine points or less on the Glasgow Coma Scale as published in *Management of Head Injuries*, Contemporary Neurology series, Volume 20, (F.A. Davis Company, 1981). O. Reg. 776/93, s. 47.

CERTIFICATE

48.—(1) The insurer may require a person claiming payment of an expense under section 47 to furnish a certificate from a member of a health profession who is authorized by law to treat the person's impairment stating that the expense is reasonable and is necessary for the person's care.

(2) In the case of an expense that is of a continuing nature, the insurer may require a certificate to be furnished under subsection (1) as often as reasonably necessary. O. Reg. 776/93, s. 48.

DESIGNATED ASSESSMENT CENTRES (ATTENDANT CARE)

49.—(1) The Commissioner of Insurance may, for the purpose of this Part,

- (a) designate assessment centres; and
- (b) specify the types of impairments that each designated assessment centre is authorized to assess.

(2) The accident benefits advisory committee appointed under section 7 of the *Insurance Act* may, for the purpose of this Part, establish procedures, standards and guidelines that shall be used by designated assessment centres in conducting assessments. O. Reg. 776/93, s. 49.

ASSESSMENT

50.—(1) The insured person may, by written notice to the insurer, elect to be assessed under this section.

(2) The insurer may give the insured person notice requiring the insured person to be assessed under this section.

(3) If more than two years have elapsed since the date of the accident, an insured person shall not be assessed under this section within twelve months of the last assessment under this section.

(4) If the insured person gives a notice under subsection (1) or the insurer gives a notice under subsection (2), the insurer and the insured person shall endeavour to agree on one or more people to conduct the assessment.

(5) If the insurer and the insured person cannot agree on who shall conduct the assessment within fourteen days after the insurer or insured person received notice under subsection (1) or (2), the assessment shall be conducted by the designated assessment centre nearest to the insured person that is authorized to assess impairments of the type sustained by the insured person.

(6) If the assessment is required to be conducted by a designated assessment centre,

(a) the insurer shall, within fifteen days, notify the designated assessment centre; and

(b) the centre shall promptly notify the insured person and arrange for the assessment.

(7) For the purpose of the assessment,

(a) the insured person and the insurer shall provide the person or persons who conduct the assessment with such information as is reasonably necessary; and

(b) the insured person shall submit to such reasonable physical, psychological and mental examinations as are requested by the person or persons who conduct the assessment.

(8) After conducting the assessment, the person or persons who conducted the assessment shall prepare a report in Form 1 and provide a copy of the report to,

(a) the insurer;

(b) the insured person; and

(c) the insured person's health practitioner.

(9) The report shall include,

(a) recommendations relating to the future provision of services referred to in section 47 to the insured person; and

(b) a determination of the amount to be paid by the insurer for the future provision of services referred to in section 47 to the insured person.

(10) The determination under clause (9) (b) shall be made in accordance with Form 1 and shall be based on the following hourly rates for services:

1. For skilled attendant care, \$14 per hour.

2. For personal attendant care, \$8.75 per hour.

3. For basic/supervisory attendant care, the minimum hourly wage established by paragraph 4 of subsection 10 (1) of Regulation 325 of the Revised Regulations of Ontario, 1990.

(11) In subsection (10), "skilled attendant care", "personal attendant care" and "basic/supervisory attendant care" have the same meanings that those expressions have in Form 1.

(12) Subject to the determination of a dispute relating to the amount to be paid by the insurer for the provision of services referred to in

section 47 to the insured person in accordance with sections 279 to 283 of the *Insurance Act*, a determination under clause (9) (b) is binding on the insured person and the insurer.

(13) If the insured person fails or refuses to make himself or herself reasonably available for an assessment under this section, the insurer is not required to pay the expense until the person submits to the assessment. O. Reg. 776/93, s. 50.

PART XI DEATH BENEFITS

51.—(1) If an insured person dies as a result of an accident, the insured person is survived by a spouse who was his or her spouse at the time of the accident and,

(a) the insured person met any of the qualifications set out in subsection 7 (1), the insurer shall pay the spouse an amount equal to the insured person's net weekly income from employment determined in accordance with section 81 or 82 multiplied by 187.2;

(b) the insured person did not meet any of the qualifications set out in subsection 7 (1), the insurer shall pay the spouse \$50,000.

(2) If an insured person dies as a result of an accident, the insured person is survived by one or more dependants who were dependants at the time of the accident and no benefit is payable to a spouse under subsection (1), the insurer shall pay the dependants an amount equal to the amount that would be payable to the spouse under subsection (1) if the insured person had a spouse who was entitled to payment under that subsection.

(3) If the insured person met any of the qualifications set out in subsection 7 (1),

(a) the insured person's gross annual income shall be deemed for the purpose of subsections (1) and (2) to be the gross annual income that would have been used to determine the amount of the insured person's weekly income replacement benefits under Part II had the insured person survived and been entitled to those benefits; and

(b) the insured person shall be deemed for the purpose of subsections (1) and (2) to have made the designations and elections referred to in subsections 7 (2) and (4) and section 9 that would result in the highest possible benefit under subsection (1) or (2) for the insured person's spouse or dependants.

(4) If an insured person dies as a result of an accident, the insurer shall pay, in addition to any benefit payable under subsection (1) or (2),

(a) \$10,000 to each person who was a dependant of the insured person at the time of the accident; and

(b) \$10,000 to each former spouse of the insured person to whom the insured person was obligated at the time of the accident to provide support under a domestic contract or court order.

(5) If an insured person dies as a result of an accident and, at the time of the accident, the insured person was a dependant, the insurer shall pay \$10,000,

(a) to the person upon whom the insured person was dependent or, if that person is dead or dies within thirty days of the insured person's death, to the surviving spouse of that person if the surviving spouse was the insured person's primary caregiver; or

(b) to the surviving dependants of the person upon whom the insured person was dependent, if that person is dead and no payment is required by clause (a).

(6) Benefits are payable under subsections (1) to (5) only if the insured person dies within,

- (a) 180 days from the day of the accident unless clause (b) applies; or
- (b) 156 weeks from the day of the accident if during that period there has been continuous disability as a result of the accident.

(7) If at the time of the accident the insured person had more than one person entitled to claim as his or her spouse, the payment under subsection (1) shall be divided equally between or among such persons who survive the insured person and who at the time of the death were still spouses of the insured person.

(8) The payment under subsection (1) or (2) shall not be less than \$50,000 and shall not be more than \$200,000.

(9) Payments under subsection (2) or clause (5) (b) shall be paid in equal shares to the surviving dependants.

(10) No amount is payable to a person under this section if the person dies within thirty days of the insured person's death.

(11) The amount of a payment under this section shall be determined as of the date of the insured person's death, even if the amount has been revised under section 80.

(12) A person who conducts an autopsy of the dead person shall provide a copy of his or her report to the insurer and to the person claiming a benefit under this Regulation. O. Reg. 776/93, s. 51.

PART XII FUNERAL BENEFITS

52.—(1) The insurer shall pay the funeral expenses incurred in respect of an insured person who dies as a result of an accident.

(2) The maximum amount payable under this section in respect of an insured person is \$6,000.

(3) The maximum amount applicable under subsection (2) shall be the maximum amount that was in effect on the date of the funeral, even if the maximum amount has been revised under section 80. O. Reg. 776/93, s. 52.

PART XIII COMPENSATION FOR OTHER PECUNIARY LOSSES

EXPENSES OF VISITORS

53.—(1) If an insured person sustains an impairment as a result of an accident, each of the individuals described in subsection (2) is entitled to an allowance that is reasonable having regard to all of the circumstances for expenses actually incurred in visiting the insured person during his or her treatment or recovery.

(2) The individuals referred to in subsection (1) are,

- (a) the spouse, children, grandchildren, parents, grandparents, brothers and sisters of the insured person;
- (b) an individual who was living with the insured person at the time of the accident;
- (c) an individual who has demonstrated a settled intention to treat the insured person as a child of the individual's family; and
- (d) an individual whom the insured person has demonstrated a settled intention to treat as a child of the insured person's family. O. Reg. 776/93, s. 53.

DEPENDANT CARE EXPENSES

54.—(1) If an insured person sustains an impairment as a result of an accident, the insurer shall pay for additional expenses reasonably incurred by or on behalf of the insured person in caring for the insured person's dependants as a result of the accident.

(2) Subsection (1) applies only in respect of an insured person who was employed at the time of the accident and who is not receiving weekly caregiver benefits under Part IV.

(3) No benefit is payable under this section after the insured person dies.

(4) Subject to subsection (5), the amount payable under subsection (1) shall not exceed \$75 per week for the first dependant and \$25 per week for each additional dependant.

(5) The total amount payable under this section shall not exceed \$150 per week. O. Reg. 776/93, s. 54.

HOUSEKEEPING AND HOME MAINTENANCE EXPENSES

55. If an insured person sustains an impairment as a result of an accident, the insurer shall pay for additional expenses reasonably incurred by or on behalf of the insured person as a result of the accident for housekeeping and home maintenance services. O. Reg. 776/93, s. 55.

DAMAGE TO CLOTHING, GLASSES, HEARING AIDS, ETC.

56. The insurer shall pay for all reasonable expenses incurred by or on behalf of an insured person in repairing or replacing,

- (a) clothing worn by the insured person at the time of an accident; or
- (b) prescription eyewear, dentures, hearing aids, prostheses, other medical or dental devices, and other personal items belonging to the insured person that are lost or damaged in an accident. O. Reg. 776/93, s. 56.

COST OF EXAMINATIONS

57.—(1) The insurer shall pay for all reasonable expenses incurred by or on behalf of an insured person in obtaining and attending an examination or assessment for the purpose of this Regulation or in obtaining a certificate or report for the purpose of this Regulation, including,

- (a) fees charged by a person who conducts an examination or assessment or provides a certificate or report; and
- (b) transportation expenses incurred in attending an examination, including transportation expenses for an aide or attendant.

(2) Transportation expenses under clause (1) (b) in respect of an insured person's automobile are limited to expenses for fuel, oil, maintenance, tires and parking. O. Reg. 776/93, s. 57.

PART XIV EXCLUSIONS

58.—(1) The insurer is not required to pay income replacement benefits under Part II, education disability benefits under Part III, disability benefits under Part V or loss of earning capacity benefits under Part VI in respect of a person who was the driver of an automobile at the time of the accident,

- (a) if, as a result of the accident, the driver is convicted of operating the automobile while his or her ability to operate it was impaired by alcohol or a drug, or of driving while his or her blood alcohol level exceeded the limits permitted by law or of an indictable offence related to the operation of the automobile;
- (b) if, as a result of the accident, the driver is asked to provide a breath sample and he or she is convicted for failure to provide the sample;
- (c) if, as a result of the accident, the driver is convicted of operating the automobile while it was not insured under a motor vehicle liability policy;

- (d) if the driver was not authorized by law to drive the automobile;
 - (e) if the driver is an excluded driver under the contract of automobile insurance; or
 - (f) if the driver knew or ought reasonably to have known that he or she was operating the automobile without the owner's consent.
- (2) Clause (1) (d) does not apply to a driver who is not authorized by law to drive an automobile only by reason of a suspension of a licence for failure to pay a fine.
- (3) The insurer is not required to pay income replacement benefits under Part II, education disability benefits under Part III, disability benefits under Part V or loss of earning capacity benefits under Part VI,
- (a) in respect of any person who has made, or who knows of, a material misrepresentation that induced the insurer to enter into the contract of automobile insurance or who intentionally failed to notify the insurer of a change in the risk material to the contract; or
 - (b) in respect of an occupant of an automobile at the time of the accident who knew or ought reasonably to have known that the driver was operating the automobile without the owner's consent.
- (4) Clause (3) (b) does not prevent an excluded driver or any other occupant of an automobile driven by the excluded driver from recovering statutory accident benefits under a motor vehicle liability policy in respect of which the excluded driver or other occupant is a named insured. O. Reg. 776/93, s. 58.

PART XV PROCEDURE

NOTICE AND APPLICATION FOR BENEFITS

- 59.—(1) A person who wants to apply for benefits under this Regulation shall notify the insurer within thirty days after the circumstances arose that gave rise to the entitlement to benefits, or as soon as practicable thereafter.
- (2) The insurer shall promptly provide the person with,
- (a) the appropriate application forms;
 - (b) a written explanation of the benefits available under this Regulation; and
 - (c) written information to assist the person in applying for benefits, including information to assist the person in making any possible elections.
- (3) The person shall submit an application for the benefits to the insurer within ninety days of receiving the application forms.
- (4) A failure to comply with a time limit set out in subsection (1) or (3) does not disentitle a person to benefits if the person has a reasonable excuse. O. Reg. 776/93, s. 59.

INITIAL CERTIFICATE FOR WEEKLY BENEFITS

60. An insurer may require a person who has applied for weekly benefits under Part II, section 15, Part IV or Part V to furnish a certificate from a health practitioner of the insured person's choice as to the cause and nature of the impairment in respect of which the application is made, an estimate of the duration of the disability caused by the accident and a treatment plan. O. Reg. 776/93, s. 60.

ELECTION OF WEEKLY BENEFITS

- 61.—(1) No more than one weekly benefit shall be paid to an insured person under this Regulation for the same period of time.
- (2) If it appears from an application for benefits under this Regulation

that, in the absence of subsection (1), a person would be entitled to receive more than one weekly benefit under Part II, section 15 and Part IV, the insurer shall notify the person that the person must, within thirty days of receiving the notice, elect which weekly benefit he or she wishes to receive.

(3) Within thirty days of receiving the notice, the person shall elect which weekly benefit he or she wishes to receive.

(4) Pending receipt of the person's election, the insurer shall pay one of the weekly benefits to which the person is entitled and, when the insurer receives the election, the insurer shall adjust the amount of the weekly payments retroactively to the date the person became entitled to the weekly benefits that the person has elected.

(5) If the person does not elect which benefit he or she wishes to receive within the thirty-day period referred to in subsection (3), the person shall be deemed to have elected the highest weekly benefit.

(6) If a person ceases to receive weekly caregiver benefits under Part IV because there is no longer anyone who meets the qualifications set out in subsection 18 (5) and the person meets the qualifications set out in paragraph 5 of subsection 7 (1), the insured person is entitled to elect to receive weekly income replacement benefits under Part II and the insurer shall notify the person of that entitlement.

(7) Subject to subsection (6), an election under this section may not be changed. O. Reg. 776/93, s. 61.

PAYMENT OF WEEKLY BENEFITS

62.—(1) An insurer shall mail or deliver a weekly benefit that is payable under Part II, section 15, Part IV or Part V to the insured person within fourteen days after the insurer receives an application for the benefit.

(2) The insurer shall mail or deliver weekly benefits under Part II, section 15 or Part IV, V or VI to the insured person at least once every second week while the insured person remains entitled to receive the benefits.

(3) Subsection (2) does not apply if the insurer prepays benefits owing.

(4) An amount payable under Part II, section 15 or Part IV, V or VI is overdue if the insurer fails to comply with subsection (1) or (2).

(5) Despite subsection (4), a payment is not overdue if the insurer required that a certificate be furnished under section 60 in respect of the payment and more than six weeks have elapsed without the certificate being furnished.

(6) If subsection (5) applies and the certificate is later furnished, the payment becomes overdue if the amount payable is not mailed or otherwise delivered by the insurer within fourteen days after it received the certificate.

(7) When a weekly benefit is first paid under Part II, section 15, Part IV or Part V or the amount of the weekly benefit is changed, the insurer shall provide the insured person with a written explanation of how the amount of the weekly benefit was determined.

(8) If the insurer refuses to pay weekly benefits under Part II, section 15, Part IV or Part V, it shall give the insured person notice of the reasons for the refusal. O. Reg. 776/93, s. 62.

DESIGNATED ASSESSMENT CENTRES (DISABILITY)

63.—(1) The Commissioner of Insurance may, for the purpose of this Part,

- (a) designate assessment centres; and
- (b) specify the types of impairments that each designated assessment centre is authorized to assess.

(2) The accident benefits advisory committee appointed under section 7 of the *Insurance Act* may, for the purpose of this Part, establish procedures, standards and guidelines that shall be used by designated assessment centres in conducting assessments. O. Reg. 776/93, s. 63.

STOPPAGE IN WEEKLY BENEFITS

64.—(1) An insurer shall not stop payment of weekly benefits under Part II, section 15, Part IV or Part V on the ground that the insured person no longer suffers from the disability in respect of which the benefits are paid, except in accordance with this section.

(2) An insurer may, as often as reasonably necessary, give an insured person a notice requiring the person to provide the insurer with a certificate from a health practitioner of the insured person's choice stating that the insured person continues to suffer from the disability in respect of which weekly benefits are paid under Part II, section 15, Part IV or Part V.

(3) The insurer may stop payment of the weekly benefits thirty days after the insured person receives the notice unless, before that date, the insured person provides the insurer with a certificate from a health practitioner of the insured person's choice stating that the insured person continues to suffer from the disability in respect of which the benefits are paid and the notice referred to in subsection (2) shall inform the insured of this information.

(4) If an insurer stops payment under subsection (3) and the insured person subsequently provides the insurer with a certificate from a health practitioner stating that the insured person continues to suffer from the disability in respect of which the benefits were paid, the insurer shall,

- (a) resume payment of the benefits; and
- (b) pay any benefits that were not paid.

(5) If the insured person provides the insurer with a certificate under subsection (3) or (4), the insurer may, on notice to the insured person, require the insured person to be examined by,

- (a) a health practitioner of the insurer's choice; or
- (b) a person selected in accordance with subsections (11) and (12).

(6) An examination under clause (5) (a) by a health practitioner of the insurer's choice shall be scheduled by the insurer and, for that purpose, the insurer shall make reasonable efforts to schedule the examination for a time that is convenient for the insured person and shall provide the insured person with reasonable notice of the examination.

(7) The health practitioner who conducts an examination under clause (5) (a) shall prepare a report and provide a copy of the report to the insurer and to the insured person.

(8) If a report under subsection (7) states that the insured person is no longer suffering from the disability in respect of which the benefits are paid, the insurer may give the insured person notice that the insurer will stop paying the benefits on a date specified in the notice and the notice shall provide the information contained in subsections (9) to (12).

(9) The insurer may stop payment of the weekly benefits on or after the date specified in the notice unless the insured person gives the insurer written notice that he or she wishes to be examined by a person selected in accordance with subsections (11) and (12).

(10) Despite subsection (9), the insurer shall not stop payment earlier than fourteen days after the insured person received the notice under subsection (8).

(11) If the insurer gives a notice under clause (5) (b) or the insured person gives a notice under subsection (9), the insurer and the insured person shall endeavour to agree on a health practitioner to conduct the examination.

(12) If the insurer and the insured person cannot agree on a health

practitioner to conduct the examination within fourteen days after the insured person received notice from the insurer under clause (5) (b) or within fourteen days after the insurer received notice from the insured person under subsection (9), the examination shall be conducted by the designated assessment centre nearest to the insured person that is authorized to assess impairments of the type sustained by the insured person.

(13) If the examination is required to be conducted by a designated assessment centre,

- (a) the insurer shall, within fifteen days, notify the designated assessment centre; and
- (b) the centre shall promptly notify the insured person and arrange for the examination.

(14) For the purpose of the examination,

- (a) the insured person and the insurer shall provide the person or persons who conduct the examination with such information as is reasonably necessary; and
- (b) the insured person shall submit to such reasonable physical, psychological and mental examinations as are requested by the person or persons who conduct the examination.

(15) After conducting the examination, the person or persons who conducted the examination shall prepare a report and provide a copy of the report to the insurer and to the insured person.

(16) If the report states that the insured person is no longer suffering from the disability in respect of which the weekly benefits are paid, the insurer may stop paying the benefits.

(17) If the report states that the insured person continues to suffer from the disability in respect of which the weekly benefits are paid, the insurer may dispute the obligation to pay the benefits in accordance with sections 279 to 283 of the *Insurance Act* and, pending resolution of the dispute, the insurer shall pay the benefits.

(18) Nothing in this section prevents an insured person from disputing a stoppage in the payment of weekly benefits in accordance with sections 279 to 283 of the *Insurance Act* and, if it is finally determined that payment of the benefits should not have been stopped, the insurer shall,

- (a) resume payment of the benefits; and
- (b) pay any benefits that were not paid.

(19) If the insured person fails or refuses to submit to an examination under subsection (5) or (9), the insurer may withhold payment of the weekly benefits until the person submits to the examination and, when the person submits to the examination, the insurer shall,

- (a) resume payment of the benefits; and
- (b) pay any benefits that were not paid. O. Reg. 776/93, s. 64.

INSURER EXAMINATION FOR SUPPLEMENTARY MEDICAL BENEFITS, REHABILITATION BENEFITS OR ATTENDANT CARE BENEFITS

65.—(1) An insurer may, for the purposes of Part VII, VIII or X and as often as reasonably necessary, give an insured person notice requiring the person to be examined by one or more persons specified by the insurer, each of whom is a member of a health profession or a person with expertise in vocational rehabilitation.

(2) An examination under subsection (1) shall be scheduled by the insurer and, for that purpose, the insurer shall make reasonable efforts to schedule the examination for a time that is convenient for the insured person and shall provide the insured person with reasonable notice of the examination.

(3) The person or persons who conduct the examination shall prepare

a report and provide a copy of the report to the insurer and to the insured person.

(4) A notice referred to in subsection (1) shall state the expense to which the examination relates.

(5) If the insured person fails or refuses to make himself or herself reasonably available for an examination under subsection (1), the insurer is not required to pay for the expense set out in the notice under subsection (1) until the person submits to the examination. O. Reg. 776/93, s. 65.

PAYMENT OF SUPPLEMENTARY MEDICAL BENEFITS, REHABILITATION BENEFITS AND ATTENDANT CARE BENEFITS

66.—(1) Subject to subsection 65 (5), an insurer shall mail or deliver a benefit that is payable under Part VII, VIII or X to the person entitled within fourteen days after the insurer receives an application for the benefit.

(2) An amount payable under Part VII, VIII or X is overdue if the insurer fails to comply with subsection (1).

(3) If, before payment becomes overdue under subsection (2), the insurer requires that a certificate be furnished under subsection 37 (1), 43 (1) or 48 (1) in respect of the benefit,

- (a) subsections (1) and (2) do not apply;
- (b) the insurer shall mail or deliver the benefit to the person entitled within fourteen days after the insurer receives the certificate; and
- (c) the amount payable becomes overdue if the insurer fails to comply with clause (b).

(4) If, before payment becomes overdue under clause (3) (b) in respect of an expense under clause 36 (1) (a), (b) or (c) for services or medication received outside Canada on an elective basis, or an expense under clause 36 (1) (f) for an item for which the Ministry of Health is not paying part of the cost, or an expense under clause 36 (1) (h), the insurer requires that an assessment be conducted under section 39,

- (a) subsections (1), (2) and (3) do not apply;
- (b) the insurer shall mail or deliver the payment of the expense to the person entitled within fourteen days after the insurer receives a report under section 39 stating that, in the opinion of the person or persons who conducted the assessment, the expense is reasonable and is necessary for the insured person's treatment; and
- (c) the amount payable becomes overdue if the insurer fails to comply with clause (b).

(5) If, before payment becomes overdue under clause (3) (b) in respect of an expense under section 40, the insurer requires that an assessment be conducted under section 45,

- (a) subsections (1), (2) and (3) do not apply;
- (b) the insurer shall mail or deliver the payment of the expense to the person entitled within fourteen days after the insurer receives a report under section 45 stating that, in the opinion of the person or persons who conducted the assessment, the expense is reasonable and is necessary for the insured person's rehabilitation; and
- (c) the amount payable becomes overdue if the insurer fails to comply with clause (b).

(6) When a benefit is paid under Part VII, VIII or X, the insurer shall provide the insured person with a written explanation of how the amount of the benefit was determined.

(7) If the insurer refuses to pay a benefit under Part VII, VIII or X, it

shall give the insured person notice of the reasons for the refusal. O. Reg. 776/93, s. 66.

PAYMENT OF OTHER BENEFITS

67.—(1) An insurer shall mail or deliver a benefit that is payable under section 16 or Part XI, XII or XIII to the person entitled within thirty days after the insurer receives an application for the benefit.

(2) An amount payable under section 16 or Part XI, XII or XIII is overdue if the insurer fails to comply with subsection (1).

(3) When a benefit is paid under section 16 or Part XI, XII or XIII, the insurer shall provide the insured person with a written explanation of how the amount of the benefit was determined.

(4) If the insurer refuses to pay a benefit under section 16 or Part XI, XII or XIII, it shall give the insured person notice of the reasons for the refusal. O. Reg. 776/93, s. 67.

INTEREST ON OVERDUE PAYMENTS

68. If payment of a benefit under this Regulation is overdue, the insurer shall pay interest on the overdue amount for each day the amount is overdue from the date the amount became overdue at the rate of 2 per cent per month compounded monthly. O. Reg. 776/93, s. 68.

PRIOR APPROVAL OF EXPENSES

69.—(1) A person may, before an expense referred to in Part VII, VIII, X or XIII is incurred, request the insurer to,

- (a) confirm in advance that it will pay for the expense; or
- (b) authorize the person to have the expense billed directly to the insurer, subject to reasonable conditions established by the insurer.

(2) The insurer may refuse the request only if there are reasonable grounds to believe that the expense is one for which the insurer would not be required to pay.

(3) The insurer shall respond to the request,

- (a) within fourteen days after the person who made the request supplies the insurer with the information reasonably required to determine whether the expense is one for which the insurer would be required to pay, in the case of an expense claimed under Part VII, VIII or X; and
- (b) within thirty days after the person who made the request supplies the insurer with the information reasonably required to determine whether the expense is one for which the insurer would be required to pay, in the case of an expense claimed under Part XIII.

(4) If the insurer refuses the request, it shall give the person who made the request notice of the reasons for the refusal. O. Reg. 776/93, s. 69.

REPAYMENTS TO INSURER

70.—(1) A person shall repay to the insurer any benefit received under this Regulation that is paid to the person through error, wilful misrepresentation or fraud.

(2) The obligation to repay a benefit received under this Regulation that was paid to a person through error does not apply unless notice is given under subsection (5) within twelve months after the payment was made to the person.

(3) A person shall repay to the insurer any benefit received under Part II, III, V or VI that is paid to him or her if the person or the person in respect of whom the payment was made was disqualified from payment under Part XIV.

(4) A person shall repay to the insurer any benefit received under Parts II to VI to the extent of any payments received by the person that are deductible from those benefits under this Regulation.

(5) If a person is required to repay an amount to an insurer under this section, the insurer,

- (a) shall give the person notice of the amount that is required to be repaid; and
- (b) if the person is receiving weekly benefits under this Regulation, may give the person notice that the insurer intends to collect the repayment by deducting up to 20 per cent of the amount of the weekly benefit from each payment of the weekly benefit.

(6) An insurer that has given the notice referred to in clause (5) (b) may collect the repayment by deducting up to 20 per cent of the amount of the weekly benefit from each payment of the weekly benefit.

(7) The insurer may charge interest on an amount repayable under this section from the fifteenth day after notice is given under subsection (5) at the bank rate in effect on that day.

(8) In subsection (7), "bank rate" means the bank rate established by the Bank of Canada as the minimum rate at which the Bank of Canada makes short term advances to the banks listed in Schedule I to the *Bank Act* (Canada). O. Reg. 776/93, s. 70.

RIGHT TO DISPUTE

71. If an insurer refuses to pay a benefit that a person has applied for under this Regulation or reduces the amount of a benefit that a person received under this Regulation, the insurer shall inform the person in writing of the procedure for resolving disputes relating to benefits under sections 279 to 283 of the *Insurance Act*. O. Reg. 776/93, s. 71.

TIME LIMIT FOR PROCEEDINGS

72.—(1) A mediation proceeding under section 280 of the *Insurance Act* or an arbitration or court proceeding under section 281 of the Act in respect of a benefit under this Regulation shall be commenced within two years from the insurer's refusal to pay the amount claimed or, if the person has engaged in an employment as permitted by section 14 or has returned to elementary, secondary or post-secondary education as permitted by section 17, within two years of the insurer's refusal to pay further benefits.

(2) Despite subsection (1), an arbitration or court proceeding under section 281 of the *Insurance Act* may be commenced within ninety days after the mediator reports to the parties under subsection 280 (8) of the Act. O. Reg. 776/93, s. 72.

PART XVI RESPONSIBILITY TO OBTAIN TREATMENT AND PARTICIPATE IN REHABILITATION

73.—(1) A person entitled to weekly income replacement benefits under Part II, weekly education disability benefits under section 15, weekly caregiver benefits under Part IV or weekly disability benefits under Part V shall obtain such treatment and participate in such rehabilitation as is reasonable, available and necessary to,

- (a) permit the person to engage in an employment that satisfies the criteria set out in subsection 30 (2), in the case of a person entitled to weekly income replacement benefits under Part II; or
- (b) shorten the period during which the weekly benefits are payable, in any other case.

(2) Subsection (1) does not apply if compliance with subsection (1) would be detrimental to the person's treatment or recovery.

(3) If a person refuses to comply with subsection (1), the insurer may notify the person that the insurer intends to reduce the amount of the

weekly benefit in accordance with subsection (4) and the notice shall provide the information contained in subsections (4) and (5).

(4) If at least thirty days have elapsed after giving the notice and the person is still refusing to comply with subsection (1), the insurer may, subject to subsection (5), reduce the amount of the weekly benefit by 50 per cent.

(5) If, within thirty days after the notice is given, the person disputes the reduction in accordance with sections 279 to 283 of the *Insurance Act* and provides the insurer with a certificate from a physician or other member of a health profession stating that the person is complying with subsection (1) or that compliance with subsection (1) would be detrimental to the person's treatment or recovery, the insurer shall continue to pay the weekly benefit without any reduction until the dispute is resolved.

(6) Subsection (5) does not apply if an assessment under section 39 or 45 made recommendations that have not yet been implemented unless the certificate under subsection (5) states that the person is complying with subsection (1).

(7) Subsections (3) and (4) do not apply if the insurer is making a deduction under subsection 13 (4). O. Reg. 776/93, s. 73.

PART XVII INTERACTION WITH OTHER SYSTEMS

SOCIAL ASSISTANCE PAYMENTS

74.—(1) The insurer shall pay benefits under this Regulation even though the insured person is entitled to, or has received, benefits under an Act administered by the Ministry of Community and Social Services for Ontario or under similar legislation in another jurisdiction.

(2) For the purpose of subsection (1), a service, benefit or entitlement provided under an Act, the administration of which was transferred from the Ministry of Community and Social Services to the Ministry of Health by Order-in-Council, shall be deemed to be provided under an Act administered by the Ministry of Community and Social Services for Ontario so long as the nature of the service, benefit or entitlement remains substantially the same as it was before the transfer. O. Reg. 776/93, s. 74.

COLLATERAL BENEFITS

75.—(1) The insurer may deduct the following amounts from the amount of the weekly income replacement benefits payable to an insured person under Part II or the amount of the weekly loss of earning capacity benefits payable to an insured person under Part VI:

1. Net payments for loss of income that have been received by the insured person as a result of the accident under the laws of any jurisdiction or under any income continuation plan.
2. Net payments for loss of income that have not been received by the insured person but are available to the insured person as a result of the accident under the laws of any jurisdiction or under any income continuation plan, unless the insured person has applied to receive the payments for loss of income.

(2) Despite subsection (1), no deduction shall be made for,

- (a) unemployment insurance benefits that have been received by or are available to the insured person;
- (b) payments under a sick leave plan that have not been received by the insured person but are available to the insured person; or
- (c) payments under a workers' compensation law or plan that have not been received by the insured person and to which the insured person is not entitled because the insured person has elected under the workers' compensation law or plan to bring an action.

(3) Subsection (1) does not apply to,

- (a) weekly income replacement benefits paid to a person to whom subsection 12 (2) applies; or
 - (b) weekly loss of earning capacity benefits that have been adjusted under subsection 35 (1).
- (4) The insurer may deduct the following amounts from any weekly income replacement benefits payable to an insured person under Part II, any weekly education disability benefits payable to an insured person under section 15, any weekly caregiver benefits payable to an insured person under Part IV or any weekly disability benefits payable to an insured person under Part V:

1. Any temporary disability benefits being received by the insured person in respect of a period following the accident and in respect of an impairment that occurred before the accident.
 2. Any other periodic benefit being received by the insured person in respect of a period following the accident and in respect of an impairment that occurred before the accident, if the insured person was receiving the other periodic benefit at the time he or she first qualified for the weekly income replacement benefits under Part II, weekly education disability benefits under section 15, weekly caregiver benefits under Part IV or weekly disability benefits under Part V, and, at that time, the other periodic benefit was a temporary disability benefit.
- (5) Subsection (4) does not apply to weekly income replacement benefits paid to a person to whom subsection 12 (2) applies.
- (6) The insurer may deduct the following amounts from the amount of the weekly supplement payable to a person under section 32:

1. Net payments for loss of income that have been received by the insured person as a result of the accident under the laws of any jurisdiction or under any income continuation plan in respect of the employment in which the person is unable to engage during the temporary period, except to the extent that the net payments for loss of income have been deducted under subsection (1) from the amount of the weekly loss of earning capacity benefits payable to the insured person.
 2. Net payments for loss of income that have not been received by the insured person but are available to the insured person as a result of the accident under the laws of any jurisdiction or under any income continuation plan in respect of the employment in which the person is unable to engage during the temporary period, unless the insured person has applied to receive the payments for loss of income, except to the extent that the net payments for loss of income have been deducted under subsection (1) from the amount of the weekly loss of earning capacity benefits payable to the insured person.
- (7) Despite subsection (6), no deduction shall be made for,
- (a) unemployment insurance benefits that have been received by or are available to the insured person; or
 - (b) payments under a sick leave plan that have not been received by the insured person but are available to the insured person.
- (8) For the purpose of this section, net payments for loss of income shall be determined by subtracting from the gross amount of payments for loss of income the income tax payable by the person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) on the gross amount of payments for loss of income.
- (9) Despite subsection (8), an insurer may elect that all determinations required by this section of net payments for loss of income be made in accordance with the publication of the Ontario Insurance Commission dated November 25, 1993 and entitled "Net Payments for Loss of Income (Collateral Benefits) Table".
- (10) Subject to subsection (11), an election under subsection (9) applies to all persons in respect of whom determinations of net payments for loss of income are required by this section.

(11) An election under subsection (9) does not apply to a determination of net payments for loss of income if the gross payments for loss of income exceed \$1,850 per week.

(12) An election under subsection (9) may be revoked.

(13) No payment is required for that portion of an expense referred to in Part VII, VIII, X or XIII that is reasonably available in respect of the insured person under any insurance plan or law or under any other plan or law. O. Reg. 776/93, s. 75.

WORKERS' COMPENSATION BENEFITS

76.—(1) The insurer is not required to pay benefits under this Regulation in respect of any insured person who, as a result of an accident, is entitled to receive benefits under any workers' compensation law or plan.

(2) Subsection (1) does not apply in respect of an insured person who elects to bring an action referred to in section 10 of the *Workers' Compensation Act* so long as the election is not made primarily for the purpose of claiming benefits under this Regulation.

(3) If a person is entitled to receive benefits under this Regulation as a result of an election made under section 10 of the *Workers' Compensation Act*, no benefits are payable to the person under Part II, III, IV or V in respect of any period of time before the person makes the election.

(4) If a person who would be entitled to benefits under this Regulation in the absence of subsection (1) elects to bring an action referred to in section 10 of the *Workers' Compensation Act* and there is a dispute concerning the insurer's liability to pay an expense for a vocational rehabilitation program that the person was attending at the time of the election and continues to attend, the insurer shall pay the expense pending resolution of the dispute.

(5) Despite subsection (1), if there is a dispute about whether subsection (1) applies to a person, the insurer shall pay full benefits to the person under this Regulation pending resolution of the dispute if,

- (a) the person makes an assignment to the insurer of any benefits under any workers' compensation law or plan to which he or she is or may become entitled as a result of the accident; and
- (b) the administrator or board responsible for the administration of the workers' compensation law or plan approves the assignment. O. Reg. 776/93, s. 76.

ACCIDENTS IN QUEBEC

77.—(1) The insurer shall pay with respect to a person insured in Quebec who dies or who sustains an impairment as a result of an accident in Quebec or who incurs a cost described in section 36 or 40, as the person may elect,

- (a) benefits provided by this Regulation, other than benefits referred to in clause (b); or
- (b) benefits in the same amounts and subject to the same conditions as if the person was a resident of Quebec (as defined in the *Automobile Insurance Act* (Quebec) and the regulations made under that Act) and was entitled to payments under that Act and those regulations.

(2) A person who elects to claim a benefit as provided in clause (1) (a) is thereafter eligible only for benefits referred to in that clause.

(3) A person who elects to claim a benefit as provided in clause (1) (b) is thereafter ineligible for benefits referred to in clause (1) (a).

(4) For the purpose of this Part, a person is insured in Quebec if the person at the time of the accident,

- (a) was authorized by law to be or to remain in Canada and was living and ordinarily present in Ontario;

- (b) met the criteria prescribed for recovery under the *Automobile Insurance Act* (Quebec);
- (c) was not the owner or driver of, or an occupant of an automobile registered in Quebec; and
- (d) was,
- (i) an occupant of the insured automobile,
 - (ii) the named insured, his or her spouse or a dependant of either of them while the occupant of any automobile,
 - (iii) a person who was not the occupant of an automobile and was struck by the insured automobile,
 - (iv) the named insured, his or her spouse or a dependant of either of them and was struck by any automobile,
 - (v) if the named insured is a corporation, unincorporated association, partnership or sole proprietorship, a person for whose regular use the insured automobile was supplied, his or her spouse or a dependant of either of them who suffered an impairment,
 - (A) while the occupant of any automobile,
 - (B) by any automobile while not the occupant of the automobile, or
 - (vi) a person struck by an automobile that was driven by a person described in subclause (i), (ii) or (v). O. Reg. 776/93, s. 77.

NON-RESIDENTS

78.—(1) A benefit set out in this Regulation that is paid in respect of a person who was not living and ordinarily present in Ontario at the time of the accident shall, if the benefit is provided under a contract evidenced by a motor vehicle liability policy issued in Ontario or under the *Motor Vehicle Accident Claims Act*, be reduced by the extent to which the person was at fault or negligent in the accident.

(2) Subsection (1) does not apply to a benefit paid to a person who, at the time of the accident,

- (a) was an occupant of an insured automobile;
- (b) was a named insured under a contract evidenced by a motor vehicle liability policy; or
- (c) was the spouse of a person referred to in clause (b) or a dependant of the person or of his or her spouse. O. Reg. 776/93, s. 78.

PART XVIII INDEXATION

WEEKLY BENEFITS

79.—(1) Each of the following amounts shall be revised, effective the 1st day of January in every year after 1994, by adjusting the amount by the indexation percentage published under section 268.1 of the *Insurance Act*:

1. The net weekly income from employment used to determine the amount of a person's weekly income replacement benefit under Part II.
2. The amount of a person's weekly education disability benefit under section 15.
3. The amount of a person's weekly caregiver benefit under Part IV.
4. The net weekly incomes used to determine the amount of a

person's weekly loss of earning capacity benefit under Part VI, if the benefit is payable to a person who is less than sixty-five years of age.

5. The amount of a person's weekly loss of earning capacity benefit under Part VI, if the person is sixty-five years of age or more and is not receiving a weekly benefit of \$185 under subsection 35 (2).

(2) Subsection (1) does not apply to the amount referred to in paragraph 1 of subsection (1) if the person has been receiving the weekly income replacement benefits for less than one year after the onset of the disability in respect of which the benefits are payable.

(3) No amount shall be reduced by the operation of subsection (1).

(4) The amount of a weekly loss of earning capacity benefit under Part VI that is payable to a person who is receiving a weekly benefit of \$185 under subsection 28 (3) or 35 (2) shall be revised to the amount to which it would have been revised under subsection (1) if subsection 28 (3) or 35 (2) had never applied to the person, effective the 1st day of January in the year in which, if subsection 28 (3) or 35 (2) had never applied, the person's weekly benefit would have been revised to an amount greater than \$185. O. Reg. 776/93, s. 79.

MONETARY AMOUNTS IN THIS REGULATION

80.—(1) Every monetary amount referred to in this Regulation shall be revised, effective the 1st day of January in every year after 1994, by adjusting the amount by the indexation percentage published under section 268.1 of the *Insurance Act*.

(2) On or before the 1st day of January in every year, the Minister shall publish in *The Ontario Gazette* the amounts to which each monetary amount referred to in this Regulation will be revised by the operation of subsection (1).

(3) Subsections (1) and (2) do not apply to the following amounts:

1. The \$185 amount referred to in subsection 10 (2).
2. The \$185 amount referred to in subsection 19 (2).
3. The \$185 amount referred to in subsection 28 (3).
4. The \$185 amount referred to in subsection 35 (2).
5. The \$185 amount referred to in paragraph 5 of subsection 79 (1).
6. The \$185 amounts referred to in subsection 79 (4). O. Reg. 776/93, s. 80.

PART XIX INCOME CALCULATIONS

NET WEEKLY INCOME FORMULA

81.—(1) For the purpose of this Regulation, a person's net weekly income from employment shall be determined in accordance with the following formula:

$$A = \frac{B - C - D - E}{52}$$

where,

A = the person's net weekly income from employment,

B = the person's gross annual income from employment,

C = the annual premium payable by the person under the *Unemployment Insurance Act* (Canada) on the gross annual income from employment,

D = the annual contribution payable by the person under the *Canada Pension Plan* on the gross annual income from employment,

E = the income tax payable by the person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) on the gross annual income from employment.

(2) For the purpose of subsection (1), the person whose net weekly income from employment is to be determined shall be deemed to be a resident of Ontario. O. Reg. 776/93, s. 81.

NET WEEKLY INCOME TABLES

82.—(1) Despite subsections 10 (5) and 19 (5) and section 81, an insurer may elect that,

(a) in the case of persons whose income from employment does not include income from self-employment, all determinations required by this Regulation of a person's net weekly income from employment or net income in respect of an employment subsequent to an accident shall be made in accordance with the publication of the Ontario Insurance Commission dated November 25, 1993 and entitled "Net Weekly Income Table—Other than Self-Employment"; and

(b) in the case of persons whose income from employment consists only of income from self-employment, all determinations required by this Regulation of a person's net weekly income from employment or net income in respect of an employment subsequent to an accident shall be made in accordance with the publication of the Ontario Insurance Commission dated November 25, 1993 and entitled "Net Weekly Income Table—Self-Employment".

(2) Subject to subsection (3), an election under subsection (1) applies to all persons described in subsection (1) in respect of whom determinations of net weekly income from employment and net income in respect of an employment subsequent to an accident are required by this Regulation.

(3) An election under subsection (1) does not apply to,

(a) a determination of net weekly income from employment if the person's gross annual income from employment exceeds \$96,200; or

(b) a determination of net income in respect of an employment subsequent to an accident if the gross income received from the employment exceeds \$1,850 per week.

(4) An election under subsection (1) may be revoked. O. Reg. 776/93, s. 82.

INCOME FROM SELF-EMPLOYMENT

83. For the purpose of this Regulation, a person's income from self-employment shall be determined in the same manner as the person's profit from the business in which the person was self-employed would be determined under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario), but without taking into account,

(a) expenses that are eligible for capital cost allowance or an allowance on eligible capital property;

(b) capital gains or losses; or

(c) losses deductible under section 111 of the *Income Tax Act* (Canada). O. Reg. 776/93, s. 83.

PRE-DETERMINED INCOME FROM SELF-EMPLOYMENT

84. Despite section 83, an insurer and a named insured who is self-employed and not otherwise employed may agree in a contract evidenced by a motor vehicle liability policy that, for the purpose of determining benefits under this Regulation in respect of an accident that

occurs during the period covered by the contract, the named insured's gross income from self-employment for every week shall be deemed to be the weekly income amount specified in the contract if, at the time of the accident, the person continues to engage in the self-employment in which he or she engaged at the time the contract was entered into and the person is not otherwise employed. O. Reg. 776/93, s. 84.

INCOME TAX CALCULATIONS

85.—(1) For the purpose of this Regulation, the income tax payable by a person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) shall be determined having regard to only the following deductions and tax credits that apply to the person under those Acts:

1. Alimony and maintenance payments deduction.
2. Basic personal tax credit.
3. Married person's tax credit or equivalent to married tax credit.
4. Age tax credit.
5. Disability tax credit.
6. Unemployment insurance premium tax credit.
7. Canada Pension Plan tax credit.
8. Quebec Pension Plan tax credit.

(2) If a determination of the income tax payable by a person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario) is necessary to determine the amount of a benefit under this Regulation, a person who applies for the benefit shall provide the insurer with such information as is reasonably necessary to enable the insurer to determine the income tax payable by the insured person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario).

(3) Failure to comply with subsection (2) does not relieve the insurer from any time limit established by this Regulation for the payment of the benefit, but the insurer shall determine the amount of the benefit on the basis of its best estimate of the income tax payable by the person under the *Income Tax Act* (Canada) and the *Income Tax Act* (Ontario), subject to later adjustment of the amount of the benefit when subsection (2) is complied with. O. Reg. 776/93, s. 85.

CONVERSION OF PART-TIME INCOME TO FULL-TIME INCOME

86.—(1) For the purpose of subsection 29 (1), a person's net weekly income used in determining the person's pre-accident earning capacity shall be converted to a full-time net weekly income in accordance with this section if,

(a) the person was employed on a part-time basis at some point during the period of time used under section 9 for the purpose of determining the amount of the person's weekly income replacement benefits;

(b) the person would have worked on a full-time basis at some time after the accident; and

(c) the gross income used under section 9 for the purpose of determining the amount of the person's weekly income replacement benefits includes income from employment other than self-employment.

(2) The full-time net weekly income shall be determined in accordance with section 81 or 82 using a gross annual income determined in accordance with the following formula:

$$A = B \times C \times 52$$

where,

A = the gross annual income,

B = the person's hourly rate of wages or salary in the employment designated under subsection (3),

C = the number of hours in a regular work week for a person employed on a full-time basis in the employment designated under subsection (3), determined in accordance with subsection (4).

(3) For the purpose of subsection (2), the person shall designate one employment, other than self-employment, in which the person engaged on a part-time basis during the time period used under section 9 for the purpose of determining the amount of the person's weekly income replacement benefits.

(4) For the purpose of subsection (2), the number of hours in a regular work week for a person employed on a full-time basis in the employment designated under subsection (3) shall be determined in accordance with the following rules:

1. If the number of hours in a regular work week for a person employed on a full-time basis is fixed by a collective agreement or by law for a person employed in the position in which the person whose full-time net weekly income is to be determined was employed, that number of hours shall be used for the purpose of subsection (2).
2. If rule 1 does not apply but there is a standard number of hours in a regular work week for a person employed on a full-time basis in the position in which the person whose full-time net weekly income is to be determined was employed, that number of hours shall be used for the purpose of subsection (2).
3. If rules 1 and 2 do not apply but there is a standard number of hours in a regular work week for other persons employed on a full-time basis in the workplace in which the person whose full-time net weekly income is to be determined was employed, that number of hours shall be used for the purpose of subsection (2).
4. If rules 1 to 3 do not apply but there is a standard number of hours in a regular work week for persons employed on a full-time basis in the industry or profession in which the person whose full-time net weekly income is to be determined was employed, that number of hours shall be used for the purpose of subsection (2).
5. If rules 1 to 4 do not apply but there is a reasonable method for establishing the number of hours in a regular work week for a person employed on a full-time basis for the purpose of subsection (2), that method shall be used.
6. If rules 1 to 5 do not apply, the number of hours in a regular work week for a person employed on a full-time basis shall be deemed to be 36.5 hours for the purpose of subsection (2). O. Reg. 776/93, s. 86.

SEVERANCE PAY, TERMINATION PAY

87. For the purpose of this Regulation, payments of severance pay or termination pay shall not be included in a determination of a person's income. O. Reg. 776/93, s. 87.

PART XX MISCELLANEOUS

APPLICATION

88.—(1) The benefits set out in this Regulation shall be provided under every contract evidenced by a motor vehicle liability policy in respect of accidents occurring on or after January 1, 1994.

(2) Benefits payable under this Regulation in respect of an insured person shall be paid by the insurer who is liable to pay under subsection 268 (2) of the *Insurance Act*.

(3) Subject to Part XIV, the insurer shall pay the benefits under this

Regulation despite section 225, subsection 233 (1), section 240 and subsection 265 (3) of the *Insurance Act*. O. Reg. 776/93, s. 88.

METHOD OF PAYMENT

89. Subject to clause 69 (1) (b) and to section 271 of the *Insurance Act*, payment of a benefit under this Regulation shall be made by cheque payable to the person entitled to the benefit, despite any direction to the contrary. O. Reg. 776/93, s. 89.

ASSIGNMENT OF BENEFITS

90.—(1) The assignment of a benefit under this Regulation is void.

(2) Subsection (1) does not apply to,

- (a) the assignment of a benefit to the Ministry of Community and Social Services; or
- (b) the assignment of a benefit to the Ministry of Health in respect of a service, benefit or entitlement provided under an Act the administration of which was transferred by Order-in-Council from the Ministry of Community and Social Services to the Ministry of Health. O. Reg. 776/93, s. 90.

COMPANY AUTOMOBILES, RENTAL AUTOMOBILES

91.—(1) If an insured automobile is made available for the regular use of an individual who is living and ordinarily present in Ontario by a corporation, unincorporated association, partnership, sole proprietorship or other entity, or an insured automobile is rented to an individual who is living and ordinarily present in Ontario, the individual shall be deemed for the purpose of this Regulation to be the named insured.

(2) If an insured automobile is made available for the regular use of an individual who is not living and ordinarily present in Ontario by a corporation, unincorporated association, partnership, sole proprietorship or other entity, the individual shall be deemed for the purpose of this Regulation to be the named insured while the individual, his or her spouse or any dependant of either of them is an occupant of the insured automobile. O. Reg. 776/93, s. 91.

COPIES OF REGULATION

92. On request, the insurer shall provide a copy of this Regulation without charge to a named insured or a person entitled to benefits under this Regulation. O. Reg. 776/93, s. 92.

NOTICES

93. If an insurer is required or permitted by this Regulation to give a notice to an insured person, the notice shall be given in writing. O. Reg. 776/93, s. 93.

FORMS

94. Each of the following documents shall be in a form approved by the Commissioner of Insurance:

1. A certificate under subsection 13 (5).
2. A certificate under subsection 32 (2).
3. A certificate under subsection 34 (1).
4. A report under subsection 39 (9).
5. A report under subsection 45 (10).
6. The application forms referred to in clause 59 (2) (a).
7. The explanation required by clause 59 (2) (b).
8. A certificate under section 60.

- 9. An election under subsection 61 (3) or (6).
- 10. An explanation under subsection 62 (7).
- 11. A notice under subsection 62 (8).
- 12. A certificate under subsection 64 (2), (3) or (4).
- 13. A report under subsection 64 (15).
- 14. An explanation under subsection 66 (6).
- 15. A notice under subsection 66 (7).
- 16. An explanation under subsection 67 (3).
- 17. A notice under subsection 67 (4).
- 18. An agreement under section 84. O. Reg. 776/93, s. 94.

care requirements
form each activity,
the number of
ned to get the

TITLE

95. This Regulation may be cited as the *Statutory Accident Benefits Schedule - Accidents on or after January 1, 1994*. O. Reg. 776/93, s. 95.

COMING INTO FORCE

96. This Regulation comes into force on January 1, 1994.

B = the person's hourly rate designated under subse

C = the number of hours in-
ployed on a full-time
under subsection (3
section (4).

Form 1

**Assessment of Attendant
Care Needs**

Insurance Act

(3) For the subse
empl or
Return this form to:

Policy No.
Claim No.

Use this form to report the future needs for attendant care required by the client as a result of an automobile accident. This form has five parts:

- Part 1: Personal Attendant Care
- Part 2: Basic/Supervisory Attendant Care
- Part 3: Skilled Attendant Care
- Part 4: Calculation of Attendant Care Costs
- Part 5: Signature of Assessor(s)

Please complete all relevant parts. You will have to make copies and give one to:

- the client
- the client's health practitioner
- the client's insurance company

Client's Name	Client's Name	Date of Birth	
	Street Address	Date of Accident	
	City	Province	Postal Code
	Name of Policyholder (if different than above)		Policy No.

What is the date of this assessment?

Is this the first assessment of this client? Yes No

Date of Last Assessment
Current Monthly Allowance

Client's Health Practitioner	Name of Health Practitioner	Telephone No.
	Facility or Institution	
	Street Address	
	City	Province	Postal Code

Insurance Company	Name	Telephone No.	
	Street Address		
	City	Province	Postal Code
	Name of Policyholder		Policy No.

**Part 1:
Personal
Attendant Care**

Personal attendant care is for routine personal care. Please assess the care requirements of the client for each activity listed. Estimate the time it takes to perform each activity, and the number of times each week it should be performed. Multiply the number of minutes by the number of times each week the activity should be performed to get the total number of minutes per week for each activity.

		Number of Minutes	X	Times per week	=	Total minutes per week
Dress	Upper Body (for example, underwear, shirt/blouse, sweater, tie, jacket, gloves, jewelry)					
	Lower Body (for example, underwear, disposable briefs, skirt/pants, socks, panty hose, slippers, shoes)					
	Subtotal					
Undress	Upper Body (for example, underwear, shirt/blouse, sweater, tie, jacket, gloves, jewelry)					
	Lower Body (for example, underwear, disposable briefs, skirt/pants, socks, panty hose, slippers, shoes)					
	Subtotal					
Prosthetics	applies upper/lower limb prosthesis and stump sock(s)					
	exchanges terminal devices and adjusts prosthesis as required					
	ensures prosthesis is properly maintained and in good working condition					
	Subtotal					
Orthotics	assists dressing client using prescribed orthotics (for example, burn garment(s), brace(s), supports, splints, elastic stockings)					
	Subtotal					
Grooming	Face: wash, rinse, dry, morning and evening					
	Hands: wash, rinse, dry, morning and evening, before and after meals, and after elimination					
	Shaving: shaves client using an electric/safety razor					
	Cosmetics: applies makeup as desired or required					
	Hair:					
	brushes/combs as required					
	shampoos, blow/dowel dries					
	performs styling, set and comb-out					
	Fingernails: cleans and manicures as required					
	Toenails: cleans and trims as required					
Subtotal						

Part 1 continued ...

Number of Minutes X Times per week = Total minutes per week

Feeding

prepares client for meals (includes transfer to appropriate location)			
provides assistance, either in whole or in part, in serving and feeding meals			
Subtotal			

Mobility

(location change such as to and from the bedroom for afternoon rests)

assists client from a sitting position (for example, wheelchair, chair, sofa)			
supervises/assists in walking			
performs transfer needs as required (for example, bed to wheelchair, wheelchair to bed)			
Subtotal			

Extra Laundering

launders client's bedding and clothing as a result of incontinence/spillage			
launders/cleans orthotic supplies that require special care			
Subtotal			

Part 1 Total - Add all Part 1 Subtotals. Fill in total here and in Part 4 on Page 7.

--

**Part 2:
Basic/Supervisory
Attendant Care**

Basic/supervisory attendant care is for basic supervisory functions that require responsible personnel. Please assess the care requirements of the client for each activity listed. Estimate the time it takes to perform each activity, and the number of times each week it should be performed. Multiply the number of minutes by the number of times each week the activity should be performed to get the total number of minutes per week for each activity.

Hygiene

Bathroom			
clean tub/shower/sink/toilet after client's use			
Bedroom			
changes client's bedding, makes bed, cleans bedroom, including Hoyer lifts, overhead bars, bedside tables			
ensures comfort, safety and security in this environment			
Clothing Care			
assists in preparing daily wearing apparel			
hangs clothes and sorts clothing to be laundered/cleaned			
Subtotal			

Part 2 continued ...

Number of Minutes X Times per week = Total minutes per week

Ventilator Dependent (high level quadriplegic or approx.)	client lacks the capacity to reattach tubing if it becomes detached from the trachea			
	client lacks the physical capacity to be self-sufficient in an emergency situation			
	Subtotal			

Spinal Cord Injuries (paraplegic/quadruplegic)	client requires assistance to transfer from bed to wheelchair, periodic turning, genitourinary care			
	client lacks the physical capacity to be self-sufficient in an emergency situation			
	Subtotal			

Severe Head Injuries	client lacks ability to respond to an emergency or needs custodial care due to changes in behaviour			
	Subtotal			

Attendant Care on an Intermittent Basis	client lives alone or is left alone in the day, determine the degree to which the client may be dependent on others (for example, meals, laundry, housekeeping)			
	client may be independent during the day when in a wheelchair or wearing a prosthesis, but needs assistance for meals, laundry			
	Subtotal			

Multiple Amputations (upper bilateral, triple, quadruple amputee)	client lacks the ability to independently get in and out of a wheelchair or to be self-sufficient in an emergency			
	Subtotal			

Financial Affairs	client requires assistance in managing financial affairs (maximum 1 hour per week)			
	Subtotal			

Part 2 Total - Add all Part 2 Subtotals. Fill in total here and in Part 4 on Page 7.

--

**Part 3:
Skilled
Attendant Care**

Skilled attendant care is for complex health/care and hygiene functions that require trained or skilled personnel. Please assess the care requirements of the client for each activity listed. Estimate the time it takes to perform each activity, and the number of times each week it should be performed. Multiply the number of minutes by the number of times each week the activity should be performed to get the total number of minutes per week for each activity.

		Number of Minutes	X	Times per week	=	Total minutes per week
Gentourinary Tracts	performs catheterizations					
	positions, empties and cleans drainage systems					
	cleans client and equipment after procedure/incontinence					
	uses disposable briefs as required					
	attends to menstrual cycle needs as required					
	monitors residuals					
	Subtotal					
Bowel Care	administers enemas or suppositories and performs stimulation or disimpaction					
	performs colostomy and/or ileostomy care					
	positions, empties and cleans drainage systems, including ileo-conduits					
	uses disposable briefs as required					
	cleans client and equipment after procedure/evacuation					
	Subtotal					
Tracheostomy Care	changes and cleans inner and outer cannulae as needed					
	changes tapes as required					
	performs suctioning as required					
	cleans and maintains suction equipment					
	Subtotal					
Ventilator Care	ensures volume rate and pressure are maintained as prescribed					
	maintains humidification as specified					
	changes and cleans tubing and filters as required					
	cleans humidification system as required					
	adjusts settings according to client needs (for example, colds, congestion)					
	Subtotal					
Exercise	assists client with prescribed exercise/stretching program					
	assists client with walking activities using crutches, canes, braces and/or walker					
	Subtotal					

Part 3 continued...

	Number of Minutes	X	Times per week	=	Total minutes per week
Skin Care (excluding bathing)	attends to skin care needs - wounds, sores, eruptions, (amputees, severe burns, spinal cord injuries, etc.)				
	applies medication and prescribed dressings				
	applies creams, lotions, pastes, ointments, powders as prescribed or required				
	checks body area(s) for evidence of pressure sores, skin breakdown or eruptions				
	periodic turning to prevent or minimize pressure sores and skin breakdown/shearing				
Subtotal					

Medication	Oral				
	administers prescribed medications				
	monitors medication intake and effect				
	maintains and controls medication supply				
	Injections				
	administers prescribed medications				
	monitors medication intake and effect				
	maintains and controls medication supply				
	Inhalation/Oxygen Therapy				
	administers prescribed dosage as required				
	maintains and controls inhalation supplies				
	cleans and maintains equipment				
Subtotal					

Bathing	Bathtub or Shower				
	transfers client to and from bed, wheelchair or Hoyer lifts to bathtub or shower				
	bathes and dries client				
	applies creams, lotions, pastes, ointments, powders as prescribed or required				
	Bed Bath				
	prepares equipment				
	bathes and dries client				
	applies creams, lotions, pastes, ointments, powders as prescribed or required				
	cleans and maintains bed/bath equipment				
	Oral Hygiene				
	brushes and flosses				
	cleanses mouth as required				
cleans dentures as required					
Subtotal					

Part 3 continued...

Number of Minutes X Times per week = Total Minutes per week

Other Therapy

Transcutaneous Electrical Nerve Stimulation (TENS)			
prepares equipment			
administers treatment as prescribed or required			
Dorsal Column Stimulation (DCS)			
monitors skin			
maintains equipment			
Subtotal			

Maintenance of Supplies and Equipment

monitors, orders and maintains required supplies/equipment			
ensures wheelchairs, prosthetic devices, Hoyer lifts, shower commodes and other specialized medical equipment and assistive devices are safe and secure			
Subtotal			

Part 3 Total - Add all Part 3 Subtotals. Fill in total here and below.

**Part 4:
Calculation of
Attendant Care
Costs**

This part must be completed by the assessor. Calculate the monthly attendant care allowance for Part 1, 2, and 3. The sum of all three parts will be the Total Assessed Monthly Attendant Care Benefit.

	Total Minutes per Week		Total Weekly Hours		Total Monthly Hours		Hourly Rate		Monthly Care Benefit
Part 1 (from Pg. 3)	<input type="text"/>	÷ 60 =	<input type="text"/>	X 4.3 =	<input type="text"/>	X	\$ <input type="text"/>	=	\$ <input type="text"/>
Part 2 (from Pg. 4)	<input type="text"/>	÷ 60 =	<input type="text"/>	X 4.3 =	<input type="text"/>	X	\$ <input type="text"/>	=	\$ <input type="text"/>
Part 3 (from Pg. 7)	<input type="text"/>	÷ 60 =	<input type="text"/>	X 4.3 =	<input type="text"/>	X	\$ <input type="text"/>	=	\$ <input type="text"/>

Total Assessed Monthly Attendant Care Benefit
(This amount is subject to the limits allowed under the Statutory Accident Benefits Schedule)

\$

**Part 5:
Signature(s)
of Assessor(s)**

Name		Signature	
Title	Date		
Name of Assessing Facility		Telephone No.	
Street Address		Fax No.	
City	Province	Postal Code	

ONTARIO REGULATION 777/93

made under the
INSURANCE ACT

Made: December 2, 1993

Filed: December 2, 1993

STATUTORY CONDITIONS —
AUTOMOBILE INSURANCE

1.—(1) The conditions set out in the Schedule are prescribed as statutory conditions for the purpose of section 234 of the Act.

(2) Subject to subsection 234 (3) of the Act, the statutory conditions apply to all contracts of automobile insurance entered into or renewed on or after January 1, 1994. O. Reg. 777/93, s. 1.

Schedule

STATUTORY CONDITIONS

In these statutory conditions, unless the context otherwise requires, the word "insured" means a person insured by this contract, whether named or not.

**Material
Change in
Risk**

1.—(1) The insured named in this contract shall promptly notify the insurer or its local agent in writing of any change in the risk material to the contract and within the insured's knowledge.

(2) Without restricting the generality of the foregoing, the words "change in the risk material to the contract" include:

- (a) any change in the insurable interest of the insured named in this contract in the automobile by sale, assignment or otherwise, except through change of title by succession, death or proceedings under the *Bankruptcy and Insolvency Act* (Canada);

and, in respect of insurance against loss of or damage to the automobile,

- (b) any mortgage, lien or encumbrance affecting the automobile after the application for this contract;
- (c) any other insurance of the same interest, whether valid or not, covering loss or damage insured by this contract or any portion thereof.

**Incorrect
Classification**

2.—(1) Where the insured has been incorrectly classified under the risk classification system used by the insurer or under the risk classification system that the insurer is required by law to use, the insurer shall make the necessary correction.

**Refund of
Premium
Overpayment**

(2) Where a correction is made under subcondition (1) of this condition, the insurer shall refund to the insured the amount of any premium overpayment together with interest thereon for the period that the incorrect classification was in effect at the bank rate at the end of the first day of the last month of the quarter preceding the quarter in which the incorrect classification was first made, rounded to the next highest whole number if the bank rate includes a fraction.

RÈGLEMENT DE L'ONTARIO 777/93

pris en application de la
LOI SUR LES ASSURANCES

pris le 2 décembre 1993

déposé le 2 décembre 1993

CONDITIONS LÉGALES —
ASSURANCE-AUTOMOBILE

1 (1) Les conditions énoncées à l'annexe sont prescrites comme conditions légales pour l'application de l'article 234 de la Loi.

(2) Sous réserve du paragraphe 234 (3) de la Loi, les conditions légales s'appliquent à tous les contrats d'assurance-automobile conclus ou renouvelés le 1^{er} janvier 1994 ou après cette date. Règl. de l'Ont. 777/93, art. 1.

Annexe

CONDITIONS LÉGALES

Dans les présentes conditions légales, à moins que le contexte ne s'y oppose, le terme «assuré» s'entend de la personne assurée par le présent contrat, qu'elle soit nommément désignée ou non.

1 (1) L'assuré nommément désigné dans le présent contrat avise promptement par écrit l'assureur ou son agent local de toute modification importante des circonstances constitutives du risque dont il a connaissance.

**Modification
importante du
risque**

(2) Sans préjudice de la portée générale de ce qui précède, l'expression «modification importante des circonstances constitutives du risque» s'entend en outre :

- a) d'un changement dans l'intérêt assurable qu'a l'assuré nommé au présent contrat dans l'automobile en raison d'une vente, d'une cession ou de toute autre façon, sauf dans le cas d'un transfert du droit de propriété par succession, par décès ou par des procédures prises en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada),

et, dans le cas d'une assurance contre la perte de l'automobile ou les dommages qui peuvent lui être causés :

- b) d'une hypothèque, d'un privilège ou d'une charge grevant l'automobile après la présentation de la proposition relative au présent contrat;
- c) de toute autre assurance du même intérêt, qu'elle soit valide ou non, couvrant les pertes ou dommages déjà couverts par le présent contrat, ou une partie de ceux-ci.

2 (1) Si un assuré a été incorrectement classé d'après le système de classement des risques qu'utilise l'assureur ou qu'il est tenu par la loi d'utiliser, l'assureur apporte la correction nécessaire.

**Erreur de
classement**

(2) Si une correction est apportée aux termes de la sous-condition (1) de la présente condition, l'assureur rembourse à l'assuré l'excédent de prime, ainsi que les intérêts applicables à la période pendant laquelle a duré l'erreur de classement au taux d'escompte en vigueur à la fin du premier jour du dernier mois du trimestre précédant le trimestre où l'erreur a été commise pour la première fois. Le taux d'escompte à fraction est arrondi au nombre entier supérieur.

**Rembourse-
ment de
l'excédent de
prime**

Definition	(3) In subcondition (2) of this condition, "bank rate" means the bank rate established by the Bank of Canada as the minimum rate at which the Bank of Canada makes short term advances to the banks listed in Schedule I to the <i>Bank Act</i> (Canada).	Definition	(3) Dans la sous-condition (2) de la présente condition, «taux d'escompte» s'entend du taux d'escompte que fixe la Banque du Canada comme le taux d'intérêt minimum qu'elle accorde aux banques figurant à l'Annexe I de la <i>Loi sur les banques</i> (Canada) sur les sommes d'argent à court terme qu'elle leur avance.
Additional Premium	(4) Where a correction is made under subcondition (1) of this condition within sixty days after this contract takes effect, the insurer may require the insured to pay any additional premium resulting from the correction, without interest.	Surprime	(4) Si une correction est apportée aux termes de la sous-condition (1) de la présente condition dans les soixante jours qui suivent la prise d'effet du présent contrat, l'assureur peut exiger que l'assuré paie une surprime par suite de la correction apportée, sans intérêt.
Monthly Payments	3. Unless otherwise provided by the regulations under the <i>Insurance Act</i> , the insured may pay the premium, without penalty, in equal monthly payments totalling the amount of the premium. The insurer may charge interest not exceeding the rate set out in the regulations.	Mensualités	3 Sauf prévision contraire dans les règlements pris en application de la <i>Loi sur les assurances</i> , l'assuré peut payer sa prime, sans encourir de pénalité, par mensualités égales qui, additionnées, donnent le montant total de la prime. L'assureur peut exiger des intérêts à un taux qui ne dépasse pas celui qui est indiqué dans les règlements.
Authority to Drive	4.—(1) The insured shall not drive or operate or permit any other person to drive or operate the automobile unless the insured or other person is authorized by law to drive or operate it.	Permission de conduire	4 (1) L'assuré ne doit ni conduire l'automobile ni en faire l'usage, ni autoriser une autre personne à la conduire ou en faire usage, à moins d'y être autorisé par la loi ou à moins que cette autre personne n'y soit autorisée par la loi.
Prohibited Use	(2) The insured shall not use or permit the use of the automobile in a race or speed test or for any illicit or prohibited trade or transportation.	Usage interdit	(2) L'assuré ne doit pas utiliser ni autoriser que soit utilisée l'automobile dans une course ou une épreuve de vitesse ou à des fins de commerce ou de transport illicite ou interdit.
Requirements Where Loss or Damage to Persons or Property	5.—(1) The insured shall, <ul style="list-style-type: none"> (a) give to the insurer written notice, with all available particulars, of any accident involving loss or damage to persons or property and of any claim made on account of the incident; (b) verify by statutory declaration, if required by the insurer, that the claim arose out of the use or operation of the automobile and that the person operating or responsible for the operation of the automobile at the time of the accident is a person insured under this contract; and (c) forward immediately to the insurer every letter, document, advice or statement of claim received by the insured from or on behalf of the claimant. <p>(2) The insured shall not,</p> <ul style="list-style-type: none"> (a) voluntarily assume any liability or settle any claim except at the insured's own cost; or (b) interfere in any negotiations for settlement or in any legal proceeding. <p>(3) The insured shall, whenever requested by the insurer, aid in securing information and evidence and the attendance of any witness and shall co-operate with the insurer, except in a pecuniary way, in the defence of any action or proceeding or in the prosecution of any appeal.</p>	Obligations en cas de pertes ou de dommages	5 (1) L'assuré : <ul style="list-style-type: none"> a) donne à l'assureur un avis écrit, avec tous les renseignements disponibles, de tout incident entraînant des pertes subies par une personne ou des dommages corporels ou la perte de biens ou des dommages causés à ceux-ci et de toute demande de règlement qui en découle; b) à la demande de l'assureur, atteste, par déclaration solennelle, que la demande de règlement découle de l'usage ou de la conduite de l'automobile et indique si la personne qui conduisait ou était responsable de la conduite de l'automobile au moment de l'accident est ou non assurée par le présent contrat; c) transmet immédiatement à l'assureur toute lettre, tout document ou avis, ou toute déclaration qu'il a reçus de l'auteur de la demande ou de sa part. <p>(2) L'assuré ne doit :</p> <ul style="list-style-type: none"> a) ni assumer volontairement une responsabilité ni régler un sinistre, sauf à ses propres frais; b) ni s'immiscer dans des négociations de règlement ou dans une instance. <p>(3) Chaque fois que l'assureur le lui demande, l'assuré apporte son aide à l'obtention de renseignements, de preuves, et à la comparution de témoins, et collabore avec l'assureur, sauf pécuniairement, à la défense dans toute action ou instance, ainsi qu'à la poursuite de tout appel.</p>

Requirements Where Loss or Damage to Automobile

6.—(1) Where loss of or damage to the automobile occurs, the insured shall, if the loss or damage is covered by this contract,

- (a) give notice thereof in writing to the insurer with the fullest information obtainable at the time;
- (b) at the expense of the insurer, and as far as reasonably possible, protect the automobile from further loss or damage; and
- (c) deliver to the insurer within ninety days after the date of the loss or damage a statutory declaration stating, to the best of the insured's knowledge and belief, the place, time, cause and amount of the loss or damage, the interest of the insured and of all others therein, the encumbrances thereon, all other insurance, whether valid or not, covering the automobile and that the loss or damage did not occur directly or indirectly through any wilful act or neglect of the insured.

(2) Any further loss or damage accruing to the automobile directly or indirectly from a failure to protect it as required under subcondition (1) of this condition is not recoverable under this contract.

(3) No repairs, other than those that are immediately necessary for the protection of the automobile from further loss or damage, shall be undertaken and no physical evidence of the loss or damage shall be removed,

- (a) without the written consent of the insurer; or
- (b) until the insurer has had a reasonable time to make the examination for which provision is made in statutory condition 8.

Examination of Insured

(4) The insured shall submit to examination under oath, and shall produce for examination at such reasonable place and time as is designated by the insurer or its representative all documents in the insured's possession or control that relate to the matters in question, and the insured shall permit extracts and copies thereof to be made.

Insurer Liable for Cash Value of Automobile

(5) The insurer shall not be liable for more than the actual cash value of the automobile at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to that actual cash value with proper deduction for depreciation, however caused, and shall not exceed the amount that it would cost to repair or replace the automobile, or any part thereof, with material of like kind and quality, but, if any part of the automobile is obsolete and out of stock, the liability of the insurer in respect thereof shall be limited to the value of that part at the time of loss or damage, not exceeding the maker's latest list price.

Repair or Replacement

(6) The insurer, instead of making payment, may, within a reasonable time, repair, rebuild or replace the property damaged or lost, with other of like kind and quality if, within seven days after the receipt of the proof of loss, it gives written notice of its intention to do so.

6 (1) En cas de la perte d'une automobile ou de dommages qui lui sont causés et si la perte ou les dommages sont couverts par le présent contrat, l'assuré :

- a) en donne à l'assureur un avis écrit aussi circonstancié qu'il est alors possible;
- b) protège, dans la mesure du possible et aux frais de l'assureur, l'automobile contre toute perte ou tout dommage supplémentaires;
- c) remet à l'assureur, dans les quatre-vingt-dix jours qui suivent la date de la perte ou du dommage, une déclaration solennelle énonçant, au mieux de ses connaissances, ce qu'il tient pour véridique de l'assuré, l'endroit, la date, la cause, et l'étendue du sinistre, l'intérêt de l'assuré et de toute autre personne dans l'automobile, les sûretés la grevant ainsi que toutes les autres assurances, valides ou non, couvrant l'automobile, et attestant que le sinistre n'est pas dû, directement ou indirectement, à un acte ou à la négligence délibérés de l'assuré.

(2) La perte ou les dommages supplémentaires touchant l'automobile, imputables directement ou indirectement à une faute dans la protection requise par la sous-condition (1) de la présente condition, ne sont pas couverts par le présent contrat.

(3) Les réparations, autres que celles qui sont immédiatement nécessaires pour protéger l'automobile contre une perte ou des dommages supplémentaires, ne doivent pas être entreprises et aucune preuve matérielle de la perte ou des dommages ne doit être enlevée :

- a) sans le consentement écrit de l'assureur;
- b) tant que l'assureur n'a pas eu un délai raisonnable pour procéder à l'inspection prévue par la condition légale 8.

(4) L'assuré se soumet à un interrogatoire sous serment, et produit aux fins d'un examen, à l'endroit et à la date raisonnables désignés par l'assureur ou son représentant, tous les documents en sa possession ou sous son contrôle qui sont liés à l'affaire en question et permet que des extraits ou des copies soient tirés de ces documents.

(5) La garantie de l'assureur se limite à la valeur réelle en espèces de l'automobile, calculée à la date du sinistre; le sinistre est déterminé ou estimé selon la valeur réelle en espèces, après avoir effectué une juste déduction pour la dépréciation, quelle qu'en soit la cause, et ne doit pas excéder le coût de la réparation ou du remplacement de l'automobile, ou de toute pièce de celle-ci, à l'aide de matériaux de même nature et qualité. Dans le cas où une pièce de rechange est périmée ou ne peut être obtenue, l'assureur n'est alors tenu qu'à la valeur de cette pièce à la date du sinistre. Cette valeur ne doit pas être supérieure au plus récent prix courant du fabricant.

(6) L'assureur peut, au lieu d'effectuer le règlement en espèces, réparer, reconstruire ou remplacer, dans un délai raisonnable, les biens sinistrés au moyen d'autres biens de même nature et qualité, s'il donne un avis écrit de son intention dans les sept jours qui suivent la réception de la preuve du sinistre.

Obligations en cas de la perte d'une automobile ou des dommages qui lui sont causés**Interrogatoire de l'assuré****L'assureur tenu à la valeur vénale du sinistre****Réparations ou remplacement**

No Abandonment; Salvage	(7) There shall be no abandonment of the automobile to the insurer without the insurer's consent. If the insurer exercises the option to replace the automobile or pays the actual cash value of the automobile, the salvage, if any, shall vest in the insurer.	(7) L'automobile ne peut être abandonnée à l'assureur sans le consentement de ce dernier. Si l'assureur choisit de remplacer l'automobile ou d'en payer la valeur réelle en espèces, la valeur de sauvetage appartient à l'assureur.	Délaissement interdit; sauvetage
Time Limit	7. The notice required by statutory conditions 5 and 6 shall be given to the insurer within seven days of the incident but if the insured is unable because of incapacity to give the notice within seven days of the incident, the insured shall comply as soon as possible thereafter.	7 L'avis prévu aux conditions légales 5 et 6 est donné à l'assureur dans les sept jours suivant l'incident ou, si l'assuré ne peut le faire, pour cause d'incapacité, le plus tôt possible par la suite.	Délai
Inspection of Automobile	8. The insured shall permit the insurer at all reasonable times to inspect the automobile and its equipment.	8 L'assuré permet à l'assureur d'inspecter l'automobile et ses accessoires en tout temps raisonnable.	Inspection de l'automobile
Time and Manner of Payment of Insurance Money	9.—(1) The insurer shall pay the insurance money for which it is liable under this contract within sixty days after the proof of loss has been received by it.	9 (1) L'assureur paie les sommes assurées auxquelles il est tenu en vertu du présent contrat dans les soixante jours qui suivent la réception de la preuve du sinistre.	Délai et mode de paiement des sommes assurées
Reasons for Refusal	(2) If the insurer refuses to pay a claim, it shall promptly inform the insured in writing of the reasons the insurer claims it is not liable to pay.	(2) S'il refuse d'acquiescer une demande de règlement, l'assureur informe promptement l'assuré par écrit des motifs pour lesquels il prétend ne pas être tenu de le faire.	Motifs du refus
When Action may be Brought	(3) The insured shall not bring an action to recover the amount of a claim under this contract unless the requirements of statutory conditions 5 and 6 are complied with.	(3) L'assuré ne doit pas intenter une action en recouvrement du montant d'une demande de règlement en vertu du présent contrat, à moins que les prescriptions des conditions légales 5 et 6 ne soient respectées.	Conditions préalables à l'introduction d'une action
Limitations of Actions	(4) Every action or proceeding against the insurer under this contract in respect of loss or damage to the automobile or its contents shall be commenced within one year next after the happening of the loss and not afterwards, and in respect of loss or damage to persons or other property shall be commenced within two years next after the cause of action arose and not afterwards.	(4) Les actions et instances contre l'assureur fondées sur le présent contrat doivent être engagées au plus tard dans l'année qui suit la survenance du sinistre en ce qui concerne la perte de l'automobile ou les dommages qui lui sont causés et au plus tard dans les deux années qui suivent la date où la cause d'action a pris naissance en ce qui concerne les pertes subies par des personnes ou les dommages qui leur sont causés ou la perte d'autres biens ou les dommages qui leur sont causés.	Prescription des actions
Who May Give Notice and Proofs of Claim	10. Notice of claim may be given and proofs of claim may be made by the agent of the insured in case of absence or inability of the insured to give the notice or make the proof, such absence or inability being satisfactorily accounted for or, in the like case or if the insured refuses to do so, by a person to whom any part of the insurance money is payable.	10 L'avis du sinistre peut être donné et les preuves apportées par l'agent de l'assuré dans le présent contrat en cas d'absence ou d'empêchement de l'assuré de donner l'avis ou d'apporter la preuve, si cette absence ou cet empêchement est suffisamment justifié ou, dans un cas semblable ou en cas de refus de l'assuré, par une personne à laquelle une partie des sommes assurées est payable.	Qui peut donner l'avis et les preuves du sinistre
Termination	11.—(1) Subject to section 12 of the <i>Compulsory Automobile Insurance Act</i> and sections 237 and 238 of the <i>Insurance Act</i> , this contract may be terminated by the insurer giving to the insured fifteen days notice of termination by registered mail or five days written notice of termination personally delivered. (2) This contract may be terminated by the insured at any time on request. (3) Where this contract is terminated by the insurer, (a) the insurer shall refund the excess of premium actually paid by the insured over the proportionate premium for the expired time, but in no event shall the proportionate premium for the expired time be deemed to be less than any minimum retained premium specified; and	11 (1) Sous réserve de l'article 12 de la <i>Loi sur l'assurance-automobile obligatoire</i> et des articles 237 et 238 de la <i>Loi sur les assurances</i> , le présent contrat peut être résilié par l'assureur, moyennant un avis de résiliation de quinze jours envoyé par courrier recommandé ou un avis écrit de résiliation de cinq jours remis à personne. (2) Le présent contrat peut être résilié par l'assuré, en tout temps, à sa demande. (3) Lorsque le présent contrat est résilié par l'assureur : a) celui-ci rembourse l'excédent de la prime effectivement acquittée sur la prime calculée au prorata de la période écoulée, mais cette prime calculée au prorata ne doit en aucun cas être réputée inférieure à toute prime minimale spécifiée;	Résiliation

(b) the refund shall accompany the notice unless the premium is subject to adjustment or determination as to the amount, in which case, the refund shall be made as soon as practicable.

(4) Where this contract is terminated by the insured, the insurer shall refund as soon as practicable the excess of premium actually paid by the insured over the short rate premium for the expired time, but in no event shall the short rate premium for the expired time be deemed to be less than any minimum retained premium specified.

(5) The fifteen days mentioned in subcondition (1) of this condition begin to run on the day following the receipt of the registered letter at the post office to which it is addressed.

Notice

12. Any written notice to the insurer may be delivered at, or sent by registered mail to, the chief agency or head office of the insurer in the Province. Written notice may be given to the insured named in this contract by letter personally delivered to the insured or by registered mail addressed to the insured at the insured's latest post office address as notified to the insurer. In this condition, the expression "registered" means registered in or outside Canada.

Statutory Accident Benefits Protected

13. Despite a failure to comply with these statutory conditions, a person is entitled to such benefits as are set out in the *Statutory Accident Benefits Schedule*. O. Reg. 777/93, Sched.

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b) le remboursement accompagne l'avis, sauf si le montant de la prime doit être rajusté ou fixé et, dans ce cas, le remboursement doit se faire le plus tôt possible.

(4) Lorsque le présent contrat est résilié par l'assuré, l'assureur rembourse le plus tôt possible l'excédent de la prime effectivement acquittée par l'assuré sur la prime au taux à court terme correspondant à la période écoulée, mais la prime au taux à court terme ne peut en aucun cas être réputée inférieure à toute prime minimale spécifiée.

(5) Le délai de quinze jours mentionné à la sous-condition (1) de la présente condition commence à courir à partir du lendemain de la réception de la lettre recommandée au bureau de poste de sa destination.

12 L'avis écrit destiné à l'assureur peut être remis ou expédié par courrier recommandé à l'agence principale ou au siège social de l'assureur dans la province. Les avis écrits destinés à l'assuré nommé dans le présent contrat peuvent lui être remis à personne ou par courrier recommandé adressé à la dernière adresse postale donnée à l'assureur. Dans la présente condition, le terme «recommandé» signifie recommandé au Canada ou à l'étranger. **Avis**

13 Même si elle ne se conforme pas aux présentes conditions légales, une personne a droit aux indemnités qui sont énoncées à l'Annexe sur les indemnités d'accident légales. Règl. de l'Ont. 777/93, annexe. **Protection des indemnités d'accident légales**

ONTARIO REGULATION 778/93
made under the
INSURANCE ACT

Made: December 2, 1993
Filed: December 2, 1993

Amending Reg. 676 of R.R.O. 1990
(Uninsured Automobile Coverage)

Note: There are no prior amendments to Regulation 676.

1. Subsections 7 (2), (3) and (4) of the Schedule to Regulation 676 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

(2) On request, the insurer shall provide a copy of a report obtained under subsection (1) to a person making a claim under the contract.

2. This Regulation comes into force on January 1, 1994.

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ONTARIO REGULATION 779/93
made under the
INSURANCE ACT

Made: December 2, 1993
Filed: December 2, 1993

Amending Reg. 672 of R.R.O. 1990
(No-Fault Benefits Schedule)

Note: Since January 1, 1993, Regulation 672 has been amended by Ontario Regulation 660/93. There are no prior amendments.

1. The title to Regulation 672 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

STATUTORY ACCIDENT BENEFITS SCHEDULE —
ACCIDENTS BEFORE JANUARY 1, 1994

2.—(1) The Regulation is amended by striking out "this Schedule" wherever it appears and substituting in each case "this Regulation".

(2) The Regulation is amended by striking out "no-fault benefits" and "no-fault accident benefits" wherever they appear and substituting in each case "statutory accident benefits".

3. Section 1 of the Regulation is revoked and the following substituted:

1. This Regulation may be cited as the *Statutory Accident Benefits Schedule — Accidents Before January 1, 1994*. O. Reg. 779/93, s. 3.

4. Section 4 of the Regulation is amended by adding at the end "and before January 1, 1994".

5.—(1) Section 26 of the Regulation is amended by inserting after "Insurance Act" in the first and second lines "or an arbitration or court proceeding under section 281 of the Act".

(2) Section 26 of the Regulation is amended by adding the following subsection:

(2) Despite subsection (1), an arbitration or court proceeding under section 281 of the *Insurance Act* may be commenced within ninety days after the mediator reports to the parties under subsection 280 (8) of the Act. O. Reg. 779/93, s. 5.

6. The heading immediately preceding section 28 of the Regulation is revoked and the following substituted:

COPIES OF REGULATION

7. This Regulation comes into force on January 1, 1994.

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ONTARIO REGULATION 780/93
made under the
INSURANCE ACT

Made: December 2, 1993
Filed: December 2, 1993

Amending Reg. 664 of R.R.O. 1990
(Automobile Insurance)

Note: There are no prior amendments to Regulation 664.

1. Regulation 664 of the Revised Regulations of Ontario, 1990 is amended by striking out "no-fault benefits" wherever it appears and substituting in each case "statutory accident benefits".

2. Sections 1 and 2 of the Regulation are revoked and the following substituted:

1. In this Regulation,

"commercial vehicle" means an automobile used primarily to transport materials, goods, tools or equipment in connection with the insured's occupation, and includes a police department vehicle, a fire department vehicle, a driver training vehicle, a vehicle designed specifically for construction or maintenance purposes, a vehicle rented for thirty days or less, or a trailer intended for use with a commercial vehicle;

"public vehicle" means an automobile used primarily to provide transportation services to the public, and includes an ambulance, bus, funeral vehicle, limousine or taxi. O. Reg. 780/93, s. 2, *part*.

3.—(1) Subsections 3 (1), (2) and (3) of the Regulation are revoked and the following substituted:

(1) This section applies with respect to statutory condition 3 as set out in the Schedule to Ontario Regulation 777/93.

(2) An insurer is not required to permit an insured to pay the premium in instalments unless all of the following conditions are met:

1. The insurer, together with its affiliates, insured at least 10,000 private passenger automobiles in Ontario during the previous year.
2. The contract is written on Ontario Policy Form 1 or 2.
3. The contract does not insure a commercial vehicle or public vehicle.
4. The contract does not insure five or more vehicles that are under common ownership or management.
5. The total annual premium payable under the contract exceeds \$300.
6. The insured has not had more than one automobile insurance policy terminated by an insurer for non-payment of the premium during the thirty-six months before the contract takes effect. O. Reg. 780/93, s. 3 (1), *part*.

(2) Subsection 3 (5) of the Regulation is amended by inserting after "payments" in the second line "in respect of a contract entered into or renewed before July 1, 1994".

(3) Section 3 of the Regulation is amended by adding the following subsection:

(5.1) The maximum interest rate that an insurer may charge for instalment payments in respect of a contract entered into on or after July 1, 1994 is,

- (a) 3 per cent of the total premium payable under the contract, if the term of the contract is twelve months or more;
- (b) 1.5 per cent of the total premium payable under the contract, if the term of the contract is six months or more but less than twelve months; and
- (c) 0.5 per cent of the total premium payable under the contract, if the term of the contract is less than six months. O. Reg. 780/93, s. 3 (3).

4. Clause 5 (2) (i) of the Regulation is amended by inserting after "claim" in the first line "under section 263 of the Act".

5. The Regulation is amended by adding immediately before the heading to section 9 the following section:

8.1 The following classes of contracts are prescribed for the purpose of subsection 263 (5.1) of the Act:

1. Contracts that insure commercial vehicles.
2. Contracts that insure public vehicles.
3. Contracts written on Ontario Policy Form 4. O. Reg. 780/93, s. 5.

6. The definition of "heavy commercial vehicle" in subsection 9 (1) of the Regulation is revoked and the following substituted:

"heavy commercial vehicle" means a commercial vehicle with a gross vehicle weight greater than 4,500 kilograms;

7. The Regulation is amended by adding the following section:

SETTLEMENTS – STATUTORY ACCIDENT BENEFITS

9.1—(1) In this section, "settlement" means an agreement between an insurer and an insured person that finally disposes of a claim or dispute in respect of the insured person's entitlement to one or more benefits under the *Statutory Accident Benefits Schedule*.

(2) Before a settlement is entered into between an insurer and an insured person, the insurer shall give the insured person a written notice that contains the following:

1. A description of the benefits that may be available to the insured person under the *Statutory Accident Benefits Schedule* and any other benefits that may be available to the insured person under a contract of automobile insurance.
2. A description of the impact of the settlement on the benefits described under paragraph 1, including a statement of the restrictions contained in the settlement on the insured person's right to mediate, litigate, arbitrate, appeal or apply to vary an order as provided in sections 280 to 284 of the Act.
3. A statement that the insured person may rescind the settlement within two business days after the settlement is entered into by delivering a written notice to the insurer.
4. A statement that the tax implications of the settlement may be different from the tax implications of the benefits described under paragraph 1.
5. If the settlement provides for the payment of a lump sum in an amount offered by the insurer and, with respect to a benefit under the *Statutory Accident Benefits Schedule* that is not a lump sum benefit, the settlement contains a restriction on the insured person's right to mediate, litigate, arbitrate, appeal or apply to vary an order as provided in sections 280 to 284 of the

Act, a statement of the insurer's estimate of the commuted value of the benefit and an explanation of how the insurer determined the commuted value.

6. A statement advising the insured person to consider seeking independent legal, financial and medical advice before entering into the settlement.

(3) A settlement may be rescinded by the insured person, within two business days after the settlement is entered into, by delivering a written notice to the insurer.

(4) If the insurer did not comply with subsection (2), the insured person may rescind the settlement after the period mentioned in subsection (3) by delivering a written notice to the insurer.

(5) A restriction on an insured person's right to mediate, litigate, arbitrate, appeal or apply to vary an order as provided in sections 280 to 284 of the Act is not void under subsection 279 (2) of the Act if,

- (a) the restriction is contained in a settlement; and
- (b) the insurer complied with subsection (2). O. Reg. 780/93, s. 7.

8.—(1) Subsection 16 (1) of the Regulation is revoked and the following substituted:

(1) Insurers are prohibited from using elements of a risk classification system described in this section in classifying risks for any coverage or category of automobile insurance. O. Reg. 780/93, s. 8 (1).

(2) Subsection 16 (2) of the Regulation is amended by striking out "class of risk exposure" in the first line and substituting "element of a risk classification system".

(3) Subsection 16 (3) of the Regulation is amended by striking out "class of risk exposure" in the first line and substituting "element of a risk classification system".

(4) Subsection 16 (4) of the Regulation is amended by striking out "class of risk exposure" in the first line and substituting "element of a risk classification system".

(5) Subsection 16 (5) of the Regulation is revoked.

9. Form 1 of the Regulation is revoked.

10. This Regulation comes into force on January 1, 1994.

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ONTARIO REGULATION 781/93
made under the
UNIVERSITY FOUNDATIONS ACT, 1992

Made: December 2, 1993
Filed: December 2, 1993

Amending O. Reg. 731/93
(General)

Note: There are no prior amendments to Ontario Regulation 731/93.

1. The Table to Ontario Regulation 731/93 is amended by adding the following items:

3.1	McMaster University	McMaster University Foundation
3.2	Nipissing University	Nipissing University Foundation

8.1	University of Windsor	University of Windsor Foundation
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ONTARIO REGULATION 782/93
made under the
SOCIAL CONTRACT ACT, 1993

Made: December 2, 1993
Filed: December 2, 1993

Amending O. Reg. 454/93
(Exemptions and Additions)

Note: Since January 1, 1993, Ontario Regulation 454/93 has been amended by Ontario Regulation 589/93. There are no prior amendments.

1. Section 1 of Ontario Regulation 454/93 is amended by adding the following paragraph:

- 14. The Hospital Medical Records Institute.

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ONTARIO REGULATION 783/93
made under the
SOCIAL CONTRACT ACT, 1993

Made: December 2, 1993
Filed: December 2, 1993

PAYMENTS BY DESIGNATED EMPLOYERS UNDER SECTION 43 OF THE ACT

DISTRICT WELFARE ADMINISTRATION BOARDS

1.—(1) In this section, "board" means a district welfare administration board established under section 3 of the *District Welfare Administration Boards Act*.

(2) On or before December 31, 1993, each board listed in the Schedule shall refund to the municipalities listed in Column I of the Schedule the amount listed opposite the municipality's name in Column II of the Schedule.

(3) The refund shall be in the form of a cheque or by such other method as is authorized by the treasurer of the municipality.

(4) Despite subsection (2), the board may, instead of refunding the amount set out in the Schedule, notify the municipality in writing that it wishes the amount to be deducted from the amount that would otherwise be paid to the board by that municipality in 1994 under the *District Welfare Administration Boards Act*.

(5) If the board does not refund the amount in the Schedule or give notice under subsection (4) on or before December 31, 1993, the municipality shall reduce its 1994 contributions to the board by the amount set out in Column II opposite its name. O. Reg. 783/93, s. 1.

JOINT BOARDS

2.—(1) In this section,

“joint board” means a local board as defined in the *Municipal Affairs Act* whose expenses are paid by two or more municipalities in accordance with a cost-sharing agreement;

“participating municipality” means any municipality which is a party to a joint board cost-sharing agreement.

(2) On or before December of each year, every municipality which reports the compensation costs for a joint board on its financial information return shall determine the share of its expenditure reduction target attributable to that joint board for the current fiscal year.

(3) the attributable share shall be calculated as follows:

$$\frac{\left(\begin{array}{l} \text{total compensation costs of the joint board} \\ \text{—} \\ \text{total compensation costs of the} \\ \text{municipality — compensation costs related} \\ \text{to health and assistance to the aged} \end{array} \right) - \left(\begin{array}{l} \text{compensation costs of board employees} \\ \text{earning less than \$30,000 annually,} \\ \text{excluding overtime pay} \end{array} \right)}{\left(\begin{array}{l} \text{total compensation costs of the} \\ \text{municipality — compensation costs related} \\ \text{to health and assistance to the aged} \end{array} \right) - \left(\begin{array}{l} \text{compensation costs of municipal} \\ \text{employees earning less than \$30,000} \\ \text{annually, excluding overtime pay} \end{array} \right)} \times \left(\begin{array}{l} \text{target established for the municipality} \\ \text{under section 7 of the Act} \end{array} \right)$$

(4) The reporting municipality shall,

- (a) determine each participating municipality's share of the amount according to the percentage of the joint board's costs that each participating municipality pays; and
- (b) notify each participating municipality and joint board in writing of the participating municipality's share.

(5) Each participating municipality shall remit its share to the reporting municipality within sixty days of receiving the notice.

(6) If the participating municipality does not remit its share within the sixty-day period, that amount may be deducted from that municipality's next grant under the *Ontario Unconditional Grants Act* and added to the reporting municipality's next grant under that Act.

(7) Upon receipt of the notice, the joint board shall, on or before December 31 of each year,

- (a) refund the participating municipality's share; or
- (b) notify the participating municipality that it wishes that share to be deducted from the contribution that would otherwise be paid to the joint board by that participating municipality in the subsequent year under the cost-sharing agreement.

(8) If the joint board does not comply with subsection (7), the participating municipality shall reduce its next contribution to the joint board by the share calculated under subsection (4).

(9) Every participating municipality shall, at the request of the Ministry of Municipal Affairs, provide the following information:

1. The name of every joint board in respect of which it shares costs.
2. The functions of the joint board.
3. A copy of the cost-sharing agreement which pertains to each joint board.
4. Copies of any written notification required by this Regulation.
5. Any other information that the Ministry may require for the purposes of the Act and this Regulation.

(10) Every reporting municipality shall, at the request of the Ministry of Municipal Affairs, provide the following information:

1. The calculations used to determine and the amount of the joint board's share calculated in accordance with subsection (3).
2. A statement as to whether the calculations used under paragraph 1 are consistent with the figures provided in the most recent Compensation Costs Information form filed with the Ministry of Municipal Affairs.
3. The calculations used to determine the participating municipality's share under subsection (4) and the amount of the share determined by using those calculations.
4. Any other information that the Ministry may require for the purposes of the Act and this Regulation. O. Reg. 783/93, s. 2.

ONTARIO CLEAN WATER AGENCY

3.—(1) The Ontario Clean Water Agency shall pay into the Consolidated Revenue Fund the amount of \$650,000 on or before December 31, 1993 and the amount of \$1,250,000 on or before March 15, 1994.

(2) The payments shall be delivered to the Ministry of Environment and Energy and shall be paid by cheque or by such other method as is authorized in writing by an official of that Ministry. O. Reg. 783/93, s. 3.

Schedule

THE DISTRICT OF ALGOMA
WELFARE ADMINISTRATION BOARD

COLUMN I	COLUMN II
City of Elliot Lake	\$14,232
Town of Blind River	4,291
Town of Bruce Mines	527
Town of Thessalon	1,107
Village of Hilton Beach	202
Village of Iron Bridge	657
Township of Day and Bright Additional	634
Township of Hilton	424
Township of Jocelyn	479
Township of Johnson	757
Township of Laird	916

Township of Macdonald, Meredith and Aberdeen Additional	1,253
Township of Michipicoten	9,916
Township of Plummer Additional	769
Township of Prince	970
Township of St. Joseph	1,430
Township of Tarbutt and Tarbutt Additional	601
Township of Thessalon	877
Township of Thompson	160
Township of Homepayne	1,369
Township of The North Shore	1,198
Township of White River	1,487
Township of Shedden	718
Township of Dubreuville	700

THE DISTRICT OF COCHRANE
WELFARE ADMINISTRATION BOARD

Town of Cochrane	1,070
Town of Hearst	1,492
Town of Iroquois Falls	1,729
Town of Kapuskasing	2,623
Town of Smooth Rock Falls	661
Township of Black River-Matheson	915
Township of Moonbeam	330
Township of Glackmeyer	132
Township of Fauquier-Strickland	163
Township of Val Rita-Harty	175
Township of Mattice-Val Cote	229
Township of Opasatika	86

THE DISTRICT OF NIPISSING
WELFARE ADMINISTRATION BOARD

Town of Cache Bay	119
Town of Mattawa	1,057
Town of Sturgeon Falls	3,055
Township of Airy	526
Township of Bonfield	1,291
Township of Caldwell	859
Township of Calvin	562
Township of Chisholm	484
Township of East Ferris	2,491
Township of Field	289
Township of Mattawa	314
Township of Springer	1,243
Township of Temagami	1,153
Township of Papineau-Cameron	907

THE DISTRICT OF PARRY SOUND
WELFARE ADMINISTRATION BOARD

Town of Kearney	367
Town of Parry Sound	1,546
Town of Powassan	179
Town of Trout Creek	83
Village of Burk's Falls	208
Village of Magnetawan	55
Village of Rosseau	86
Village of South River	160
Village of Sundridge	235
Township of Armour	483
Township of Carling	929
Township of Chapman	286
Township of Christie	349
Township of Foley	731
Township of Hagerman	300
Township of North Himsworth	658
Township of South Himsworth	307
Township of Humphrey	1,621
Township of Joly	73
Township of Machar	337
Township of McDougall	589
Township of McKellar	541
Township of McMurrich	168

Township of Nipissing	438
Township of Perry	547
Township of Ryerson	193
Township of Strong	451
Township of The Archipelago	1,978

THE DISTRICT OF RAINY RIVER
WELFARE ADMINISTRATION BOARD

Town of Fort Frances	4,302
Town of Rainy River	228
Township of Alberton	299
Township of Atikokan	1,171
Township of Atwood	85
Township of Blue	18
Township of Chapple	236
Township of Dilke	45
Township of Emo	337
Township of La Vallee	232
Township of McCrosson and Tovell	67
Township of Morley	149
Township of Morson	126
Township of Worthington	40

THE DISTRICT OF SUDBURY
WELFARE ADMINISTRATION BOARD

The Regional Municipality of Sudbury	52,885
Town of Espanola	2,233
Town of Massey	221
Town of Webbwood	78
Township of Baldwin	162
Township of Casimir, Jennings and Appleby	325
Township of Chapleau	706
Township of Cosby, Mason and Mar	424
Township of Hagar	149
Township of Nairn	256
Township of Ratter and Dunnet	245
Township of The Spanish River	321

O. Reg. 783/93, Sched.

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ONTARIO REGULATION 784/93
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: December 2, 1993

Filed: December 2, 1993

ADOPTION OF TRAINING REQUIREMENTS

1.—(1) The requirements for certification of trades prescribed in the regulations made under the *Trades Qualification Act* and set out in the Schedule are adopted and prescribed as the standard with which every worker in those trades must comply.

(2) No worker in a trade set out in the Schedule, other than an apprentice as defined in section 1 of the *Trades Qualification Act*, shall carry out any work in that trade unless the worker holds a subsisting certificate of qualification in that trade.

(3) Every employer who employs a worker in a trade set out in the Schedule, other than an apprentice as defined in section 1 of the *Trades Qualification Act*, shall ensure that the worker holds a subsisting certificate of qualification in that trade.

(4) A worker, including an apprentice, is carrying out work in a trade if that work is included in the definition of the trade in the regulation made under the *Trades Qualification Act* and referred to in the Schedule for that trade. O. Reg. 784/93, s. 1.

2. The two-year exception granted under subsection 10 (4) of the *Trades Qualification Act* also applies to, and with respect to, workers under this Regulation. O. Reg. 784/93, s. 2.

Schedule

TRADE	PROGRAM
1. Alignment and brakes mechanic	Reg. 1039, R.R.O. 1990
2. Auto body repairer, branch 1: auto body and collision damage repairer	Reg. 1040, R.R.O. 1990
3. Auto body repairer, branch 2: auto body repairer	Reg. 1040, R.R.O. 1990
4. Electrician, branch 1: construction and maintenance electrician	Reg. 1051, R.R.O. 1990
5. Electrician, branch 2: domestic and rural electrician	Reg. 1051, R.R.O. 1990
6. Fuel and electrical systems mechanic	Reg. 1054, R.R.O. 1990
7. Hoisting engineer, branch 1: mobile crane operator	Reg. 1060, R.R.O. 1990
8. Hoisting engineer, branch 2: mobile crane operator	Reg. 1060, R.R.O. 1990
9. Hoisting engineer, branch 3: tower crane operator	Reg. 1060, R.R.O. 1990
10. Motor vehicle mechanic	Reg. 1068, R.R.O. 1990
11. Motorcycle mechanic	Reg. 1069, R.R.O. 1990
12. Plumber	Reg. 1073, R.R.O. 1990
13. Refrigeration and air-conditioning mechanic	Reg. 1076, R.R.O. 1990
14. Sheet metal worker	Reg. 1077, R.R.O. 1990
15. Steamfitter	Reg. 1079, R.R.O. 1990
16. Transmission mechanic	Reg. 1081, R.R.O. 1990
17. Truck-trailer repairer	Reg. 1082, R.R.O. 1990

O. Reg. 784/93, Sched.

51/93

ONTARIO REGULATION 785/93
made under the
PENSION BENEFITS ACT

Made: December 2, 1993
Filed: December 2, 1993

Amending Reg. 909 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 909 has been amended by Ontario Regulation 433/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsections 47 (4) and (5) of Regulation 909 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

(4) Every employer who, on January 1, 1988, maintained a pension plan that provides defined benefits is exempt from subsection 19 (1) of the *Pension Benefits Act, 1987* for the period ending December 31, 1994.

(5) The parties to a collective agreement or arbitration award governing a pension plan described in subsection 19 (2) of the *Pension Benefits Act, 1987* that provides defined benefits are exempt from that subsection for the period ending December 31, 1994. O. Reg. 785/93, s. 1.

2. This Regulation comes into force on January 1, 1994.

51/93

ONTARIO REGULATION 786/93
made under the
PENSION BENEFITS ACT

Made: December 2, 1993
Filed: December 2, 1993

Amending Reg. 909 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 909 has been amended by Ontario Regulations 433/93 and 785/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 83 of Regulation 909 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(1.1) An application for registration of an amendment to a pension plan shall be in Form 1.1. O. Reg. 786/93, s. 1.

2. Form 1 of the Regulation is revoked and the following substituted:

Form 1

Pension Benefits Act

APPLICATION FOR REGISTRATION OF A PENSION PLAN

Information Concerning the Administrator

1. The name of the administrator is:

.....

Note: If the administrator is a corporation, pension committee or board, give the name of the corporation, committee or board.

2. The mailing address and postal code of the administrator is:

.....
.....

3. The telephone number of the administrator is:

.....

4. Indicate whether the plan administrator is, (Check one)

- (a) an employer or employers shown in paragraph 7;
- (b) a pension committee;
- (c) an insurance company;
- (d) a board of trustees;
- (e) a board, agency or commission made responsible by an act of the legislature for the administration of the pension plan.

5. If the administrator is a pension committee, board, agency or commission, attach to this Form the name, mailing address and postal code of each member.

- 6. If the administrator is a pension committee, indicate the number of members who are representatives of,
 - (a) the employer or employers or any other person required to make contributions under the pension plan on behalf of an employer;
 - (b) members of the pension plan;
 - (c) TOTAL.

Information Concerning the Employer

- 7. The name of the employer is:

.....
- 8. The mailing address and postal code of the employer is:

.....

.....
- 9. The telephone number of the employer is:

.....
- 10. Are there any other employers, including subsidiary or affiliated companies, with employees participating in the plan?

Yes No

If yes, attach to this Form the name, mailing address and postal code of each other employer.

- 11. Is/are the employer(s), (Check the most appropriate box)
 - (a) a sole proprietorship;
 - (b) a partnership;
 - (c) a registered association;
 - (d) a corporation;
 - (e) a municipal government or agency;
 - (f) a provincial government or agency;
 - (g) a federal government or agency;
 - (h) other (specify)

12. What is the main activity of the employer?
.....

- 13. What is the nature of the employer(s) business?
 - (a) included employment
 - (b) other than included employment

Note: Included employment is employment in connection with the operation of any work, undertaking or business that is within the authority of Federal legislation.

Information Concerning the Pension Plan

- 14. What is the name of the pension plan?
.....
- 15. What is the effective date for the plan?

.....
(day, month, year)

16. What is the date of the plan year-end?
.....
(day, month)

- 17. Is the pension plan a creation of, or supported by, a collective agreement?

Yes No

If yes, attach a copy of the collective agreement to the end of this Form.

- 18. Are there any other pension plans already set up by the employer(s) as identified in paragraph 7 or by an affiliated or subsidiary company?

Yes No

If yes, attach a list to the end of this Form of,

- (a) the name(s) of the plan(s);
- (b) the name(s) of the employer(s) for each plan if different from that identified in paragraph 7;
- (c) the certificate of registration number(s) for each plan;
- (d) the name of the government with which each plan is registered; and
- (e) the number of Ontario members in each plan.

- 19. Have the members covered by this new plan participated in the past in any other pension plan of your company, including a predecessor, subsidiary or affiliated company?

Yes No

If yes, state the name of the previous plan(s), the provincial registration number(s) and explain the current status of the plan(s):
.....
.....

Funding Information

- 20. Are the benefits provided for in the plan totally insured or guaranteed by an insurance company?

Yes No

If yes, state the name, mailing address and postal code of the insurance company:
.....
.....

If no, a fund must be set up. State the name of the fund and the name, mailing address and postal code of the custodian of the fund's assets:

Fund Name:
Custodian Name:
Mailing Address:
.....

21. State the name, mailing address and postal code of the investment counsel, if any:

.....

22. State the name, mailing address and postal code of the actuarial consulting firm, if any:

.....

Plan Membership and Registration Fees

23. Enter below the number of members, excluding former members, and the location of their employment as of the effective date of the plan:

LOCATION OF EMPLOYMENT	MALE	FEMALE	TOTAL
Ontario			
Newfoundland			
Prince Edward Island			
Nova Scotia			
New Brunswick			
Quebec			
Manitoba			
Saskatchewan			
Alberta			
British Columbia			
Yukon Territory			
Northwest Territories			
Outside Canada			
TOTALS			*

*Note: This total must equal the total number of members as of the effective date of the plan.

24. Complete the Schedule provided by the Superintendent to calculate the required registration fee and enter the amount payable: \$

Documents to be Attached

25. This application for registration form must be accompanied by,
- (a) certified copies of the documents that create and support the pension plan;
 - (b) certified copies of the documents that create and support the pension fund;
 - (c) a certified copy of any reciprocal transfer agreement related to the pension plan;
 - (d) a certified copy of the explanations and other information provided to members and persons eligible to become members as required under subsection 25 (1) of the Act (Information provided by administrator).

26. Indicate below whether the applicable documents and information are attached or are not applicable (N/A):

- Certified copy of the text of the plan and of the amendments, if any.
- Certified copy of the collective agreement if the plan was set up in accordance with a labour agreement.
- Certified copy of the trust agreement(s).
- Certified copy of the deposit contract(s) with an insurance company.
- Certified copy of the group annuity contract(s).
- Certified copy of the explanatory statement to members and persons eligible to become members (subsection 25 (1) of the Act).
- Certified copy of the statement of investment policies and goals.
- A list of the names and addresses of each member of the pension committee, board, agency or commission as per paragraph 5.
- A list of the other pension plans already set up by the employer as per paragraph 18.
- A list of the names and addresses of each employer participating in this plan as per paragraph 10.
- A list of names and certificate of registration numbers for all previous pension plans of the employer(s) as per paragraph 19.
- Other (specify)
- Application Fee Enclosed. Computed in accordance with the Schedule provided by the Superintendent, payable to the Minister of Finance.

DECLARATION BY ADMINISTRATOR

I, hereby apply for registration of the pension plan identified in this Form under the Act and the regulations. I make the application in my capacity as the administrator/duly authorized signing officer of the administrator (strike out inapplicable term) of

..... (the "Pension Plan")
 (Name of the pension plan)

Attached are certified copies of the documents that create and support the Pension Plan and the pension fund as well as any other documents required to be filed under the Act.

I DECLARE THAT:

1. The documents filed with this Form include certified copies of the documents that create and support the Pension Plan and the pension fund and those documents, as well as all other documents filed with this application, comply with the Act and the regulations;
2. I understand that the obligation to ensure that the documents filed with this Form comply with the Act and the regulations is the responsibility of the administrator, and I declare that I have fulfilled that obligation and have complied with the provisions of the Act and the regulations in making this application for registration; and
3. I acknowledge that this declaration extends to compliance with the pension legislation of any designated jurisdiction within Canada, other than Ontario, where the legislation of a designated jurisdiction applies to members and former members of the Pension Plan.

I declare that I am aware of my obligations under the Act as administrator of the Pension Plan and that the above statements are true to the best of my knowledge and belief.

DATED at the City of, this day of, 19

Witness Signature of administrator or authorized signing officer
Name of witness Name of administrator or authorized signing officer (printed)
Address of witness

O. Reg. 786/93, s. 2, part.

Form 1.1

Pension Benefits Act

APPLICATION FOR REGISTRATION OF A PENSION PLAN AMENDMENT

Please print:

Pension Commission of Ontario ("PCO") registration number:

Name of pension plan:

Name of employer or sponsor:

Effective date of amendment: Amendment number (where applicable):
(day, month, year)

Please indicate whether the application involves:

- Transfer of assets, Distribution of surplus, Early retirement/downsizing program, Merger of plans, Plan conversion, Full or partial wind-up of the pension plan, Refund of contributions, Other

DECLARATION BY ADMINISTRATOR

I,, hereby apply for registration of the pension plan amendment identified in this Form under the Act and the regulations. I make the application in my capacity as the administrator/ duly authorized signing officer of the administrator (strike out inapplicable term) of

..... (the "Pension Plan") (State the name of the pension plan)

bearing PCO registration number

Attached is a certified copy of the amending document as well as any other document required to be filed under the Act.

I DECLARE THAT:

1. The documents filed with this Form include a certified copy of the amending document and that document, as well as all other docu-

ments filed with this application, comply with the provisions of the Act and the regulations;

2. I understand that the obligation to ensure that the documents filed with this Form comply with the Act and the regulations is the responsibility of the administrator, and I declare that I have fulfilled that obligation and have complied with the provisions of the Act and the regulations in making this application for registration; and

3. I acknowledge that this declaration extends to compliance with the pension legislation of any designated jurisdiction within Canada, other than Ontario, where the legislation of a designated jurisdiction applies to members and former members of the pension plan.

I declare that I am aware of my obligations under the Act as administrator of the Pension Plan and that the above statements are true to the best of my knowledge and belief.

DATED at the City of, this day of, 19

Witness Signature of administrator or authorized signing officer
Name of witness Name of administrator or authorized signing officer (printed)
Address of witness

O. Reg. 786/93, s. 2, part.

3. This Regulation comes into force on May 1, 1994.

51/93

ONTARIO REGULATION 787/93 made under the PENSION BENEFITS ACT

Made: December 2, 1993 Filed: December 2, 1993

Amending Reg. 909 of R.R.O. 1990 (General)

Note: Since January 1, 1993, Regulation 909 has been amended by Ontario Regulations 433/93, 785/93 and 786/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Subsection 19 (1) of Regulation 909 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) For the purposes of subsection 42 (1) of the Act, the commuted value of a pension, deferred pension or ancillary benefit shall not be less than the value determined in accordance with "Recommendations for the Computation of Transfer Values from Registered Pension Plans" issued by the Canadian Institute of Actuaries and effective September 1, 1993. O. Reg. 787/93, s. 1 (1).

(2) Subsection 19 (5.1) of the Regulation is amended by striking out "minimum" in the third line.

2. Subsection 23 (1) of the Regulation is amended by adding the following paragraphs:

9. The Province of New Brunswick.

10. The Province of British Columbia.

3. This Regulation comes into force on January 1, 1994.

51/93

ONTARIO REGULATION 788/93
made under the
FAMILY BENEFITS ACT

Made: December 2, 1993

Filed: December 2, 1993

Amending Reg. 366 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 366 has been amended by Ontario Regulations 44/93, 97/93, 208/93, 218/93, 320/93, 369/93, 436/93 and 686/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Clause 5 (a) of Regulation 366 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(a) if the person is,

(i) a person against whom a deportation order has been made under the *Immigration Act* (Canada), unless the Director is satisfied that,

(A) for reasons wholly beyond the control of the person, he or she is unable to leave the country, or

(B) he or she has made an application for permanent residence status under subsection 114 (2) of the *Immigration Act* (Canada),

(ii) a person in respect of whom a departure order or exclusion order under the *Immigration Act* (Canada) has become effective, unless the Director is satisfied that,

(A) for reasons wholly beyond the control of the person, he or she is unable to leave the country, or

(B) he or she has made an application for permanent residence status under subsection 114 (2) of the *Immigration Act* (Canada),

(iii) a visitor, other than a person who has made a claim for refugee status under the *Immigration Act* (Canada) or who has made an application for permanent residence status under the *Immigration Act* (Canada), or

(iv) a tourist;

2. Subsection 12 (19) of the Regulation is revoked and the following substituted:

(19) Where the basic needs of the applicant or recipient are calculated in accordance with paragraph 4 of subsection (5) and both the applicant or recipient and his or her spouse are blind, disabled or persons referred to in subsection 2 (5) or (6), the total amount paid in respect of the following items shall not exceed \$1,560:

1. The amount paid in respect of the applicant or recipient and the spouse,

i. for basic allowance and basic shelter, as calculated under paragraph 4 of subsection (5), and

ii. for the variable shelter allowance under paragraph 7 or 9, as the case may be, of subsection (5).

2. The amount paid in accordance with subsection (18).

3. The amount established for special needs in accordance with sub-subparagraph B of subparagraph ii of paragraph 12 of subsection (5). O. Reg. 788/93, s. 2.

3.—(1) Paragraph 10 of subsection 13 (2) of the Regulation is revoked and the following substituted:

10. Subject to subsection (15), if the applicant or recipient is a sponsored dependant or a nominated relative within the meaning of the regulations under the *Immigration Act* (Canada) and resides in the home of the sponsor or nominating relative, an amount equal to the greater of,

i. payments available to the applicant or recipient, as determined by the Director, under any undertaking or engagement made on his or her behalf under the regulations under the *Immigration Act* (Canada), between the Government of Canada and any person nominating or sponsoring him or her, or

ii. the amount of the allowance under the Act otherwise calculated less the applicable basic allowance amount set out in Schedule C or F.

(2) Paragraph 10.1 of subsection 13 (2) of the Regulation is revoked and the following substituted:

10.1 Subject to subsections (15) and (17), if the applicant or recipient is a sponsored dependant or a nominated relative within the meaning of the regulations under the *Immigration Act* (Canada) and does not reside in the home of the sponsor or nominating relative, an amount equal to the greater of,

i. payments available to the applicant or recipient, as determined by the Director, under any undertaking or engagement made on his or her behalf under the regulations under the *Immigration Act* (Canada), between the Government of Canada and any person nominating or sponsoring him or her, or

ii. \$100.

(3) Subsection 13 (2) of Regulation 366 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

16.2 Proceeds of any loan except, with the Director's approval, any portion that is applied or will be applied to the operation of a business.

(4) Subsection 13 (8) of the Regulation is amended by striking out "may" in the third line and substituting "shall".

(5) Subsection 13 (15) of the Regulation is revoked and the following substituted:

(15) The amount determined under paragraph 10 or 10.1 of subsection 13 (2) shall be equal to zero, if the sponsor or nominating relative is himself or herself in receipt of, or otherwise eligible for, an allowance under the Act or general assistance under the *General Welfare Assistance Act*, or in receipt of a payment under Part II of the *Old Age Security Act* (Canada) or a payment under the *Ontario Guaranteed Annual Income Act*. O. Reg. 788/93, s. 3 (5).

(6) Subsection 13 (16) of the Regulation is revoked.

4. Subsection 31 (10) of the Regulation is revoked and the following substituted:

(10) Where the budgetary requirements of the applicant or recipient are calculated in accordance with subsection (8) and both the applicant or recipient and his or her spouse are blind, disabled or persons referred to in subsection 2 (5) or (6), the total amount paid in respect of the following items shall not exceed \$1,560:

1. The amount paid in respect of the applicant or recipient and the spouse for basic allowance, basic shelter and for the variable shelter allowance, as calculated under clause 31 (8) (b).
2. The amount paid in accordance with subsection (9). O. Reg. 788/93, s. 4.

5. Schedule C to the Regulation is amended by inserting after "subsection 12 (5)" in the last line "and paragraph 10 of subsection 13 (2)".

6. Schedule F to the Regulation is amended by inserting after "subsection 31 (8)" in the sixth-last line "and paragraph 10 of subsection 13 (2)".

7.—(1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 2 and 4 of this Regulation come into force on January 1, 1994.

51/93

ONTARIO REGULATION 789/93
made under the
GENERAL WELFARE ASSISTANCE ACT

Made: December 2, 1993
Filed: December 2, 1993

Amending Reg. 537 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 537 has been amended by Ontario Regulations 43/93, 98/93, 219/93, 321/93, 370/93 and 437/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 7 (7) of the Regulation is revoked and the following substituted:

(7) No person is eligible for general assistance if the person is,

(a) a person against whom a deportation order has been made under the *Immigration Act* (Canada), unless the welfare administrator is satisfied that,

(i) for reasons wholly beyond the control of the person, he or she is unable to leave the country, or

(ii) he or she has made an application for permanent residence status under subsection 114 (2) of the *Immigration Act* (Canada);

(b) a person in respect of whom a departure order or exclusion order under the *Immigration Act* (Canada) has become effective, unless the welfare administrator is satisfied that,

(i) for reasons wholly beyond the control of the person, he or she is unable to leave the country, or

(ii) he or she has made an application for permanent residence status under subsection 114 (2) of the *Immigration Act* (Canada);

(c) a visitor, other than a person who has made a claim for refugee status under the *Immigration Act* (Canada) or who has made an application for permanent residence status under the *Immigration Act* (Canada); or

(d) a tourist. O. Reg. 789/93, s. 1.

2.—(1) Paragraph 9 of subsection 15 (2) of the Regulation is revoked and the following substituted:

9. subject to subsection (12), if the applicant or recipient is a sponsored dependant or a nominated relative within the meaning of the regulations under the *Immigration Act* (Canada) and resides in the home of the sponsor or nominating relative, an amount equal to the greater of,

i. payments available to the applicant or recipient, as determined by the welfare administrator, under any undertaking or engagement made on his or her behalf under the regulations under the *Immigration Act* (Canada), between the Government of Canada and any person nominating or sponsoring him or her, or

ii. the amount of the general assistance under the Act otherwise calculated less the applicable basic allowance amount set out in Schedule C;

(2) Paragraph 9.1 of subsection 15 (2) of the Regulation is revoked and the following substituted:

9.1 Subject to subsections (12) and (14), if the applicant or recipient is a sponsored dependant or a nominated relative within the meaning of the regulations under the *Immigration Act* (Canada) and does not reside in the home of the sponsor or nominating relative, an amount equal to the greater of,

i. payments available to the applicant or recipient, as determined by the welfare administrator, under any undertaking or engagement made on his or her behalf under the regulations under the *Immigration Act* (Canada), between the Government of Canada and any person nominating or sponsoring him or her, or

ii. \$100;

(3) Subsection 15 (2) of the Regulation is amended by adding the following paragraphs:

15.2 proceeds of any loan except, with the approval of the welfare administrator, any portion that is applied or will be applied to the operation of a business;

23.1 payments received from the Department of Indian Affairs and Northern Development (Canada) or a band, for board and lodging or a student attending a secondary school not on the reserve;

(4) Subsection 15 (7) of the Regulation is amended by striking out "may" in the third line and substituting "shall".

(5) Subsection 15 (12) of the Regulation is revoked and the following substituted:

(12) The amount determined under paragraph 9 or 9.1 of subsection 15 (2) shall be equal to zero, if the sponsor or nominating relative is himself or herself in receipt of, or otherwise eligible for, general assistance under this Act or an allowance under the *Family Benefits Act*, or in receipt of a payment under Part II of the *Old Age Security Act* (Canada) or a payment under the *Ontario Guaranteed Annual Income Act*. O. Reg. 789/93, s. 2 (5).

(6) Subsection 15 (13) of the Regulation is revoked.

3. Schedule C to the Regulation is amended by inserting after "subsection 13 (4)" in the last line "and paragraph 9 of subsection 15 (2)".

51/93

ONTARIO REGULATION 790/93
made under the
LIQUOR LICENCE ACT

Made: December 2, 1993
Filed: December 3, 1993

Amending Reg. 718 of R.R.O. 1990
(General)

Note: Regulation 718 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 4 of Regulation 718 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The hospitals listed in Column 2 of the Schedule and located at the places listed in Column 1 of the Schedule are designated for the purpose of subsection 36 (1) of the Act. O. Reg. 790/93, s. 1.

2. The Regulation is amended by adding the following Schedule:

Schedule

**HOSPITALS DESIGNATED FOR THE PURPOSE OF
SUBSECTION 36 (1) OF THE ACT**

COLUMN 1	COLUMN 2
<u>Place</u>	<u>Hospital</u>
Barrie	As part of the Royal Victoria Hospital – The Community Care Centre for Substance Abuse
Cornwall	As part of the Cornwall General Hospital – Cornwall & Area Social Detox Program
Hamilton	As part of the Hamilton Civic Hospital – Hamilton Men's Detox Centre
Hamilton	As part of the St. Joseph's Hospital – Hamilton Women's Detox Centre
Kenora	As part of the Lake of the Woods District Hospital – Alpha Delta Chi House
Kingston	As part of the Hôtel Dieu Hospital – Hôtel Dieu Detox
Kitchener	As part of the Kitchener-Waterloo Hospital – Waterloo Regional Detoxification Unit
London	As part of the St. Joseph's Health Centre – St. Joseph's Detoxification Centre
North Bay	As part of the St. Joseph's General Hospital of North Bay Inc. – Nipissing Centre
Ottawa	As part of the Elizabeth Bruyère Hospital – Ottawa Detoxification Centre
Owen Sound	As part of the Grey Bruce Regional Health Centre – Grey Bruce Non-Medical Detoxification Centre
Sault Ste. Marie	As part of the Plummer Memorial Public Hospital – Sault Ste. Marie Detoxification Centre
Simcoe	As part of the Norfolk General Hospital – Haldimand-Norfolk Detoxification and Rehabilitation Service

Smooth Rock Falls	As part of the Smooth Rock Falls Hospital – Smooth Rock Falls Detoxification Centre
St. Catharines	As part of the Hôtel Dieu Hospital – Niagara Regional Detoxification Centre and The Regional Niagara Women's Detoxification Centre
Sudbury	As part of the Sudbury Algoma Hospital – Detoxification Centre (Men) and Pinegate Women's Detoxification Service
Thunder Bay	As part of the St. Joseph's General Hospital – Balmoral Centre
Toronto	As part of the Alcoholism and Drug Addiction Research Foundation (The Clinical Institute) – the Addiction Research Foundation Detoxification Unit
Toronto	As part of The Doctors Hospital – Women's Own Detox Centre
Toronto	St. Joseph's Health Centre Detoxification Unit
Toronto	St. Michael's Hospital Detoxification Centre
Toronto	The Toronto East General and Orthopaedic Hospital Inc. Detoxification Centre
Toronto	Toronto Hospital Western Division Detoxification Unit
Windsor	As part of the Windsor Western Hospital Centre, Inc. – the Men's Detox Centre and the Women's Detox Centre

51/93

O. Reg. 790/93, s. 2.

ONTARIO REGULATION 791/93
made under the
**AUDIOLOGY AND SPEECH-LANGUAGE
PATHOLOGY ACT, 1991**

Made: November 5, 1993
Approved: December 2, 1993
Filed: December 3, 1993

FEEES

- 1.—(1) Every member shall pay an annual fee.
- (2) The annual fees are,
 - (a) for a fully registered or academic member, \$450;
 - (b) for a provisionally registered or non-practising member, \$225; and
 - (c) for a teaching member, \$450 prorated according to the number of months in a year that a member teaches the profession and based on a fee of \$37.50 a month.
- (3) The annual fee for a year must be paid on or before October 1 in the year.
- (4) The annual fee paid by a member in the year of the member's first application shall be prorated according to the portion of the year between the date the certificate of registration is issued and September 30 in the year. O. Reg. 791/93, s. 1.

2.—(1) Upon application for registration, a person shall pay a fee of \$75.

(2) Upon issuance of a certificate of registration, a member shall pay a fee of \$200. O. Reg. 791/93, s. 2.

3. No later than sixty days before the annual fee is due, the Registrar shall notify the member of the amount of the fee and the day on which the fee is due. O. Reg. 791/93, s. 3.

4.—(1) A member shall pay a penalty of 20 per cent of the annual fee payable by the member if the member fails to pay the annual fee on or before the day on which the fee is due.

(2) A member who chooses to pay the annual fee quarterly must also pay an administrative fee as set by the Registrar.

(3) The quarterly payments shall fall due on October 1, April 1, July 1 and January 1 in the year.

(4) Subject to section 24 of the Health Professions Procedural Code, if the annual fee or first quarterly instalment is not paid within four months after October 1, the member's certificate of registration shall be suspended.

(5) The Registrar shall lift a suspension under subsection (4) upon payment of the annual fee payable by the member plus a reinstatement fee of 35 per cent of that fee.

(6) If the annual fee is not paid in full within twelve months after October 1, the member's certificate of registration shall be revoked.

(7) A member whose certificate of registration has been revoked under subsection (6) may apply for a new certificate of registration but shall pay a registration fee in addition to the annual fee payable by the member. O. Reg. 791/93, s. 4.

5. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF AUDIOLOGISTS
AND SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO:

ALAN C. CHEVERIE
Chair

ISOBEL A. MANZER
Registrar

Dated at Toronto on November 5, 1993.

51/93

ONTARIO REGULATION 792/93

made under the
DENTISTRY ACT, 1991

Made: November 18, 1993
Approved: December 2, 1993
Filed: December 3, 1993

FEES

1.—(1) Upon registration, every member shall pay a fee.

(2) The registration fee for a general, academic, specialty or education certificate of registration is \$100.

(3) The registration fee for an instructional certificate of registration is \$400. O. Reg. 792/93, s. 1.

2.—(1) Every member shall pay an annual fee.

(2) The annual fee for a general, academic, specialty or education certificate of registration is \$1,350.

(3) The annual fee for a graduate student certificate of registration is \$100.

(4) A member who holds both a general and a specialty certificate of registration shall not be required to pay more than one annual fee. O. Reg. 792/93, s. 2.

3.—(1) For a member holding a general, academic or specialty certificate, the annual fee for a calendar year must be paid on or before December 15 in the preceding year.

(2) For a member holding an education or graduate student certificate, the annual fee must be paid on or before the first day of the month in which the internship, residency position or graduate program, as the case may be, commences.

(3) The Registrar shall notify the member of the amount of the fee, and the day on which the fee is due.

(4) If the member fails to pay an annual fee on or before the day on which the fee is due, the member shall pay a penalty of \$100 in addition to the annual fee. O. Reg. 792/93, s. 3.

4. The annual fee payable by a member for the year for which the member is first issued a general, academic or specialty certificate shall be,

(a) \$1,350 if the certificate is issued on or after January 1 but before June 1 in a calendar year;

(b) \$750 if the certificate is issued on or after June 1 but before September 1 in a calendar year; or

(c) \$500 if the certificate is issued on or after September 1 in a calendar year. O. Reg. 792/93, s. 4.

5.—(1) A member whose certificate of registration was suspended for failure to pay a prescribed fee and who wants to have the suspension lifted shall pay,

(a) the fee that the member failed to pay;

(b) the annual fee payable for the year in which the suspension is to be lifted;

(c) all applicable penalties; and

(d) a reinstatement fee of \$100.

(2) A member whose certificate of registration was revoked after two years of suspension for non-payment of a prescribed fee and who wants to be reinstated shall pay,

(a) an application fee of \$100;

(b) the annual fee payable for each year in which the member practised in Ontario if not previously paid;

(c) all applicable penalties; and

(d) a reinstatement fee of \$100.

(3) A member who resigned while in default of a fee owed to the College and who wants to be reinstated shall pay,

(a) an application fee of \$100;

(b) the fees and penalties owed to the College at the time of resignation; and

(c) a reinstatement fee of \$100.

(4) A member who resigned other than as referred to in subsection (3) and who wants to be reinstated shall pay,

- (a) an application fee of \$100;
- (b) the annual fee payable for each year in which the member practised in Ontario if not previously paid; and
- (c) a reinstatement fee of \$100. O. Reg. 792/93, s. 5.

6. A member whose certificate of registration was revoked by an order of a panel of the Discipline Committee and who applies for reinstatement shall pay an application fee of \$500. O. Reg. 792/93, s. 6.

7. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE ROYAL COLLEGE
OF DENTAL SURGEONS OF ONTARIO:

RICHARD M. BEYERS
President

ROGER L. ELLIS
Registrar

Dated at Toronto on November 18, 1993.

51/93

ONTARIO REGULATION 793/93
made under the
DENTURISM ACT, 1991

Made: November 19, 1993
Approved: December 2, 1993
Filed: December 3, 1993

ELECTION OF COUNCIL MEMBERS

1.—(1) In this Regulation, "election" means an election of a member to the Council for an electoral district and includes a regular election and a by-election, and "elected" has a corresponding meaning.

(2) For the purposes of this Regulation, a member becomes "the subject of proceedings" when a committee makes a referral for a hearing in respect of the member. O. Reg. 793/93, s. 1.

ELECTORAL DISTRICTS

2.—(1) The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1, composed of the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex and Oxford.
2. Electoral district 2, composed of the County of Brant and the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth and Niagara.
3. Electoral district 3, composed of the counties of Bruce, Dufferin, Grey and Wellington and the regional municipalities of Halton, Peel and Waterloo.
4. Electoral district 4, composed of the portions of The Municipality of Metropolitan Toronto and The Regional Municipality of York served by the postal codes, L4C, L4K, L4L, L6A, M3J, M3L, M3M, M3N, M6H, M6J, M6K, M6L, M6M, M6N, M6P, M6R, M6S, M8V, M8W, M8X, M8Y, M8Z, M9A, M9B, M9C, M9L, M9M, M9N, M9P, M9R, M9V and M9W.
5. Electoral district 5, composed of the portions of The Municipality of Metropolitan Toronto and The Regional Municipality of York served by the postal codes, L3T, L4J, M2M, M2N,

M2P, M2R, M3H, M3K, M4N, M4R, M4T, M4V, M4W, M4X, M4Y, M5A, M5B, M5C, M5E, M5G, M5H, M5J, M5K, M5L, M5M, M5N, M5P, M5R, M5S, M5T, M5V, M5W, M5X, M6A, M6B, M6C, M6E and M6G.

6. Electoral district 6, composed of the portions of The Municipality of Metropolitan Toronto and The Regional Municipality of York served by the postal codes, L3P, L3R, L3S, L4B, L6C, L6E, M1B, M1C, M1E, M1G, M1H, M1J, M1K, M1L, M1M, M1N, M1P, M1R, M1S, M1T, M1V, M1W, M1X, M2H, M2J, M2K, M2L, M3A, M3B, M3C, M4A, M4B, M4C, M4E, M4G, M4H, M4J, M4K, M4L, M4M, M4P and M4S.
7. Electoral district 7, composed of the counties of Frontenac, Hastings, Lanark, Leeds-Grenville, Lennox-Addington, Northumberland, Prescott-Russell, Prince Edward, Renfrew and Stormont-Dundas-Glenora and the regional municipalities of Durham and Ottawa-Carleton.
8. Electoral district 8, composed of the counties of Haliburton, Simcoe and Victoria, the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Muskoka, Nipissing, Parry Sound, Rainy River, Sudbury, Timiskaming and Thunder Bay and The Regional Municipality of York except for the portion of The Regional Municipality of York contained in electoral districts 4, 5 and 6.

(2) One member shall be elected to the Council for each electoral district. O. Reg. 793/93, s. 2.

ELECTION DATES

3.—(1) There shall be a regular election for every electoral district in 1994, and,

- (a) for electoral districts 1 and 2, in 1995 and every third year after 1995;
- (b) for electoral districts 3, 4 and 5, in 1996 and every third year after 1996; and
- (c) for electoral districts 6, 7 and 8, in 1997 and every third year after 1997.

(2) Except as otherwise provided in this section, a regular election shall be held on the first Wednesday in June but, if the first Wednesday in June is a holiday, the election shall be held on the first day afterwards that is not a holiday.

(3) If there is an interruption in mail service during a nomination or election, the Registrar shall extend the holding of nominations and the election for such period of time as the Registrar considers necessary to compensate for the interruption.

(4) Where a regular election is not held as required by this section, the elected members of the Council then in office shall continue in office until their successors are elected. O. Reg. 793/93, s. 3.

TERM OF OFFICE

4.—(1) The term of office of a member elected at a regular election is three years, commencing with the first regular meeting of the Council after the election and expiring, subject to subsection (2), at the first regular meeting of the Council after the regular election three years later.

(2) The term of office of a member elected at a regular election held after the date required by section 3 expires as if he or she had been elected on the required date.

(3) The term of office of a member whose office becomes vacant by reason of the member's disqualification expires upon the declaration of the vacancy and the term of office of a member elected in a by-election or appointed to replace a member whose office is vacant expires when his or her predecessor's office would have expired under subsection (1). O. Reg. 793/93, s. 4.

ELIGIBILITY TO VOTE

5. A member is entitled to vote in an election if,
- (a) the member is the holder of a certificate of registration;
 - (b) on the one hundred and twentieth day immediately preceding the election,
 - (i) the member practises or resides in Ontario, and
 - (ii) the member's mailing address registered with the College is in the electoral district for which an election is being held; and
 - (c) after 1996, the member has not been eligible to vote in a regular election during the previous two years. O. Reg. 793/93, s. 5.

NOMINATIONS

6.—(1) A member is eligible for election to the Council for an electoral district if,

- (a) the member is entitled to vote in the election,
- (b) at all times between the one hundred and twentieth day immediately preceding the election and the election,
 - (i) the member continues to practise denturism or to reside in Ontario,
 - (ii) the member's mailing address registered with the College continues to be in the electoral district for which the election is being held,
 - (iii) the member is not in default of any obligation to the College under a regulation or the by-laws,
 - (iv) the member is not the subject of proceedings for incompetence, professional misconduct or incapacity,
 - (v) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation; and
- (c) the member's certificate of registration has not been revoked or suspended at any time in the two years immediately preceding the election.

(2) A member who is eligible for election to the Council for an electoral district as of the Wednesday of the sixth week immediately preceding the date of the election becomes a candidate in that election if the member,

- (a) is nominated by three members who are entitled to vote in the election on a nomination form provided by the Registrar and received by the Registrar not later than 2 p.m. on the Wednesday of the sixth week immediately preceding the date of the election; and
- (b) consents to the nomination on a nomination form provided by the Registrar which is received by the Registrar not later than 2 p.m. on the Wednesday of the sixth week immediately preceding the date of the election.

(3) A candidate in an election may withdraw his or her candidacy by notifying the Registrar of the withdrawal in writing received on or before the last date for receiving nominations.

(4) No later than ninety days before the date of an election, the Registrar shall send by mail to every member entitled to vote in an election,

- (a) notification that a regular election or a by-election will be held to elect a member of the Council;

(b) a statement,

- (i) of the date of the election,
- (ii) of the date for receiving nominations for the election,
- (iii) that, to be a candidate, a member must be nominated by three members who are entitled to vote in the election,
- (iv) that, to be a candidate, a member must consent to the nomination on a nomination form,
- (v) that, to be valid, nominations must be received by the Registrar not later than 2 p.m. on the last date for receiving nominations and stating the date;

(c) such other information as the Registrar considers helpful; and

(d) a nomination form. O. Reg. 793/93, s. 6.

ACCLAMATION

7.—(1) If there is only one candidate for an electoral district who is eligible for election, the Registrar shall declare the candidate elected to the Council by acclamation for that electoral district.

(2) If there are no candidates for an electoral district who are eligible for election, the President of the Council shall nominate one or more members who are eligible for election in that election.

(3) A person who consents to a nomination by the President under subsection (2) shall be deemed to be a validly nominated candidate when the nomination and the consent referred to in section 6 are received by the Registrar. O. Reg. 793/93, s. 7.

ADMINISTRATION

8.—(1) The Registrar shall be the chief returning officer and the Council shall appoint as deputy returning officers two members of the College who are not candidates in any election and are not members of the Council at the time of their appointment.

(2) If a deputy returning officer refuses to act or to continue to act or is impaired in the opinion of both the President of the Council and the Registrar, the President shall appoint another member as a deputy returning officer who is not a candidate for any electoral district.

(3) The returning officers shall honestly and accurately count the votes in each election, record the results of each count and thereby determine the result of each election.

(4) All questions arising in the counting of ballots, the recording of results or the determination of the result shall be decided by a majority of the returning officers. O. Reg. 793/93, s. 8.

VOTING

9.—(1) Except for an election in which the Registrar has declared a candidate elected to the Council by acclamation, the Registrar shall, at least thirty days before the date of an election, send by first class mail to every member entitled to vote in the election,

- (a) a ballot;
- (b) instructions for voting;
- (c) an envelope, capable of being sealed and inserted into the envelope mentioned in clause (d), and bearing the word "Ballot";
- (d) an envelope addressed to the Registrar, with a place clearly marked for the member's signature and the legible inscription of his or her name and registration number, to be used by the member for mailing the ballot to the Registrar; and

(e) biographical information about each candidate and policy information from each candidate who supplied the Registrar with no more than one page of policy information in a form suitable for reproduction.

(2) The ballot shall contain, in alphabetical order of surname, the name and mailing address registered with the College of each candidate, and any other information entered in the register that the Council directs to be included to identify the candidates.

(3) The instructions for voting shall contain instructions in legible type to the effect that,

- (a) the voter must place an "X" in one of the appropriate places on the ballot to indicate the candidate of the voter's choice;
- (b) when marked as instructed, the ballot must be placed in the smaller envelope, and the smaller envelope must be sealed and placed inside the larger envelope;
- (c) only one ballot may be placed in the smaller envelope, and only one smaller envelope may be placed inside the larger envelope;
- (d) the voter must sign and legibly indicate his or her name and registration number on the larger envelope, in the places marked;
- (e) the larger envelope must be received by 2 p.m. on the election day; and
- (f) the ballot will not be counted in the election unless it has been marked and is otherwise in accordance with the instructions for voting. O. Reg. 793/93, s. 9.

COUNTING VOTES

10.—(1) The returning officers shall receive ballots until 2 p.m. on the election day and, promptly after that time, shall,

- (a) examine the larger envelopes to see whether they display the signature, name and registration number of a member entitled to vote in one of the elections being held and whether any member appears to have cast more than one ballot;
- (b) sort those which appear to be proper under clause (a) according to the electoral district indicated by the member's name, open them and remove the smaller envelopes for each electoral district and set any others to one side unopened;
- (c) open the smaller envelopes for one electoral district at a time and examine the ballots in them;
- (d) examine the ballots and count a ballot as a vote for a candidate if a ballot has been marked "X" in one of the appropriate places on the ballot to indicate the candidate of the voter's choice and the candidate of the voter's choice is eligible for election;
- (e) examine the ballots and if a ballot is not marked as described in clause (d), set it to one side uncounted;
- (f) record the number of ballots counted as votes for each candidate in each election; and
- (g) subject to subsection (2), determine the candidate who received the largest number of votes in each election.

(2) If two or more candidates receive the same number of votes in an election, the chief returning officer shall select one of the candidates by lot who shall be deemed to have received the largest number of votes in the election.

(3) Voting shall be secret and conducted so that no person knows for whom any member voted.

(4) A candidate is entitled, in person or by an agent appointed for the purpose by the candidate in writing,

- (a) to be present and see the returning officers discharge their duties;
- (b) to examine the larger envelopes to see whether they display the signature, name and registration number of members entitled to vote in the election; and
- (c) to examine all the ballots in the election to see whether they are to be counted as votes for a candidate. O. Reg. 793/93, s. 10.

DOCUMENTATION

11.—(1) Promptly after determining the candidate who received the largest number of votes in each election, the returning officers shall make and sign, in duplicate, a return of the results of each election, indicating the candidate who was elected and including the total number of votes cast, the number of votes cast for each candidate and the number of ballots not counted as votes with the reasons.

(2) For each election, the returning officers shall retain in one or more containers, which they seal,

- (a) all larger envelopes which do not display the signature, name and registration number of a member entitled to vote in the election, or which indicate that a member appears to have cast more than one ballot, which shall be kept unopened; and
- (b) all ballots, which shall be kept segregated by those counted as votes and those not.

(3) One of the returns shall be placed outside the sealed container containing the ballots counted as votes, and the Registrar shall submit the other return to the Council at its first meeting after the election.

(4) Promptly after the return of an election has been made and signed, the Registrar shall,

- (a) declare the name of the member elected in that election; and
- (b) inform, first by telephone or telecopier transmission, and subsequently by mail,
 - (i) each candidate of the results of the election and the number of votes cast for each candidate,
 - (ii) the President of the Council of the results of each election, the number of votes cast for each candidate and of any other election matter about which the President requests information,
 - (iii) each elected candidate of the time and place of the first regular meeting of the Council following the election, and
 - (iv) each defeated candidate that he or she may require a recount.

(5) The Registrar shall retain all larger envelopes received after 2 p.m. on the election day, which the Registrar shall mark "Late".

(6) The Registrar shall make all declarations in respect of an election in writing, keep them in the records of the College and send a copy of each declaration to the President of the Council promptly after making it.

(7) Unless a candidate has requested a recount or otherwise challenged an election or its results, the Registrar shall, thirty-one days after the return of an election has been made and signed, destroy all ballots, envelopes and other material from the election, other than declarations and the return submitted, or to be submitted, to the Council. O. Reg. 793/93, s. 11.

RECOUNTS

12.—(1) Upon written direction to the Registrar received within thirty days after the date of the return and payment of \$150 to the College, a candidate may require a recount.

(2) If a candidate requires a recount, the President of the Council shall preside over the recount, and shall,

- (a) appoint within fifteen days after the receipt of the direction, a time and place for the recount;
- (b) notify all candidates in the election of the fact and date of the recount and that they or their agents are entitled to be present to see the recount and examine the envelopes, votes and other documents;
- (c) appoint two other people to participate with the President in the recount;
- (d) if the two other people cannot agree whether to count a ballot as a vote, make the decision;
- (e) if two candidates receive an equal number of votes, cast a deciding vote for one of the candidates; and
- (f) declare the candidate who received the most votes to be elected to the Council for the electoral district.

(3) If the result of the recount is that the candidate who required the recount is declared elected to the Council for the electoral district, and the Council has acted in accordance with clause (4) (a), the candidate is entitled to repayment without interest of the \$150 required by subsection (1).

(4) The President shall report to the Council at its first meeting following any recount the procedures and results of the recount, and the Council may,

- (a) declare itself to be satisfied with the results and instruct the Registrar to destroy all ballots, envelopes and other material from the election other than the declarations and the return;
- (b) decide to hold an inquiry under section 13; or
- (c) take such action as it considers appropriate in the circumstances pending a final decision in accordance with clause (a) or (b) at its next regular meeting thereafter.

(5) If the President is a candidate in the election in which there is a recount, the President shall designate the vice-president or, if the vice-president is unable or unwilling, a member of the Council who is appointed to the Council by the Lieutenant Governor in Council to perform the President's duties under this section. O. Reg. 793/93, s. 12.

INQUIRY

13. If the Council is of the opinion that there is a reasonable ground for doubt or dispute as to the validity of the election of any member of the Council, the Council shall hold an inquiry and decide whether the election of the member is valid and, if an election is found to be invalid, the Council shall direct another election to be held. O. Reg. 793/93, s. 13.

VACANCIES

14.—(1) In this section, "an elected member of the Council" includes a person appointed under clause 15 (1) (b) as the successor of an elected member of the Council.

(2) If an elected member of the Council dies, resigns or is disqualified from sitting on the Council, the President of the Council shall declare the office of the member on the Council to be vacant.

(3) An elected member of the Council is disqualified from sitting on the Council who,

- (a) ceases to be a member of the College;
- (b) no longer practises denturism in Ontario or resides in Ontario;
- (c) is in default of any obligation to the College under a regulation or the by-laws;
- (d) is found guilty of professional misconduct or incompetence or to be an incapacitated member;
- (e) remains or becomes a director, officer or employee of a national or provincial voluntary organization of denturists;
- (f) becomes bankrupt;
- (g) is found to be mentally incompetent;
- (h) fails to attend two consecutive regular meetings of the Council without good reason in the opinion of the Council; or
- (i) fails, in the opinion of the Council, to discharge properly or honestly any office to which he or she has been elected or appointed.

(4) An elected member of the Council does not become disqualified from sitting on the Council merely because his or her mailing address registered with the College ceases to be in the electoral district for which he or she was elected. O. Reg. 793/93, s. 14.

FILLING VACANCIES

15.—(1) If the office of an elected member of the Council is declared to be vacant not more than one year before the expiry of the member's term of office, the Council may,

- (a) leave the office vacant; or
- (b) appoint as an elected member a successor from among the members of the College who would be eligible for election if an election were held.

(2) If the office of an elected member of the Council becomes vacant more than one year before the expiry of the member's term of office, the Registrar shall hold a by-election for the electoral district in accordance with this Regulation.

(3) A by-election to fill a vacancy on the Council shall be held on the first Wednesday following ninety calendar days from the declaration of the vacancy or if, in the opinions of both the President of the Council and the Registrar, an election on that date is not feasible, on the first Wednesday after that date that is feasible in the opinion of the Registrar. O. Reg. 793/93, s. 15.

16. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTURISTS OF ONTARIO:

BRIAN E. MONK
Chair

PATRICIA A. CLARK
Registrar

Dated at Toronto on November 19, 1993.

51/93

ONTARIO REGULATION 794/93
made under the
HEALTH INSURANCE ACT

Made: December 2, 1993
Filed: December 3, 1993

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 552 has been amended by Ontario Regulations 33/93, 86/93, 203/93, 214/93, 322/93, 375/93, 430/93, 596/93, 667/93, 736/93 and 737/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) The definition of “in-patient” in section 1 of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

“in-patient” means a person admitted to and assigned a bed in a hospital in-patient area;

(2) Section 1 of the Regulation is amended by adding the following definition:

“midwife” means a member of the College of Midwives of Ontario;

2. Paragraphs 2 and 4 of section 7 of the Regulation are revoked and the following substituted:

2. Necessary nursing service, except for the services of a private duty nurse who is not engaged and paid by the hospital.

.

4. Drugs, biologicals and related preparations that are prescribed by an attending physician or midwife in accordance with accepted practice and administered in a hospital, but not including any proprietary medicine as defined from time to time by the regulations made under the *Food and Drugs Act* (Canada).

3. Paragraph 5 of section 8 of the Regulation is amended by striking out the portion before subparagraph i and substituting the following:

5. The hospital component of all other out-patient services,

including the use of an operating room and anaesthetic facilities, surgical supplies, necessary nursing service, meals required during a treatment program and the supplying of drugs, biologicals and related preparations that are prescribed in accordance with accepted practice by a physician on the medical staff or a midwife on the midwifery staff of the hospital and that are administered in the hospital, but not including,

.

4. Subsection 9 (3) of the Regulation is amended by inserting after “physician” in the first line and in the fifth line “or midwife”.

5. Subsection 11 (1) of the Regulation is amended by striking out “or” at the end of clause (b), by adding “or” at the end of clause (c) and by adding the following clause:

(d) admitted as an in-patient or registered as an out-patient on the order or under the authority of a midwife.

6.—(1) Clause 22 (1) (a) of the Regulation is amended by inserting after “physician” in the first line “or midwife”.

(2) Clause 22 (2) (b) of the Regulation is amended by inserting after “physician” in the first line and in the fourth line “or midwife”.

7.—(1) Subsection 37 (1) of the Regulation is amended by inserting after “physician” in the third line and in the fourth line “or midwife”.

(2) Subsection 37 (2) of the Regulation is revoked.

8.—(1) Subsection 38.4 (2) of the Regulation is revoked and the following substituted:

(2) Claims for X-ray procedures must include the Ontario Health Insurance Plan identification number of the referring physician.

(2.1) Claims for laboratory and other diagnostic procedures must include the Ontario Health Insurance Plan identification number of the referring physician or midwife. O. Reg. 794/93, s. 8 (1).


(2) Subsection 38.4 (3) of the Regulation is amended by adding at the end “or midwife”.

9. Form 2 of the Regulation is revoked and the following substituted:

Form 2

Health Insurance Act

LABORATORY SERVICES REQUISITION AND HEALTH INSURANCE CLAIM

 Ministry of Health Ontario LABORATORY REQUISITION Requisitioning Physician/Midwife		Laboratory Number _____ Total Fee _____ Laboratory Accounting Number _____		Laboratory Name and Address _____ _____ _____					
Physician's/Midwife's Number _____ Physician's/Midwife's Accounting Number _____		Health Number _____ Province _____		Version _____ Other Registration Number _____		Service Date YY MM DO _____ Date of Birth MM DO _____		Ac/ Lab. _____ Patient's Phone Number _____	
Additional Clinical Information _____ _____		Patient's Last Name _____ Address _____		Patient's First Name _____		Sex _____			
<input checked="" type="checkbox"/>	Biochemistry	LAB CODE	FEE CODE	<input checked="" type="checkbox"/>	Hematology	LAB CODE	FEE CODE	Other test, one per line (please type or print and use terminology of the Schedule of Benefits)	
	Glucose				Blood Film Exam			LAB CODE	FEE CODE
	Urea				Hemoglobin				
	Creatinine				W.B.C. count				
	Uric Acid				Prothromb. time				
	Sodium				Sediment rate				
	Potassium				Hematocrit				
	Chloride				Immunology				
	Cholesterol				Heterophile antibodies				
	Triglyceride				Rubella titre				
	SGOT				Pregnancy test				
	Alk. Phosphatase				Prenatal: ABO, RhD, antibody screen (IIVo and Ident. if positive)			Laboratory use only	
	Bilirubin				Repeat Prenatal			Documentation Fee	
	T.3 Uptake				VDRL			Automated Chemistry,	
	T.4 Total							Gyn. Specimen (Pap)	
	Urinalysis RM				Microbiology				
	I certify the tests ordered are not for registered in or out patients of a hospital.				Sensitivities if warranted				
					Cervical, vaginal				
					Sputum				
					Throat				
					Urine				
					Stool Culture				
					Other Swabs				
<input checked="" type="checkbox"/>	_____ PHYSICIAN/MIDWIFE'S SIGNATURE			_____ DATE					

1. Laboratory Copy

CONFIDENTIAL WHEN COMPLETED

2. Physician's/Midwife's Copy

300-04 (03-04)7940-001

10. This Regulation comes into force on the day the *Midwifery Act, 1991* comes into force.

ONTARIO REGULATION 795/93
made under the
LABORATORY AND SPECIMEN COLLECTION
CENTRE LICENSING ACT

Made: December 2, 1993
Filed: December 3, 1993

Amending Reg. 682 of R.R.O. 1990
(Laboratories)

Note: Since January 1, 1993, Regulation 682 has been amended by Ontario Regulations 399/93 and 417/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Clause 9 (a) of Regulation 682 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (a) examine specimens from humans only,
- (i) at the request of a legally qualified medical practitioner or a dentist,
- (ii) at the request of a midwife, in respect of a test specified in Appendix B, or
- (iii) at the request of an insurer or an agent within the meaning of the *Insurance Act*, in respect of HIV Antibody testing;

2. The Regulation is amended by adding the following Appendix:

APPENDIX B

Bilirubin – Total
Bilirubin – conjugated
Glucose
Urinalysis – routine (includes microscopic)
Estriol
HCG
Hepatitis Associated Antigen or Antibody
Immunoassay
TSH/PKU Newborn Screening
Alphafetoprotein Screen
Albumin quantitative
Serum Ferritin
Serum Folate

W.B.C. differential count (includes R.B.C. morphology and platelet estimate)
Platelet counts
Hematocrit
Hemoglobin
Sickle cell solubility test (screen)
Kleihauer

Antibody Screen
Blood group – ABO and Rho (D)
Direct Anti-human globulin test

Cervicovaginal specimens

Antibody sensitivity
Chlamydia
Culture – cervical, vaginal (includes GC)
Culture – other swabs or pus
Culture – urine
Virus isolation
Wet preparation (for fungus, trichomonas, parasites)
Strep B rapid screen

RÈGLEMENT DE L'ONTARIO 795/93
pris en application de la
LOI AUTORISANT DES LABORATOIRES MÉDICAUX
ET DES CENTRES DE PRÉLÈVEMENT

pris le 2 décembre 1993
déposé le 3 décembre 1993

modifiant le Règl. 682 des R.R.O. de 1990
(Laboratoires)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 682 a été modifié par les Règlements de l'Ontario 399/93 et 417/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 L'alinéa 9 a) du Règlement 682 des Règlements refundus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

- a) n'examine les échantillons provenant d'êtres humains que dans l'un ou l'autre des cas suivants :
- (i) à la demande d'un médecin dûment qualifié ou d'un dentiste,
- (ii) à la demande d'une sage-femme s'il s'agit d'un test indiqué dans l'annexe B,
- (iii) à la demande d'un assureur ou d'un agent au sens de la *Loi sur les assurances* s'il s'agit de tester la présence d'anticorps anti-VIH;

2 Le Règlement est modifié par adjonction de l'annexe suivante :

ANNEXE B

Bilirubine – totale
Bilirubine – conjuguée
Glucose
Analyse d'urine – test courant (y compris examen microscopique)
Oestriol
HCG
Dosage immunologique des antigènes ou des anticorps associés aux hépatites
Dépistage chez le nouveau-né de la phénylcétonurie ou d'une anomalie de la TSH
Dépistage de l'alpha-foetoprotéine
Dosage de l'albumine
Ferritine sérique
Folate sérique

Numération-formule leucocytaire (y compris morphologie des globules rouges et estimation du nombre de plaquettes)
Numération plaquettaire
Hématocrite
Hémoglobine
Test de solubilité des cellules falciformes (dépistage)
Test de Kleihauer

Dépistage d'anticorps
Groupe sanguin – ABO et Rho (D)
Test anti-immunoglobuline humaine direct

Prélèvements cervico-vaginaux

Sensibilité aux anticorps
Chlamydia
Cultures – prélèvements cervicaux, vaginaux (y compris pour gonocoque)
Cultures – autres prélèvements ou pus
Cultures – urine
Isolement de virus
Préparation par voie humide (pour champignons, trichomonas, parasites)
Dépistage rapide du streptocoque B

Pregnancy Test
Virus antibodies – hemagglutination inhibition or ELISA technique (Rubella)
Non-cultural, indirect antibody or antigen assays by fluorescence, agglutination or ELISA technique (Toxoplasmosis)
HTLV III/LAV antibody screen by ELISA technique (HIV Antibody) VDRL

Test de grossesse
Anticorps anti-virus – inhibition de l'hémagglutination ou technique ELISA (rubéole)
Sans culture, dosage indirect par fluorescence, agglutination ou technique ELISA des anticorps ou antigènes (toxoplasmose)
Dépistage par la technique ELISA des anticorps anti-HTLV III/LAV (anticorps anti-VIH)
Test VDRL

O. Reg. 795/93, s. 2.

Règl. de l'Ont. 795/93, art. 2.

3. This Regulation comes into force on the day the Midwifery Act, 1991 comes into force.

3 Le présent règlement entre en vigueur le jour de l'entrée en vigueur de la Loi de 1991 sur les sages-femmes.

51/93

ONTARIO REGULATION 796/93
made under the
LABORATORY AND SPECIMEN COLLECTION
CENTRE LICENSING ACT

RÈGLEMENT DE L'ONTARIO 796/93
pris en application de la
LOI AUTORISANT DES LABORATOIRES MÉDICAUX
ET DES CENTRES DE PRÉLÈVEMENT

Made: December 2, 1993
Filed: December 3, 1993

pris le 2 décembre 1993
déposé le 3 décembre 1993

Amending Reg. 683 of R.R.O. 1990
(Specimen Collection Centres)

modifiant le Règl. 683 des R.R.O. de 1990
(Centres de prélèvements d'échantillons)

Note: Since January 1, 1993, Regulation 683 has been amended by Ontario Regulation 418/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

Remarque : Depuis le 1er janvier 1993, le Règlement 683 a été modifié par le Règlement de l'Ontario 418/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1. The French version of clause 3 (a) of Regulation 683 of the Revised Regulations of Ontario, 1990 is amended by striking out "de specimens" in the second line and substituting "d'échantillons".

1 La version française de l'alinéa 3 a) du Règlement 683 des Règlements refondus de l'Ontario de 1990 est modifiée par substitution, à «de specimens» à la deuxième ligne, de «d'échantillons».

2. Clause 4 (2) (b) of the Regulation is revoked and the following substituted:

2 L'alinéa 4 (2) b) du Règlement est abrogé et remplacé par ce qui suit :

(b) the names of the physicians, dentists or midwives who requested the taking and collecting of the specimens;

b) le nom des médecins, des dentistes ou des sages-femmes qui ont demandé la prise et le prélèvement des échantillons;

3. Clause 5 (d) of the Regulation is revoked and the following substituted:

3 L'alinéa 5 d) du Règlement est abrogé et remplacé par ce qui suit :

(d) the centre takes specimens from a patient only at the request of a legally qualified medical practitioner, a dentist or a midwife;

d) le centre ne prélève d'échantillons sur un malade qu'à la demande d'un médecin dûment qualifié, d'un dentiste ou d'une sage-femme;

4. Form I of the Regulation is revoked and the following substituted:

4 La formule I du Règlement est abrogée et remplacée par ce qui suit :

Form 1

Formule 1

Laboratory and Specimen Collection Centre Licensing Act

Loi autorisant des laboratoires médicaux
et des centres de prélèvement

SPECIMEN COLLECTION CENTRE LICENCE OR RENEWAL

PERMIS OU RENOUELEMENT DU PERMIS
D'UN CENTRE DE PRÉLÈVEMENT D'ÉCHANTILLONS

Under the Laboratory and Specimen Collection Centre Licensing Act and the regulations made thereunder and subject to the limitations thereof this

En vertu de la Loi autorisant des laboratoires médicaux et des centres de prélèvement et des règlements pris en application de cette loi, et sous réserve des restrictions qui y sont prévues, le présent

- provisional)
regular) licence authorizes
renewal)

- provisoire)
permis ordinaire) autorise
de renouvellement)

the establishment, maintenance or operation of a specimen collection centre at (address of specimen collection centre) to take and collect specimens.

l'établissement, le maintien en service ou l'exploitation d'un centre de prélèvement au : (adresse du centre de prélèvement) pour la prise et le prélèvement d'échantillons.

The owner of the specimen collection centre is

Le propriétaire du centre de prélèvement est

This licence is issued subject to the conditions that,

Le présent permis est délivré sous réserve des conditions suivantes :

- (a) the person or persons named herein as owners of the specimen collection centre are in fact the owner or owners of the centre and are also the owner or owners of a laboratory licensed under the *Laboratory and Specimen Collection Centre Licensing Act*;
- (b) the specimen collection centre maintains certified staff to take and collect specimens from patients;
- (c) the specimen collection centre remains at the address shown on its licence;
- (d) the specimen collection centre takes specimens from a patient only at the request of a legally qualified medical practitioner, dentist or midwife;
- (e) the specimens taken from a patient are submitted only to a laboratory licensed under the *Laboratory and Specimen Collection Centre Licensing Act* or to a laboratory operated by the Ministry of Health or of the Crown in right of Ontario; and
- (f) no laboratory tests are carried out in the specimen collection centre.

- a) la ou les personnes désignées dans le permis comme le ou les propriétaires du centre de prélèvement sont effectivement son ou ses propriétaires et sont également le ou les propriétaires d'un laboratoire autorisé en vertu d'un permis délivré conformément à la *Loi autorisant des laboratoires médicaux et des centres de prélèvement*;
- b) le centre de prélèvement dispose d'un personnel certifié, capable de prendre et de prélever des échantillons sur des malades;
- c) le centre de prélèvement est situé à l'adresse indiquée sur son permis;
- d) le centre de prélèvement ne prélève d'échantillons sur un malade qu'à la demande d'un médecin, d'un dentiste ou d'une sage-femme dûment qualifié;
- e) les échantillons prélevés sur un malade sont envoyés uniquement à un laboratoire autorisé en vertu d'un permis délivré conformément à la *Loi autorisant des laboratoires médicaux et des centres de prélèvement* ou à un laboratoire exploité par le ministère de la Santé ou de la Couronne du chef de l'Ontario;
- f) aucun test de laboratoire n'est effectué dans le centre de prélèvement.

Date issued

Date de délivrance

Expiry date

Date d'expiration

Licence number
 (Director of Laboratory and
 Specimen Collection
 Centre Licensing)

Numéro de permis
 (Directeur de la délivrance
 de permis pour les
 laboratoires et les
 centres de prélèvement)

O. Reg. 796/93, s. 4.

Règl. de l'Ont. 796/93, art. 4.

3. This Regulation comes into force on the day the *Midwifery Act, 1991* comes into force.

5 Le présent règlement entre en vigueur le jour de l'entrée en vigueur de la *Loi de 1991 sur les sages-femmes*.

51/93

ONTARIO REGULATION 797/93
 made under the
DENTAL HYGIENE ACT, 1991

Made: November 9, 1993
 Approved: December 2, 1993
 Filed: December 3, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failing to maintain a standard of practice of the profession.
3. Contravening subsection 5 (1) of the *Dental Hygiene Act, 1991*.
4. Treating or attempting to treat a condition that the member knew or ought to have known was beyond his or her expertise or competence.

5. Failing to refer a client to a qualified medical or dental practitioner where the member recognizes or ought to have recognized a condition which required medical or dental examination.

6. Doing anything to a client for a therapeutic, preventative, maintenance or other health-related purpose in a situation in which a consent is required by law, without such a consent.

7. Abusing a client verbally or physically.

8. Engaging in the practice of the profession while the member's ability to do so is impaired by any substance.

9. Discontinuing professional services that are needed unless,

- i. the client requests the discontinuation,
- ii. alternative services are arranged, or
- iii. the client is given a reasonable opportunity to arrange alternative services.

10. Discontinuing professional services contrary to the terms of an agreement between the member and a hospital within the meaning of the *Public Hospitals Act*.
11. Practising the profession while the member is in a conflict of interest.
12. Breaching an agreement with a client relating to professional services for the client or fees for such services.
13. Failing to reveal the exact nature of a remedy or treatment used by the member following a request by a client, a client's representative or the College to do so.
14. Inappropriately using a term, title or designation in respect of the member's practice.
15. Inappropriately using a term, title or designation indicating a specialization in the profession.
16. Using a name other than the member's name as set out in the register in the course of providing or offering to provide services within the scope of practice of dental hygiene.
17. Failing to identify himself or herself, by name or certificate of registration number, on the request of a client, a client's representative, or another health professional.
18. Advertising or permitting advertising with respect to the member's practice in contravention of the regulations.
19. Appearing in, or permitting the use of the member's name in, an advertisement that implies, or could be reasonably interpreted to imply, that the professional expertise of the member is relevant to the subject matter of the advertisement. This paragraph does not apply to an advertisement of the member's own practice or to an advertisement by a non-profit organization if the member receives no consideration for his or her appearance or the use of his or her name.
20. Allowing any person to examine a client health record or giving any information, copy or thing from a client health record to any person except as required or allowed by law.
21. Failing to provide copies from a client health record for which the member has primary responsibility, as required by the regulations under the Act.
22. Failing to make arrangements with a client for the transfer of the client's records in the care of the member,
 - i. when the member retires from practice,
 - ii. when the member changes office location and the client requests that the records be transferred, or
 - iii. when requested to do so by the client.
23. Failing to keep records as required.
24. Falsifying a record relating to the member's practice.
25. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time, to the client or his or her authorized representative after a client or his or her authorized representative has requested such a report or certificate.
26. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.
27. Failing to pay any money owing to the College.
28. Submitting an account or charge for services that the member knows is false or misleading.
29. Counselling or assisting in the submitting of false or misleading accounts or charges to clients or in respect of their care.
30. Charging or accepting a fee or amount that is excessive or unreasonable in relation to the services performed.
31. Charging or accepting a fee or amount under any agreement, which fee or amount is excessive or unreasonable having regard to the services to be performed or that may be performed under the agreement.
32. Failing to abide by a written undertaking given by the member to the College or to carry out an agreement entered into with the College.
33. Offering or giving a reduction for prompt payment of an account.
34. Failing to itemize an account for professional services,
 - i. if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services, or
 - ii. if the account includes a commercial laboratory fee.
35. Selling or assigning any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.
36. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
37. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital within the meaning of the *Public Hospitals Act* if,
 - i. the purpose of the law, by-law or rule is to protect the public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
38. Influencing a client to change his or her will or other testamentary instrument.
39. Failing to co-operate with a representative of the College or another regulatory body, upon production by the representative of his or her appointment under section 76 of the Health Professions Procedural Code or to provide access to and copies of all records, documents, and things that may be reasonably required for the purposes of the investigation.
40. Engaging in conduct or performing an act, in the course of practising the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 797/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
DENTAL HYGIENISTS OF ONTARIO:

LYNDA MICKELSON
Chair

LINDA STREVENSON
Registrar

Dated at Toronto on November 9, 1993.

51/93

ONTARIO REGULATION 798/93
made under the
DENTAL TECHNOLOGY ACT, 1991

Made: November 8, 1993
Approved: December 2, 1993
Filed: December 3, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failing to maintain a standard of practice of the profession.
3. Treating or attempting to treat a condition that the member knew or ought to have known was beyond his or her expertise or competence.
4. Failing to refer a client to a qualified medical or dental practitioner where the member recognizes or ought to have recognized a condition which required medical or dental examination.
5. Using materials that are not fit for the purpose for which they are used, or that differ from those prescribed by the registered practitioner on whose order the work is being performed.
6. Knowingly subcontracting dental technological services in breach of section 32 (1) or (3) of the *Regulated Health Professions Act, 1991*.
7. Doing anything to a patient for a therapeutic, preventative, palliative, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
8. Abusing a patient verbally or physically.
9. Engaging in the practice of the profession while the member's ability to do so is impaired by any substance.
10. Discontinuing professional services that are needed unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient is given a reasonable opportunity to arrange alternative services.
11. Practising the profession while the member is in a conflict of interest.
12. Breaching an agreement with a patient relating to professional services for the patient or fees for such services.
13. Failing to reveal the exact nature of a remedy or treatment used by the member following a request by a patient, a patient's representative or the College to do so.
14. Inappropriately using a term, title or designation in respect of the member's practice.
15. Using a name other than the member's name as set out in the register in the course of providing or offering to provide services within the scope of practice of dental technology.
16. Advertising or permitting advertising with respect to the member's practice in contravention of the regulations.
17. Allowing any person to examine a patient health record or giving any information, copy or thing from a patient health record to any person except as required or allowed by law.
18. Failing to provide copies from a patient health record for which the member has primary responsibility, as required by the regulations.
19. Failing to make arrangements with a patient for the transfer of the patient's records in the care of the member,
 - i. when the member retires from practice,
 - ii. when the member changes office location and the patient requests that the records be transferred, or
 - iii. when requested to do so by the patient.
20. Failing to pay any money owing to the College.
21. Failing to keep records as required.
22. Falsifying a record relating to the member's practice.
23. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time, to the patient or his or her authorized representative after a patient or his or her authorized representative has requested such a report or certificate.
24. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.
25. Submitting an account or charge for services that the member knows is false or misleading.
26. Charging or accepting a fee or amount that is excessive or unreasonable in relation to the services performed.
27. Charging or accepting a fee or amount under any agreement, which fee or amount is excessive or unreasonable having regard to the services to be performed or that may be performed pursuant to the agreement.
28. Failing to abide by a written undertaking given by the member to the College or to carry out an agreement entered into with the College.
29. Offering or giving a reduction for prompt payment of an account.
30. Failing to itemize an account for services, if requested to do so by the prescribing registered practitioner.
31. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
32. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital within the meaning of the *Public Hospitals Act* if,
 - i. the purpose of the law, by-law or rule is to protect the public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
33. Failing to co-operate with a representative of the College or another regulatory body, upon production by the representative of his or her appointment under section 76 of the Health Professions Procedural Code or to provide access to and copies of all records, documents, and things that may be reasonably required for the purposes of the investigation.
34. Engaging in conduct or performing an act, in the course of

practising the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 798/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTAL TECHNOLOGISTS OF ONTARIO:

JAMES R. DOEL
Chair

EMILY CHEUNG
Registrar

Dated at Toronto on November 8, 1993.

51/93

ONTARIO REGULATION 799/93
made under the
NURSING ACT, 1991

Made: November 9, 1993
Approved: December 2, 1993
Filed: December 3, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

1. Contravening a standard of practice of the profession or failing to meet the standard of practice of the profession.
2. Delegating a controlled act as set out in subsection 27 (2) of the *Regulated Health Professions Act, 1991*, in contravention of section 5 of the Act.
3. Directing a member, student or other health care team member to perform nursing functions for which he or she is not adequately trained or that he or she is not competent to perform.
4. Failing to inform the member's employer of the member's inability to accept responsibility in areas where special training is required or where the member is not competent to function without supervision.
5. Discontinuing professional services that are needed unless,
 - i. the client requests the discontinuation,
 - ii. alternative or replacement services are arranged, or
 - iii. the client is given a reasonable opportunity to arrange alternative or replacement services.
6. Practising the profession while the member's ability to do so is impaired by any substance.
7. Abusing a client verbally, physically or emotionally.
8. Misappropriating property from a client or workplace.
9. Doing anything to a client for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health related purpose in a situation in which a consent is required by law, without such a consent.
10. Giving information about a client to a person other than the

client or his or her authorized representative except with the consent of the client or his or her authorized representative or as required or allowed by law.

11. Failing to reveal the exact nature of a secret remedy or treatment used by the member following a client's request to do so.
12. Failing to advise the client to obtain services from another health professional where a member knew or ought to have known that a client had a condition which was outside the member's scope of practice or within the member's scope of practice but outside the member's competency to treat.
13. Failing to keep records as required.
14. Falsifying a record relating to the member's practice.
15. Signing or issuing, in the member's professional capacity, a document that the member knows or ought to know contains a false or misleading statement.
16. Inappropriately using a term, title or designation in respect of the member's practice.
17. Using a name other than the member's name, as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession except where the use of another name is necessary for personal safety and provided the employer and the College have been made aware of the pseudonym and the pseudonym is distinctive.
18. Contravening a term, condition or limitation on the member's certificate of registration.
19. Contravening a provision of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
20. Failing to appear before a panel of the Complaints Committee to be cautioned.
21. Failing to comply with an order of a panel of the Discipline Committee or an order of a panel of the Fitness to Practise Committee.
22. Failing to co-operate in a College investigation.
23. Failing to take reasonable steps to ensure that the requested information is provided in a complete and accurate manner where a member is required to provide information to the College pursuant to the regulations under the Act.
24. Failing to,
 - i. abide by a written undertaking given by the member to the College, or
 - ii. carry out an agreement entered into with the College.
25. Failing to report an incident of unsafe practice or unethical conduct of a health care provider to,
 - i. the employer or other authority responsible for the health care provider, or
 - ii. the College.
26. Practising the profession while the member is in a conflict of interest.
27. Influencing a client to change his or her will or other testamentary instrument.
28. Submitting an account or charge for services that the member knows is false or misleading.

29. Failing to fulfill the terms of an agreement for professional services.
30. Charging a fee that is excessive in relation to the service for which it is charged.
31. Charging a block fee. A block fee is a fee for uninsured services that is the same regardless of how many services are performed.
32. Charging a fee for an undertaking not to charge for a service or class of service.
33. Charging a fee for an undertaking to be available to provide services to the client.
34. Offering or giving a reduction for prompt payment of an account.
35. Failing to itemize an account for professional services,
 - i. if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services, or
 - ii. if the account includes a commercial laboratory fee.
36. Selling or assigning any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.
37. Engaging in conduct or performing an act, relevant to the practice of nursing, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 799/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF NURSES OF ONTARIO:

PAT MANDY
President

MARGARET RISK
Executive Director

Dated at Toronto on November 9, 1993.

51/93

ONTARIO REGULATION 800/93
made under the
OCCUPATIONAL THERAPY ACT, 1991

Made: November 15, 1993
Approved: December 2, 1993
Filed: December 3, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

**THE PRACTICE OF THE PROFESSION AND CARE OF,
AND RELATIONSHIP WITH, CLIENTS**

1. Contravening a term, condition or limitation on the member's certificate of registration.
2. Contravening a standard of practice of the profession or failing to maintain the standard of practice of the profession.

3. Doing anything to a client for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
4. Abusing a client verbally, physically, psychologically or emotionally.
5. Practising the profession while the member's ability to do so is impaired by any substance.
6. Discontinuing professional services that are needed unless,
 - i. the client requests the discontinuation,
 - ii. alternative services are arranged,
 - iii. the client is given a reasonable opportunity to arrange alternative services,
 - iv. services to the client have been discontinued without consultation with the member,
 - v. the client can no longer meet agreed upon terms of payment, and all reasonable attempts on the part of the member to facilitate such payment have been unsuccessful,
 - vi. the client has been given reasonable opportunity to achieve set client goals, or
 - vii. the facility providing services has exhausted the resources allocated to those services.
7. Discontinuing professional services contrary to the terms of an agreement between the member and a contracting agency or a hospital within the meaning of the *Public Hospitals Act* without reasonable cause.
8. Practising the profession while the member is in a conflict of interest.
9. Giving information about a client to a person other than the client or his or her authorized representative except with the consent of the client or his or her authorized representative or as required or allowed by law.
10. Breaching an agreement with a client relating to professional services for the client or fees for such services.
11. Failing to reveal the exact nature of a treatment provided by the member following a client's request to do so.

**REPRESENTATIONS ABOUT MEMBERS AND
THEIR QUALIFICATIONS**

12. Inappropriately using a term, title or designation in respect of the member's practice.
13. Using a term, title or designation indicating or implying a specialization in the profession.
14. Practising the profession using a name other than the member's name as entered in the register.

RECORD KEEPING AND REPORTS

15. Failing to keep records in accordance with the standards of the profession.
16. Falsifying a record relating to the member's practice.
17. Failing, without reasonable cause, to provide a report or certificate relating to an assessment or intervention performed by the member, within a reasonable time, to the client or his or

her authorized representative after a client or his or her authorized representative has requested such a report or certificate.

18. Signing or issuing, in the member's professional capacity a document that the member knows, or ought to have known, contains a false or misleading statement.

BUSINESS PRACTICES

19. Submitting an account or charge for services that the member knows is false or misleading.
20. Failing to advise the client of the fee to be charged or any penalties for late payment prior to providing a service.
21. Charging a fee that is excessive in relation to the service provided.
22. Offering or giving a reduction for prompt payment of an account.
23. Failing to itemize an account for professional services.
- i. if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services, or
 - ii. if the account includes items that are purchased on behalf of clients.
24. Selling or assigning any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.

MISCELLANEOUS MATTERS

25. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
26. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital within the meaning of the *Public Hospitals Act* if,
- i. the purpose of the law, by-law or rule is to protect the public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
27. Influencing a client to change his or her will or other testamentary instrument to provide a benefit to the member.
28. Engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
29. Misappropriating property from a client or workplace.
30. Failing to inform the member's employer of the member's inability to accept responsibility in those areas where specific training is required or where the member does not feel competent to function without supervision.
31. Failing to comply with an order of a panel of the Disciplinary Committee or a panel of the Fitness to Practise Committee.
32. Failing to appear before a panel of the Complaints Committee to be cautioned.
33. Failing to be co-operative in a College investigation.
34. Failing to reply appropriately or within a reasonable time to a written enquiry made by the College.

35. Failing to supervise an assistant appropriately or in accordance with the regulations under the Act.

36. Failing to refer a client to a regulated health professional when the member recognizes or should have recognized an abnormality or condition which indicates such a referral.

37. Continuing treatment of a client where it is no longer indicated or treatment has ceased to be effective, or providing unnecessary treatment.

38. Directly or indirectly benefiting from the practice of occupational therapy while the member's certificate of registration is suspended unless full disclosure is made by the member to the College of the nature of the benefit to be obtained and prior approval is obtained from the Executive Committee. O. Reg. 800/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OCCUPATIONAL THERAPISTS OF ONTARIO:

JAN ROBINSON
Registrar

ELLEN POWIS
Secretary

Dated at Toronto on November 15, 1993.

51/93

ONTARIO REGULATION 801/93 made under the PSYCHOLOGY ACT, 1991

Made: November 19, 1993
Approved: December 2, 1993
Filed: December 3, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND RELATIONSHIP WITH, CLIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failing to maintain the standards of the profession.
3. Doing anything to a client for the purpose of prevention, assessment, diagnosis, intervention or other purpose in a situation in which a consent is required by law, without such a consent.
4. Delegating a controlled act in contravention of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
5. Failing to supervise adequately a person who is under the professional responsibility of the member and who is providing a psychological service.
6. Abusing a client.
7. Practising the profession while under the influence of any substance, or while suffering from illness or other dysfunction which the member knows or ought to know impairs the member's ability to practise.

8. Discontinuing professional services that are needed unless,
 - i. the client requests the discontinuation,
 - ii. the client withdraws from the service,
 - iii. reasonable efforts are made to arrange alternative services,
 - iv. the client is given a reasonable opportunity to arrange alternative services, or
 - v. continuing to provide the services would place the member at serious personal risk.
9. Providing a service that the member knows or ought to know is not likely to benefit the client.
10. Practising the profession while the member is in a conflict of interest.
11. Giving information about a client to a person other than the client or his or her authorized representative except with the consent of the client or his or her authorized representative or as required or allowed by law.
12. Breaching a term of an agreement with a client relating to,
 - i. the fees for professional services, or
 - ii. professional services for the client, except where, in the judgement of the member, the breach is trivial or was necessitated by exceptional circumstances.
13. Failing to provide a truthful, understandable and appropriate explanation of the nature of an assessment, intervention, or other service following a client's request for an explanation.

REPRESENTATIONS ABOUT MEMBERS AND THEIR QUALIFICATIONS

14. Inappropriately using a term, title or designation in respect of the member's practice.
15. Inappropriately using a term, title or designation indicating a specialization in the profession.
16. Failing to identify oneself as a psychologist or psychological associate to a client or a member's employer when providing psychological services.
17. Failing to advise the College promptly of a change in the name used by the member in providing or offering to provide psychological services.
18. Permitting, counselling, or assisting any person who is not a member to represent himself or herself as a member of the College.

RECORD KEEPING AND REPORTS

19. Failing to keep records as required by the regulations.
20. Making a record, or issuing or signing a certificate, report, or similar document that the member knows or ought to know is false, misleading or otherwise improper.
21. Failing, without reasonable cause, to provide a report or certificate relating to a service performed by the member, within a reasonable time, to the client or his or her authorized representative after a client or his or her authorized representative has requested such a report or certificate.

BUSINESS PRACTICES

22. Failing to inform the client, before or at the commencement of a service of the fees and charges to be levied for the service, and for late cancellations or missed appointments.
23. Submitting an account or charge for services that the member knows is false or misleading.
24. Charging a fee that is excessive in relation to the service performed.
25. Charging a fee for a service that exceeds the fee set out in the schedule of fees currently published for the profession without informing the client, before or at the commencement of the service, of the additional amount that will be charged.
26. Receiving or conferring a rebate, fee or other benefit by reason of the referral of a client from or to another person.
27. Charging a fee for an undertaking to provide an on-call service to a client unless the client is an organization.
28. Offering or giving a reduction for prompt payment of an account.
29. Failing to provide an itemized account for professional services within a reasonable time, if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services.
30. Selling any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.

MISCELLANEOUS MATTERS

31. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
32. Contravening a federal, provincial or territorial law, or a municipal by-law, if
 - i. the purpose of the law, or by-law is to protect public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
33. Influencing a client to change his or her will or other testamentary instrument.
34. Engaging in conduct or performing an act, in the course of practising the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 801/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PSYCHOLOGISTS OF ONTARIO:

MAGGIE MAMEN
Chair

CATHERINE YARROW
Registrar

Dated at Toronto on November 19, 1993.

51/93

ONTARIO REGULATION 802/93

made under the
MEDICAL LABORATORY
TECHNOLOGY ACT, 1991

Made: November 22, 1993
Approved: December 2, 1993
Filed: December 3, 1993

REGISTRATION

1.—(1) The following are prescribed as classes of certificates of registration:

1. General.
2. Temporary.
3. Inactive.

(2) A certificate of registration shall indicate in which specialties, if any, the member is authorized to practise.

(3) The specialties in laboratory sciences that may be indicated on a certificate of registration under subsection (2) are listed in the Schedule. O. Reg. 802/93, s. 1.

2.—(1) The following are the standards and qualifications for a general certificate of registration:

1. The applicant must submit a completed application form to the Registrar together with the appropriate registration fee.
2. The applicant's past and present conduct must afford reasonable grounds for the belief that the applicant,
 - i. is mentally competent to practise the profession,
 - ii. will practise the profession with decency, integrity and honesty and in accordance with the law, and
 - iii. can communicate effectively with and will display an appropriate attitude towards patients and colleagues.
3. The applicant must not have made, by commission or omission, any false or misleading representation or declaration on or in connection with an application.
4. The applicant must be a Canadian citizen or a permanent resident of Canada or have an authorization under the *Immigration Act* (Canada) consistent with the member's proposed certificate of registration.
5. The applicant must have reasonable fluency in either English or French.
6. The applicant must satisfy one of the following educational and training requirements:
 - i. The applicant has successfully completed,
 - A. a course of study in medical laboratory technology, in a Canadian institution which has been accredited by the Conjoint Committee for the Accreditation of Educational Programs in Allied Medical Disciplines, and
 - B. the qualifying examinations set or approved by the College or the certification examinations of the Canadian Society of Laboratory Technologists.
 - ii. The applicant has successfully completed,
 - A. a baccalaureate degree from a Canadian univer-

sity, whose major course content is relevant to medical laboratory technology,

- B. one year of work experience, with a minimum of 1800 hours, in a laboratory that meets the criteria defined by the Registration Committee, and
- C. the qualifying examinations set or approved by the College.

iii. The applicant has,

- A. education or experience, or both, considered by the Registration Committee to be equivalent to that which is required in subparagraphs i or ii, and
- B. successfully completed the qualifying examinations set or approved by the College.

7. The applicant must have engaged in the practice of medical laboratory technology for a period of at least 900 hours during the two years immediately preceding the date of the application unless the applicant has completed the educational and training requirements under paragraph 6 within the two years preceding the application for registration.

(2) Despite paragraphs 5, 6 and 7 of subsection (1), for a period of one year after proclamation of the *Medical Laboratory Technology Act*, the Registration Committee will issue a general certificate of registration to an applicant who does not meet the qualifications described in those paragraphs if the applicant meets one of the following qualifications:

1. The applicant was employed as a medical laboratory technologist in a laboratory in Ontario on December 31, 1993.
2. The applicant was employed as a medical laboratory technologist in a laboratory in Ontario for a period of at least 900 hours in the two years prior to December 31, 1993.

(3) If an applicant has previously been granted an exemption under section 7 of Regulation 682 of the Revised Regulations of Ontario, 1990 or an equivalency under clause 6 (3) (d) of that regulation, the certificate of registration which is issued under this Act shall be subject to any terms, conditions or limitations imposed by the Registration Committee in accordance with section 18 of the Health Professions Procedural Code. O. Reg. 802/93, s. 2.

3.—(1) The following are the standards and qualifications for a temporary certificate of registration:

1. The applicant must submit a completed application form to the Registrar together with the appropriate registration fee.
2. The applicant's past and present conduct must afford reasonable grounds for the belief that the applicant,
 - i. is mentally competent to practice the profession,
 - ii. will practice the profession with decency, integrity and honesty and in accordance with the law, and
 - iii. can communicate effectively with and will display an appropriate attitude towards patients and colleagues.
3. The applicant must not have made, by commission or omission, any false or misleading representation or declaration on or in connection with an application.
4. The applicant must have reasonable fluency in either English or French.
5. The applicant must be a Canadian citizen or a permanent resident of Canada or have an authorization under the *Immigration Act* (Canada) consistent with the member's proposed certificate of registration.

6. The applicant must satisfy one of the following educational and training requirements:

- i. The applicant has successfully completed a course of study in medical laboratory technology, in a Canadian Institution which has been accredited by the Conjoint Committee for the Accreditation of Educational Programs in Allied Medical Disciplines but has not yet successfully completed any of the examinations required under sub-paragraph B of subparagraph i of paragraph 6 of subsection 2 (1).
- ii. The applicant has a baccalaureate degree from a Canadian university, whose major course content is relevant to medical laboratory technology but has not yet completed the work experience or the examinations required under sub-paragraphs B and C of subparagraph ii of paragraph 6 of subsection 2 (1).
- iii. The applicant has education, experience or both considered by the Registration Committee to be equivalent to subparagraph i or ii but has not yet completed one or both of the following:
 - A. one year of work experience in a laboratory that meets the criteria defined by the Registration Committee,
 - B. the qualifying examinations set or approved by the College.
- iv. The applicant has met the educational and training requirements for a general certificate of registration under paragraph 6 of subsection 2 (1) but has less than 900 hours of medical laboratory technology practice in the two years preceding the application for registration.

(2) A temporary member shall only practice medical laboratory technology under the supervision of a member holding a general certificate of registration or health professional qualified as a laboratory supervisor under Regulation 682 of the Revised Regulations of Ontario, 1990.

(3) A temporary member shall not vote, or be nominated for election to the Council, or for appointment to a Committee.

(4) A temporary certificate of registration is limited to a twelve month term and may only be renewed by the Registration Committee for one additional term. O. Reg. 802/93, s. 3.

4.—(1) An inactive certificate of registration shall be issued if the applicant meets the standards and qualifications for a general certificate of registration under section 2, but is not actively engaged in the practice of medical laboratory technology in Ontario at the time of application or renewal of membership.

(2) An inactive member shall not practise medical laboratory technology.

(3) An inactive member shall not be nominated for election to the Council, or for appointment to a Committee. O. Reg. 802/93, s. 4.

5.—(1) A member who holds an inactive certificate of registration and applies for a general certificate of registration must satisfy one of the following requirements:

1. The member must have been engaged in the practice of medical laboratory technology for at least 900 hours in the two years preceding the application.
2. The member must have successfully completed a refresher course in the relevant specialties in laboratory science approved by the College.
3. The member must have taught 300 hours in a course referred to

in paragraph 6 of subsection 2 (1) within the preceding two years.

(2) A member who applies for a general certificate of registration under subsection (1) and fails to meet the requirements described in that subsection, may be issued a temporary certificate of registration until such time as the member meets one of the requirements in subsection (1).

(3) Despite subsection 3 (3), a member issued a temporary certificate of registration under subsection (2) shall have the right to vote. O. Reg. 802/93, s. 5.

6. The following are the terms, conditions and limitations of a certificate of registration of any class:

1. The member shall within fifteen days provide the College with written and, if requested, oral details of any of the following that relate to the member and that occur or arise after the registration of the member:
 - i. a conviction for a criminal offence or an offence relevant to the practice of the profession,
 - ii. a finding of or similar to professional misconduct, incompetence or incapacity in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another profession,
 - iii. the commencement of a proceeding for professional misconduct, incompetency or incapacity, or similar conduct, in Ontario, in relation to another profession or in another jurisdiction in relation to the profession or another profession.
2. The member shall only perform procedures consistent with the specialties which the member is registered to practise. O. Reg. 802/93, s. 6.

7.—(1) A certificate of registration of any class expires if the member ceases to be a Canadian citizen or a permanent resident of Canada or have an authorization under the *Immigration Act* (Canada) consistent with the member's certificate of registration.

(2) A general certificate of registration expires four years after its issue unless the member,

- (a) has engaged in the practice of the profession in a laboratory, administration, education, research or consultation, related to the practice of medical laboratory technology, for at least 1800 hours in the preceding four years;
- (b) has, in the preceding three years, successfully completed a refresher course approved by the College in the relevant specialties in laboratory science; or
- (c) has taught 600 hours in a course referred to in paragraph 6 of subsection 2 (1) within the previous four years. O. Reg. 802/93, s. 7.

8. A general certificate of registration expires if the member fails to complete any requirements of a prescribed quality assurance program. O. Reg. 802/93, s. 8.

Schedule

Biochemistry
Hematology
Histology
Immunohematology
Bacteriology
Mycology
Parasitology
Virology
Immunology

Immunoassay
Cytology
Cytogenetics
Molecular genetics
Electron microscopy

O. Reg. 802/93, Sched.

9. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO:

NANCY E. MCBRIDE
Chair

SHEILA R. WOODCOCK
Registrar

Dated at Toronto on November 22, 1993.

51/93

ONTARIO REGULATION 803/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 3, 1993
Filed: December 3, 1993

Amending Reg. 604 of R.R.O. 1990
(Parking)

Note: Since January 1, 1993, Regulation 604 has been amended by Ontario Regulations 23/93, 106/93, 181/93, 275/93, 487/93, 633/93 and 724/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Paragraph I of Schedule 44 of Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is revoked.

2. Schedule 77 of Appendix A to the Regulation is revoked and the following substituted:

Schedule 77

HIGHWAY No. 17A

1. That part of the King's Highway known as No. 17A (Kenora Bypass) in the Town of Jaffray Melick in the District of Kenora lying between a point situate at its intersection with the westerly abutment of the structure known as the Winnipeg River Bridge East Branch and a point situate at its intersection with the easterly abutment of the structure known as the Winnipeg River Bridge West Branch. O. Reg. 803/93, s. 2.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on December 3, 1993.

51/93

ONTARIO REGULATION 804/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 3, 1993
Filed: December 3, 1993

Amending Reg. 623 of R.R.O. 1990
(Stop Signs at Intersections)

Note: Since January 1, 1993, Regulation 623 has been amended by Ontario Regulations 142/93 and 511/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Regulation 623 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedules:

Schedule 91

1. Highway 7A in the hamlet of Cavan in the Township of Cavan in the County of Peterborough at its intersection with the County Road between lots 12 and 13 at its south junction with the County Road.

2. Westbound on Highway 7A. O. Reg. 804/93, s. 1, *part*.

Schedule 92

1. Highway 7A in the hamlet of Cavan in the Township of Cavan in the County of Peterborough at its intersection with the County Road between lots 12 and 13 at its north junction with the County Road.

2. Eastbound on Highway 7A. O. Reg. 804/93, s. 1, *part*.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on December 3, 1993.

51/93

ONTARIO REGULATION 805/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 3, 1993
Filed: December 3, 1993

Amending Reg. 630 of R.R.O. 1990
(Vehicles on Controlled-Access Highways)

Note: Since January 1, 1993, Regulation 630 has been amended by Ontario Regulation 24/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Schedule 12 to Regulation 630 of the Revised Regulations of Ontario, 1990 is revoked.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on December 3, 1993.

51/93

CORRECTION

Ontario Regulation 560/93 under the *Farm Products Payments Act* published in the October 9, 1993 issue of *The Ontario Gazette*.

The reference to "*Livestock and Livestock Products Act*" in paragraphs 2 and 3 of subsection 6 (1) of Ontario Regulation 560/93 should have read "*Livestock Community Sales Act*".

Publications under the Regulations Act

Publications en vertu de la Loi sur les règlements

1993—12—25

ONTARIO REGULATION 806/93
made under the
TRAVEL INDUSTRY ACT

Made: December 2, 1993
Filed: December 6, 1993

GENERAL

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**PART I
GENERAL**

DEFINITIONS

1. In this Regulation,

“accommodation” includes any room which is to be used for lodging by the customer or person for whom the travel services were purchased and any other facilities and services related to the room that are for the use of the customer or person for whom the travel services were purchased, but does not include meals;

“Compensation Fund” means the Compensation Fund continued under subsection 45 (1);

“Corporation” means the trustee of the Compensation Fund appointed under Part III;

“registrant” means a person who is registered as a travel agent or travel wholesaler under the Act;

“sales” means, in relation to a registrant, the amount of payments received or to be received for all travel services,

- (a) sold in Ontario during a reporting period by or through a registered travel agent to a customer, or
- (b) sold in Ontario during a reporting period by a registered travel wholesaler to or through a registered travel agent or registered travel wholesaler. O. Reg. 806/93, s. 1.

EXEMPTIONS

2. The following classes of persons are exempt from the Act:
 1. A public carrier who sells scheduled online or interline transportation while selling those services if no other travel services are sold.
 2. An agent appointed by a public carrier holding an operating licence under the *Public Vehicles Act* who sells bus online or bus interline travel services while selling those services if no other travel services are sold.
 3. A public carrier who sells one day tours while selling those services if no other travel services are sold.
 4. A person who sells guide services within Ontario and the person’s salespersons while selling those services if no other travel services are sold.
 5. A person who sells sightseeing services in Ontario and the person’s salespersons while selling those services if no other travel services are sold.
 6. A person who is employed to teach in an elementary or secondary school, university or college of applied arts and technology and who,
 - i. arranges one day tours for the students of that school, university or college as part of the curriculum or arranges other travel services through a registered travel agent as part of the curriculum,
 - ii. has the approval of the appropriate board of education, principal or other governing body to make the arrangements for the travel services, and
 - iii. receives no direct or indirect personal gain or profit from arranging for the travel services other than participating in the travel services.
 7. A not-for-profit corporation without share capital, operating as a club, that sells or provides overland travel services to members of the club and satisfies all of the following conditions:
 - i. The travel services are sold and provided only to members of the club.
 - ii. The bus, car or similar means of transportation that is used on a trip remains at the destination to ensure that return transportation is available.
 - iii. The travel services provided only include destinations within 1,000 km of the departure point.
 - iv. The corporation exists primarily for educational, cultural or athletic purposes.

- v. Any funds received by the club for the travel services are deposited into a trust account and disbursed to pay the suppliers of the travel services or a travel agent.
- vi. The corporation, its members and employees receive no direct or indirect personal gain or profit from the sale of the travel services other than participating in the travel services. O. Reg. 806/93, s. 2.

PART II REGISTRATION

APPLICATIONS, RENEWALS, ETC.

3. An application for registration as a travel agent or a travel wholesaler or for renewal of registration shall be in a form provided by the Minister. O. Reg. 806/93, s. 3.
4. Every registration expires on the date shown on the certificate of registration. O. Reg. 806/93, s. 4.
5. The following fees are payable to the Registrar:
 1. Upon application for registration or for renewal of a registration as a travel agent or travel wholesaler,
 - i. until December 31, 1993, \$350,
 - ii. beginning on January 1, 1994, \$375.
 2. For each branch office named in or added to the registration,
 - i. until December 31, 1993, \$350,
 - ii. beginning January 1, 1994, \$375. O. Reg. 806/93, s. 5.

6. A person shall not be registered until the person makes payment to the Compensation Fund under section 46 and provides security to the Compensation Fund in accordance with section 26. O. Reg. 806/93, s. 6.

TERMS AND CONDITIONS OF REGISTRATION

7. The prescribed terms and conditions of a registration are set out in sections 8 to 35. O. Reg. 806/93, s. 7.
8. A registrant who is an individual must be at least eighteen years of age and a resident of Canada. O. Reg. 806/93, s. 8.

9.—(1) A person shall not be registered if,

- (a) the Corporation has an outstanding judgement against the person;
- (b) the Corporation has paid claims out of the Compensation Fund in relation to the person and the person has not reimbursed the Corporation for the claims paid and for the Corporation's costs; or
- (c) the person has not made a payment required to be made to the Corporation under section 47 within thirty days of notice that a payment is due.

(2) The Registrar may register a person who is disqualified under subsection (1) for registration if arrangements have been made and are being complied with for,

- (a) the payment or settlement of an outstanding judgement;
- (b) the reimbursement of claims paid out of the Compensation Fund and the Corporation's costs; or
- (c) the payment required under section 47 to be made immediately. O. Reg. 806/93, s. 9.

10.—(1) A person shall not be registered if,

- (a) the person is a corporation or partnership; and
- (b) a member of the corporation or partnership is or was at any time a member of a corporation or partnership that does or did not qualify for registration under the Act.

(2) In the following circumstances, the Registrar may register a person who is disqualified under subsection (1) for registration:

1. The person will be financially responsible when conducting business and will carry on business in accordance with the law and with honesty and integrity.
2. The member referred to in clause (1) (b) was a member of another person and, with respect to that person,
 - i. the Corporation has an outstanding judgment against him, her or it,
 - ii. claims have been paid out of the Compensation Fund in relation to the person and the person has not reimbursed the Fund for the claims paid and for the Corporation's costs, or
 - iii. the person has not made a payment required under Part III within thirty days after notice that the payment was due, and,

arrangements have been made and are being complied with for the payment or settlement of the judgment, the reimbursement for the claims and costs or the payment under Part III.

(3) For the purposes of this section, a member includes any partner of a partnership and any officer or director of a corporation or person who is,

- (a) a beneficial owner of more than 10 per cent of the equity shares of a corporation; or
- (b) a shareholder or associated shareholder holding more than 10 per cent of the equity shares of a corporation. O. Reg. 806/93, s. 10.

11.—(1) A registrant shall not operate a branch office in Ontario unless the branch office is authorized by the registration.

(2) A registrant shall carry on business only from a permanent place of business in Ontario that is not a dwelling. O. Reg. 806/93, s. 11.

12. A travel agent's place of business shall be open to the public and to other registrants during the hours of operation. O. Reg. 806/93, s. 12.

13.—(1) A registrant shall not carry on business under a name other than the name appearing on the registration and a name registered under the *Business Names Act*.

(2) The registrant shall notify the Registrar of the names to be used and shall not carry on business until the notice is given.

(3) The registrant shall not carry on business under a name that,

- (a) indicates a sponsorship, approval, status or affiliation that the registrant does not have; or
- (b) fails to identify the registrant with whom the customer is dealing. O. Reg. 806/93, s. 13.

14. A travel agent shall not sell travel services unless the travel services are sold directly by the registrant, through an employee of the registrant or through a person with whom the registrant has a written contract and who operates from the registered premises. O. Reg. 806/93, s. 14.

15.—(1) A registrant shall prominently display the certificate of registration at the office or branch office for which it is issued.

(2) If a registration is revoked, suspended or cancelled or if the registrant voluntarily ceases business, the registrant shall promptly return the certificate of registration to the Registrar by registered mail or by personal delivery. O. Reg. 806/93, s. 15.

16.—(1) A registrant shall notify the Registrar within fifteen days of any of the following events:

1. A change in the directors of a registrant that is a corporation.
2. A change of address for the office or a branch office of the registrant.
3. A proposed change of the person identified under section 20 to manage and supervise an office.
4. A change in the name or number of an account or in the choice of financial institution in which the account is required to be maintained.

(2) A notice under subsection (1) shall be in a form provided by the Minister. O. Reg. 806/93, s. 16.

17. A notice of the following shall be in a form provided by the Minister:

1. Notice of transfer of shares under subsection 11 (2) of the Act.
2. Notice of material changes under clause 12 (a) or (b) of the Act. O. Reg. 806/93, s. 17.

18.—(1) A registrant shall not knowingly carry on business with a travel agent or travel wholesaler in Ontario who is not registered.

(2) A registrant who ceases to trade with another registrant by reason of the other registrant's apparent lack of financial responsibility shall promptly notify the Registrar in writing of the fact that trade has ceased and of the reasons therefor. O. Reg. 806/93, s. 18.

19.—(1) A registrant shall maintain all or any accounts in Ontario in a bank listed in Schedule I or II to the *Bank Act* (Canada), a loan or trust corporation, the Province of Ontario Savings Office, or a credit union as defined in the *Credit Unions and Caisses Populaires Act*.

(2) Each account shall be in the name of the registrant.

(3) The registrant shall promptly deposit and maintain all funds received as payment for travel services into such an account. O. Reg. 806/93, s. 19.

20.—(1) A travel agent shall ensure that each office operated by the travel agent is managed and supervised during the hours of operation of the office by an individual who has, in the Registrar's opinion, sufficient experience with and knowledge of the business of selling travel services to ensure that the office is managed in compliance with the Act and its regulations.

(2) An application for registration or renewal shall be accompanied by the name, address and a description of the experience and knowledge of the individual referred to in subsection (1). O. Reg. 806/93, s. 20.

21.—(1) A registrant shall not make any representations with respect to travel services that are false, misleading or deceptive.

(2) Before reserving travel services for a customer, the travel agent shall bring to the attention of the customer any conditions related to the purchase of travel services that the travel agent has reason to believe may affect the customer's decision to purchase and shall,

- (a) disclose the price and the terms and conditions of reservation;
- (b) explain to the customer any requirements or limitations relating to the transfer or cancellation of the travel services;

(c) advise the customer about the availability of trip cancellation insurance;

(d) advise the customer, in writing, about the information and documents that will be needed for each person for whom travel services are being purchased; and

(e) answer any questions the customer may have arising from the information provided under clauses (a) to (d) or from a brochure or other advertisement. O. Reg. 806/93, s. 21.

22.—(1) A travel agent who sells or offers to sell travel services to a customer shall, as soon as is possible, provide to the customer a copy of the brochure or of any other printed advertisement that contains the information required to be in a brochure under section 41.

(2) If, after a customer has purchased travel services, the travel agent becomes aware of a change to any matter that is referred to in the brochure or advertisement and that, if known, may have affected the customer's decision to purchase, the travel agent shall promptly advise the customer of the change. O. Reg. 806/93, s. 22.

23.—(1) Upon selling travel services to a customer, a travel agent shall promptly provide the customer with a statement, invoice or receipt setting out,

(a) the name and address of the customer who purchased the travel services and the name and address, if known, of each person on whose behalf the payment is made;

(b) the date of the booking and the date of the first payment;

(c) the amount of the payment, indicating if it is full or partial payment, the amount of any balance owing, if known, and the date when it is to be paid;

(d) any taxes, fees, levies, charges, service charges, surcharges or other charges;

(e) the business name, registered name, registration number, address and telephone number of the travel agent;

(f) a brief description of the travel services contracted for, including destination, date of departure and the name of the person supplying the travel services;

(g) if known, the name of the person providing the travel services to the initial destination;

(h) whether or not the customer wishes to purchase trip cancellation insurance; and

(i) the serial number of the receipt, invoice or statement or, for computer purposes, its unique identifier.

(2) Every travel wholesaler shall promptly provide to each travel agent through whom it sells a travel service an invoice respecting the sale and on which shall be recorded,

(a) the name and address of the travel agent through whom it is selling the travel service;

(b) the terms of payment and the amount paid;

(c) the name of each customer and, if known, each person on whose behalf the travel service is being purchased;

(d) the destination of each traveller and, if relevant, the date of departure; and

(e) the serial number of the invoice or, for computer purposes, its unique identifier. O. Reg. 806/93, s. 23.

24.—(1) Every registrant shall file with the Registrar the financial statements required by this section for each fiscal year.

(2) If the registrant had sales of less than \$10 million during the previous fiscal year, the registrant shall file, within three months of the end of the fiscal year,

- (a) annual financial statements with a review engagement report by a public accountant licensed under the *Public Accountancy Act*; or
- (b) annual financial statements with an audit opinion from a public accountant, if the registrant is required to obtain annual financial statements with an audit opinion under the *Business Corporations Act*.

(3) If the registrant had sales of \$10 million or more but less than \$20 million during the previous fiscal year, the registrant shall file,

- (a) annual financial statements with an audit opinion from a licensed public accountant within three months of the end of the fiscal year; and
- (b) semi-annual financial statements within forty-five days of the end of each half year during the fiscal year.

(4) If the registrant had sales of \$20 million or more during the previous fiscal year, the registrant shall file,

- (a) annual financial statements with an audit opinion from a licensed public accountant within three months of the fiscal year; and
- (b) quarterly financial statements within forty-five days of the end of each quarter year during the fiscal year.

(5) The financial statements required under this section shall include a statement of sales made during the period, a balance sheet, an income statement and a reconciliation of customer funds and customer obligations.

(6) If additional information is necessary to provide an accurate and complete review of the financial position of the registrant, the Registrar may require that the registrant file audited financial statements that consolidate or combine the registrant's financial statements with,

- (a) the financial statements of another registrant; or
- (b) if the registrant is a corporation, with the financial statements of another person who is a shareholder associated with the registrant for the purposes of section 11 of the Act.

(7) If the Registrar has reason to believe that a registrant is in financial difficulty, the Registrar may require that the registrant provide a written statement of the registrant's current net working capital to the Registrar and the registrant shall do so within the time specified by the Registrar.

(8) The Registrar may require that a statement provided under subsection (6) or (7) be verified by affidavit. O. Reg. 806/93, s. 24.

25.—(1) A registrant shall maintain a minimum working capital of \$5,000 if the registrant had sales in Ontario of less than \$1.5 million during the previous fiscal year.

(2) A registrant who had sales in Ontario of \$1.5 million or more but less than \$10 million during the previous fiscal year shall maintain a minimum working capital of \$25,000.

(3) A registrant who had sales in Ontario of \$10 million or more but less than \$20 million during the previous fiscal year shall maintain a minimum working capital of \$50,000.

(4) A registrant who had sales in Ontario of \$20 million or more during the previous year shall maintain a minimum working capital of \$100,000.

(5) The working capital of a registrant shall be calculated in accor-

dance with generally accepted accounting principles and shall not include the value of any security provided under subsection 26 (1) or the account of any person with whom the registrant has a non-arm's length relationship.

(6) This section comes into force on April 1, 1994. O. Reg. 806/93, s. 25.

26.—(1) A person who has not been registered during the previous 12 months shall provide to the Compensation Fund \$10,000 in security when applying for registration.

(2) The security provided under subsection (1) shall be returned to the registrant twenty-four months after the date of registration, less an amount for any claims paid or anticipated to be paid to customers of the registrant by the Corporation and for the Corporation's costs. O. Reg. 806/93, s. 26.

27.—(1) A registrant who acquires a right to accommodations for the purpose of selling those accommodations to customers shall take reasonable measures to ensure that the accommodations are, at the time the customer uses the travel services, in the same condition as was described by the registrant at the time of sale.

(2) If the accommodations are not in the condition represented by the registrant, the registrant shall promptly notify the travel agent or the customer, as the case may be, to whom the accommodations are sold of that fact and,

- (a) if the accommodations are sold as part of a package that includes transportation to a destination, offer the customer the choice of a full and immediate refund of the cost of the package or a comparable alternate package acceptable to the customer; or
- (b) if the accommodations are not sold as a part of a package that includes transportation to a destination, offer the customer the choice of a full and immediate refund of the cost of the accommodations or comparable alternate accommodations acceptable to the customer. O. Reg. 806/93, s. 27.

28.—(1) A travel wholesaler who becomes aware that any of the following things has occurred shall promptly notify the travel agent or customer, as the case may be, and offer the customer the choice of a full, immediate refund or comparable alternate travel services acceptable to the customer:

1. The scheduled departure of any transportation that forms part of the travel services is delayed or advanced by twenty-four hours or more, unless the reason for the delay is one described in subsection (2).
2. The cruise ship is changed.
3. The accommodations are changed or the standard of the accommodations is changed.
4. The total price of the travel services is increased by more than 7 per cent, unless the reason for the increase is one described in subsection (3).
5. The documents needed for the trip are changed because the transportation routing is changed, and there is not enough time for the person to obtain the documents before the departure.

(2) Paragraph 1 of subsection (1) does not apply if the delay results from mechanical problems that relate to the mode of transportation, safety considerations, the weather, a strike or a force majeure.

(3) Paragraph 4 of subsection (1) does not apply if the increase results from government taxation, or a fuel surcharge allowed by the National Transportation Agency with respect to charter air travel services. O. Reg. 806/93, s. 28.

29. If a travel agent sells travel services and pays the travel whole-

saler for the travel services twenty-one or more days before the date of departure, the travel wholesaler shall forward the tickets, vouchers, itinerary, information and other travel documents that relate to the travel services to the travel agent at least fourteen days before the date of departure, unless the agent or the customer directs otherwise. O. Reg. 806/93, s. 29.

30. A travel agent shall, upon receiving a ticket, a voucher, an itinerary or an information or travel-related document from a travel wholesaler or other person, ensure that the information contained on it is correct before giving it to a customer to whom the travel agent has sold travel services. O. Reg. 806/93, s. 30.

31. Despite any failure on the part of the travel agent to pay the travel wholesaler for travel services, the travel wholesaler shall not refuse to provide the travel services purchased by a customer if,

- (a) the customer has paid the travel agent for the travel services; and
- (b) the travel wholesaler has provided tickets or other travel documents to a travel agent for distribution to the customer. O. Reg. 806/93, s. 31.

32. A travel agent who charges a service charge or non-refundable fee for counselling with respect to travel services shall inform the customer of the existence of the charge or fee before counselling or selling travel services to the customer. O. Reg. 806/93, s. 32.

33. The following persons shall sell or offer for sale only those travel services for which the person has a written agreement with the supplier of the travel services setting out the terms of the agreement:

1. A travel agent who has acquired rights to travel services for resale.
2. A travel wholesaler. O. Reg. 806/93, s. 33.

34. A registrant shall not sell or offer for sale travel services that consist solely of or include air transportation unless the air carrier,

- (a) has been licensed in all the relevant jurisdictions by the appropriate authority to provide the travel services;
- (b) has received any approvals or has filed to obtain any approvals necessary to provide the travel services; and
- (c) has complied with regulatory requirements in Canada and in any other relevant jurisdiction. O. Reg. 806/93, s. 34.

35. If a registrant acquires rights to travel services for resale to other registrants or to customers and the supplier fails to provide the travel services paid for by a customer, the registrant who acquired the rights for resale shall reimburse the customer or provide comparable alternate travel services acceptable to the customer. O. Reg. 806/93, s. 35.

TRUST ACCOUNTS

36.—(1) A registrant shall maintain a trust account to protect customer funds if the registrant,

- (a) is required to maintain a trust account under the terms and conditions specified in the registrant's registration; or
- (b) registers after the day this Regulation comes into force and has not been registered throughout the previous twelve months.

(2) The trust account shall be designated as a *Travel Industry Act* trust account.

(3) A registrant required to maintain a trust account under subsection (1) shall hold all customer funds in trust and shall deposit all customer funds received into the trust account within two banking days after receiving them.

(4) No registrant shall maintain more than one trust account under subsection (1) without the prior written consent of the Registrar.

(5) A registrant required to maintain a trust account under subsection (1) shall file with the Registrar,

- (a) a copy of the trust agreement with the financial institution, within five days after establishing a trust account; and
- (b) a copy of any changes to the trust agreement within five days after making the changes.

(6) No registrant shall disburse or withdraw any money held in a trust account under subsection (1) until payment is made to the supplier of the travel services for which the money was received.

(7) Despite subsection (6), a registrant required to maintain a trust account under subsection (1) may disburse or withdraw a customer's money held in trust or required to be held in trust in order to provide a refund to the customer. O. Reg. 806/93, s. 36.

RECORDS

37.—(1) A registrant shall keep and maintain at the registrant's principal place of business, or such other place as the Registrar may approve in writing, the following business records:

1. Accounting records setting out in detail the income and expenses of the registrant and supporting documentary evidence which includes copies of statements, invoices or receipts that have unique identifiers or serial numbers provided to customers.
2. Banking records that identify readily and may be used to verify all transactions that were made in connection with the operation of the business of the registrant.
3. A written record of all payments made by or to a registrant respecting the purchase or sale of travel services which record shall be in a form that enables the Registrar to identify readily the transaction to which the payment relates based on the unique identifiers or serial numbers.

(2) Any record required to be kept or maintained under subsection (1) shall be retained for a period of at least six years from the date of the booking. O. Reg. 806/93, s. 37.

ADVERTISING

38. Every registrant shall ensure that any advertising or representation in Ontario with respect to travel services sold by the registrant is not false, misleading or deceptive. O. Reg. 806/93, s. 38.

39.—(1) A registrant who advertises or places an advertisement for travel services shall ensure that the advertisement complies with the Act and the Regulations.

(2) Any advertisement for the sale of travel services shall include the registered name, address and registration number of the registrant who advertised or placed the advertisement.

(3) An advertisement for the sale of travel services shall not include a residential address or telephone number. O. Reg. 806/93, s. 39.

40.—(1) If an advertisement for the sale of travel services refers to the price of the travel services, the price shall include all fees, levies, charges, service charges, surcharges or other charges and taxes. The advertisement shall either state that the price includes GST, transportation taxes and related transportation fees or it shall state that the price does not include those items.

(2) Any advertisement for the sale of travel services that refers to the price of the travel services shall include the following information and shall set it out in a prominent and understandable manner:

1. A statement indicating whether the price includes GST, transportation taxes and related transportation fees.
2. The terms and conditions, if any, that affect or limit the availability of the price of the travel services.
3. A brief description of the advertised travel services including the name of the air carrier, hotel and travel wholesaler where applicable.
4. A statement that a brochure containing further information is available from a travel agent.

(3) Despite subsection (1), an advertisement for travel services that is a brochure may list all fees, levies, charges, service charges, surcharges and taxes included in the price of the travel services and of the cost of each of them.

(4) An advertisement for travel services shall not set out the price of the travel services unless the price is available during the time the advertisement is accessible by the public.

(5) Despite subsection (4), an advertisement for travel services may set out a previous price for the travel services,

- (a) if the price was available within the fourteen days before the date on which the advertisement became accessible by the public; and
- (b) if the advertisement states that the price is a previous price.

(6) Prices in an advertisement shall be in Canadian currency unless the advertisement specifies that the price is in a currency other than Canadian currency. O. Reg. 806/93, s. 40.

41. A brochure that advertises travel services shall include the following information:

1. Deposit requirements.
2. Final payment requirements.
3. Cancellation terms and charges, if any.
4. The availability and cost of trip cancellation insurance.
5. The refund policy, including, where applicable, any penalty provisions.
6. If the travel services include travel by cruise ship, the name, country of registration and gross tonnage of the ship.
7. A description of the travel services sufficient to identify them including,
 - i. details of transportation including the name of the principal carrier, the class of service and all departure and arrival points,
 - ii. details of the accommodations, if any, including the condition and location of the accommodation.
8. The date or anticipated date of commencement of any construction or renovation that is likely to interfere with the use and enjoyment of the accommodation and the duration or anticipated duration of the construction or renovation, if known at the time of the printing of the brochure.
9. A statement that, if there is an increase in price of the travel services by more than 7 per cent, the customer has the right to cancel the contract and obtain a full refund for the travel services at any time after a payment has been made up to and including the date set out in the advertisement unless the price increase is the result of government taxation, or a fuel surcharge allowed by the National Transportation Agency with respect to charter air travel services.

10. The date of the issue of the brochure.

11. A statement that the living standards and practices at the destination may differ from those found in Canada, as may the standards and conditions with respect to the provision of utilities, services and accommodation. O. Reg. 806/93, s. 41.

42.—(1) A photograph that is used in an advertisement, a brochure or any other printed material provided by a registrant shall be an accurate representation of the site and if the photograph is not a photograph of the site it shall so indicate.

(2) An artist's sketch that is used in an advertisement, a brochure or any other printed material provided by a registrant shall accurately reflect the thing being sketched and be accompanied by an indication that it is a sketch. O. Reg. 806/93, s. 42.

PART III COMPENSATION FUND

GENERAL

43. In this Part,

“end supplier” means a person who supplies travel services but does not include a travel agent or travel wholesaler;

“former terms of the Fund” means the Schedule to Regulation 1085 of Revised Regulations of Ontario, 1990, as it reads on the day this Regulation comes into force;

“major event” means one or more events designated as a major event by the Director under subsection 57 (3). O. Reg. 806/93, s. 43.

44. Every registrant shall participate in the Compensation Fund and shall comply with the terms of the Fund set out in this Part. O. Reg. 806/93, s. 44.

45.—(1) The fund continued under section 8 of the Schedule to Regulation 1085 of Revised Regulations of Ontario, 1990 is continued as the Compensation Fund.

(2) The Compensation Fund is composed of the payments made by the registrants in accordance with this Regulation or made by participants under a predecessor to this Regulation and any money borrowed by the board of trustees of the Fund.

(3) The Compensation Fund must be kept in the Province of Ontario and the property and interest comprising the Fund must be held by the Corporation in the Province of Ontario. O. Reg. 806/93, s. 45.

PAYMENTS TO THE FUND

46. An applicant shall make the following payments to the Compensation Fund:

1. Upon application for registration \$2,000
2. Upon application for registration of a branch office 2,000

O. Reg. 806/93, s. 46.

47.—(1) A travel agent shall, twice a year, make payments to the Compensation Fund in the amount that is the greater of the following:

1. \$25 plus the applicable taxes.
2. \$0.40 plus the applicable taxes for every \$1,000 of sales or part thereof.

(2) A travel wholesaler shall, twice a year, make payments to the Compensation Fund in the amount that is the greater of the following:

1. \$25 plus the applicable taxes.
2. \$1.60 plus the applicable taxes for every \$1,000 of sales or part thereof.

(3) A payment under subsection (1) or (2) shall be made within forty-five days after the end of the registrant's fiscal year and fiscal half year.

(4) Despite subsection (3), payments relating to 1993 shall be made on or before February 14, 1994 and shall be in the amounts required by Regulation 1085 of the Revised Regulations of Ontario, 1990 as it read on December 8, 1993.

(5) A payment under this section shall be accompanied by a completed return, in the form provided by the Minister, indicating the sales of the registrant for the reporting period and the amount of payments owing to the Compensation Fund.

(6) The return shall be certified by the registrant or an authorized officer or partner of the registrant as to the accuracy of the information contained in the return. O. Reg. 806/93, s. 47.

48. The board of trustees may require that registrants make additional payments to the Fund if the payments are necessary to pay or reduce a debt of the board of trustees to a financial institution. O. Reg. 806/93, s. 48.

CLAIMS

49. The board of trustees shall determine whether a claim, or a part of one, meets the requirements of this Part and shall determine the eligible amount of the claim. O. Reg. 806/93, s. 49.

50.—(1) A customer is entitled to be reimbursed for travel services paid for but not provided if,

- (a) the customer made payment for the travel services directly to or through a registered travel agent;
- (b) the customer has made a demand for payment from the registered travel agent or the appropriate registered wholesaler; and
- (c) the customer has not been reimbursed by,
 - (i) the registrant because the registrant is unable to pay by reason of bankruptcy or insolvency,
 - (ii) any other person who has received the customer's money, or
 - (iii) any other person who may be legally obliged to reimburse or compensate the customer, including a person obliged under a contract for insurance.

(2) A reimbursement under subsection (1) is limited to the amount paid by the customer to the travel agent for those travel services that were not provided.

(3) A customer is not entitled to be reimbursed for the following or in the following circumstances:

1. For a claim arising out of the failure of an end supplier to provide the travel services.
2. For losses or damages incurred by a customer as a result of a failure of an end supplier to provide the travel services.
3. For a payment to a registrant for any travel services that were provided or for which alternate travel services were provided or made available.
4. For a payment, including a non-refundable payment, for travel services that were available but not received if the failure to receive the travel services is due to the customer's or the traveller's action or failure to act.
5. If the travel services were received as a prize, an award or a goodwill gesture.
6. If the customer used a voucher, certificate, coupon or other

similar document to obtain the travel services or did not pay for the travel services with cash or by a cheque, credit card or other similar cash payment method.

7. For any taxes, fees or levies imposed by a government or a government body.
8. For any insurance premiums.
9. If the claim is based on the cost, value or quality of the travel services or alternate travel services that were provided. O. Reg. 806/93, s. 50.

51.—(1) A travel agent is entitled to be reimbursed for money paid by the travel agent to reimburse a customer or to provide alternate travel services to the customer if the customer paid the travel agent and if,

- (a) the travel agent acted in good faith and at arm's length with a travel wholesaler;
- (b) the travel agent passed all or part of the customer's money to the travel wholesaler; and
- (c) the travel services were not provided to the customer.

(2) The travel agent is entitled to be reimbursed only for the portion of the customer's money that the travel agent passed to the travel wholesaler.

(3) The travel agent is entitled to be reimbursed only if the customer would otherwise have had a claim against the Compensation Fund.

(4) The travel agent is not entitled to be reimbursed for any commission owing on account of the travel services contracted for by the customer. O. Reg. 806/93, s. 51.

52.—(1) A travel wholesaler is entitled to be reimbursed for money paid by the travel wholesaler to reimburse a customer for travel services paid for but not provided or to provide the customer with travel services for which the travel wholesaler has not been paid by the travel agent if,

- (a) the travel wholesaler has acted in good faith and at arm's length with a registrant who is a travel agent;
- (b) the travel agent has failed to pass all or part of the customer's money to the travel wholesaler;
- (c) the travel wholesaler has had no dealing with the travel agent in which the travel agent has failed to pass the customer's money to the travel wholesaler in respect of travel services or has otherwise been in default in dealing with the travel wholesaler; and
- (d) the travel wholesaler has taken reasonable measures in the circumstances to ensure that the travel agent is reliable and financially responsible.

(2) The travel wholesaler is entitled to be reimbursed only for the portion of the customer's money received by the travel agent that the travel agent failed to pass on to the travel wholesaler.

(3) The travel wholesaler is entitled to be reimbursed only if it can reasonably be established that the travel agent has received the customer's money and the customer would otherwise have had a claim against the Compensation Fund.

(4) The travel wholesaler is not entitled to be reimbursed for any portion of money owing from the travel agent that represents a commission.

(5) A travel wholesaler who receives a cheque from a travel agent for travel services that are provided is entitled to be reimbursed if,

- (a) the cheque is received by the travel wholesaler within seven days before the commencement of the travel services;

- (b) the cheque is promptly deposited by the travel wholesaler in an account maintained in a financial institution referred to in section 19;
- (c) the cheque is returned to the travel wholesaler by the financial institution for reasons of insufficient funds; and
- (d) the travel wholesaler is otherwise entitled to be reimbursed.

(6) A travel wholesaler who makes a claim for reimbursement under subsection (5) is not entitled to be reimbursed for any portion of the claim that exceeds the travel wholesaler's volume of business with the travel agent for a normal week based on established trading patterns within the twelve month period that immediately preceded the commencement of the travel services.

(7) A travel wholesaler is not entitled to be reimbursed for any payment made by credit card if the travel agent or travel wholesaler did not obtain prior approval for the payment from the customer and from the card issuer in accordance with the agreement between the card issuer and the registrant who processed the payment. O. Reg. 806/93, s. 52.

53. A customer or a registrant shall make a claim in writing to the board of trustees within six months after the event that gave rise to the claim. O. Reg. 806/93, s. 53.

54.—(1) The claimant shall provide such evidence to the board of trustees as it may require to prove the claim.

(2) The claimant shall sign such documents as are necessary to transfer the interest of the claimant in a claim against a third party to the Corporation so as to subrogate the Corporation to the position of the claimant. O. Reg. 806/93, s. 54.

55.—(1) A travel agent is not entitled to be reimbursed if the travel agent was involved in a credit arrangement with a travel wholesaler or an end supplier in order to provide the travel services to which the claim relates.

(2) A travel wholesaler is not entitled to be reimbursed if the travel wholesaler was involved in a credit arrangement with a travel agent, another travel wholesaler or an end supplier in order to provide the travel services to which the claim relates. O. Reg. 806/93, s. 55.

56. If a customer has not received any of the travel services paid for, the registrant shall pay to the Compensation Fund the amount of any commission for the travel services. O. Reg. 806/93, s. 56.

57.—(1) The maximum amount that may be reimbursed to a customer or a registrant for a failure to provide travel services is \$3,500 for each person whose travel services were paid for by the customer.

(2) Despite subsection (1), the maximum amount that may be reimbursed for a failure to provide travel services with respect to all claims arising out of an event or a major event is \$5 million in addition to any amount that the Compensation Fund may recover by way of subrogated claim against a registrant or any other person.

(3) The Director may designate one or more events as a major event having regard to,

- (a) the nature of the event or events;
- (b) the number of claims arising or potentially arising out of the event or events; and
- (c) the need to protect the integrity of the Compensation Fund. O. Reg. 806/93, s. 57.

58. If a major event occurs, the Corporation may,

- (a) defer the payment of any reimbursement until it is satisfied that all claims likely to be made have been received by the Corporation; and
- (b) if necessary or prudent to protect the Compensation Fund

reimburse claims in one or more instalments or only partially reimburse claims. O. Reg. 806/93, s. 58.

59.—(1) A customer or registrant is not entitled to be reimbursed if the failure to provide travel services is due to the failure of an end supplier and not to the bankruptcy or insolvency of a registrant.

(2) Nothing in subsection (1) shall prevent the Corporation from making a payment out of the Compensation Fund for the purposes described in subsection 60 (1) or 61 (1). O. Reg. 806/93, s. 59.

60.—(1) With the approval of the Director, the board of trustees may direct the Corporation to make payments out of the fund in order to enable the immediate departure of a registrant's customer or of a person whose travel services have been paid by the customer if,

- (a) the customer or person was preparing for immediate departure and was prevented from so doing through no fault of his or her own;
- (b) the customer has been placed in circumstances where immediate funds are necessary to alleviate suffering to the customer; and
- (c) the payment is necessary in order to protect the interests of the Corporation.

(2) A payment under subsection (1) shall be no more than \$3,500 per person. O. Reg. 806/93, s. 60.

61.—(1) The Director may direct the Corporation to make payments from the Compensation Fund in order to,

- (a) repatriate a registrant's customer who is outside of Ontario and who, because of a failure to provide travel services, is experiencing some hardship or inconvenience; and
- (b) provide necessary accommodation for that customer prior to the repatriation of the customer.

(2) The maximum amount that may be paid out of the Compensation Fund for repatriating customers is \$2 million per event.

(3) With the approval of the board of trustees, the Director may direct the Corporation to make additional payments out of the Compensation Fund if the maximum amount established under subsection (2) is not sufficient to repatriate customers and to provide necessary accommodation and meals.

(4) A payment made under subsection (3) takes priority over a claim for reimbursement under section 50, 51 or 52.

(5) Any additional payments made under subsection (3) shall be deducted from the \$5 million limit established under subsection 57 (2).

(6) If \$5 million is not required for additional payments under subsection (3), the difference between the \$5 million maximum and the amount of any additional payments over the \$2 million limit shall be used for the payment on a proportionate basis of any claims for reimbursement under section 50, 51 or 52.

(7) In this section, "repatriate" means to return a customer who is either outside of Canada or within Canada but outside the Province of Ontario to a place within the Province of Ontario. O. Reg. 806/93, s. 61.

HEARINGS BY THE TRIBUNAL

62. An appeal from a decision of the board of trustees concerning a claim against the Compensation Fund may be made in accordance with section 17 of the former terms of the Fund. O. Reg. 806/93, s. 62.

ADMINISTRATION OF THE FUND

63. The Compensation Fund is to be managed by the board of

trustees and administered in accordance with this Part by the trustee appointed under section 19 of the former terms of the Fund and by the Director. O. Reg. 806/93, s. 63.

64.—(1) The board of trustees is to be appointed in accordance with section 5 of the former terms of the Fund and has the composition set out in that section.

(2) The powers and duties of the board respecting the conduct of its meetings are as set out in subsections 7 (1), (2) and (3) of the former terms of the Fund.

(3) The remuneration of board members is as set out in subsection 7 (5) of the former terms of the Fund. O. Reg. 806/93, s. 64.

65.—(1) The powers of the board of trustees are as set out in sections 10, 11 and subsections 19 (6), (7), (8) and 24 (1) of the former terms of the Fund.

(2) The duties of the board are as set out in subsection 25 (1) of the former terms of the Fund.

(3) Section 6 of the former terms of the Fund apply with respect to a claim made under this Part. O. Reg. 806/93, s. 65.

66. The powers of the Director are as set out in subsections 19 (1), (6) and (7), 21 (1) and 25 (2) of the former terms of the Fund. O. Reg. 806/93, s. 66.

67.—(1) The trustee of the Compensation Fund is to be appointed in accordance with section 19 of the former terms of the Fund.

(2) The remuneration of the trustee is as set out in subsection 21 (1) of the former terms of the Fund.

(3) The expenses of the trustee are to be established and paid in accordance with subsections 21 (2) and (3) of the former terms of the Fund. O. Reg. 806/93, s. 67.

68. The powers and duties of the trustee are as set out in sections 14, 19, 20 and 22 and subsection 24 (1) of the former terms of the Fund. O. Reg. 806/93, s. 68.

69. The following provisions of the former terms of the Fund continue to apply with respect to the board of trustees, the trustee and the Director, as the case may be:

1. The definition of "direction of the Board" in section 1 of the former terms.
2. Section 2 of the former terms.
3. Section 23 of the former terms.
4. Subsections 24 (2) and (3) of the former terms. O. Reg. 806/93, s. 69.

70. Paragraph 6 of subsection 15 (1) of the former terms of the Fund continues to apply with respect to claims. O. Reg. 806/93, s. 70.

PART IV COMMENCEMENT AND REVOCATION

71. Regulation 1085 of Revised Regulations of Ontario, 1990 and Ontario Regulation 695/91 are revoked.

72. This Regulation comes into force on December 9, 1993.

52/93

ONTARIO REGULATION 807/93 made under the ENVIRONMENTAL ASSESSMENT ACT

Made: December 2, 1993
Filed: December 6, 1993

Amending Reg. 334 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 334 has been amended by Ontario Regulations 344/93, 456/93 and 458/93. There are no prior amendments.

1. Section 3 of Regulation 334 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraphs:

11. Ontario Clean Water Agency.
12. Ontario Realty Corporation.
13. Ontario Transportation Capital Corporation.

52/93

ONTARIO REGULATION 808/93 made under the PLANNING ACT

Made: November 25, 1993
Filed: December 6, 1993

Amending O. Reg. 40/85
(Zoning Areas—District of Nipissing,
Part of the districts of Nipissing and Sudbury)

Note: Since January 1, 1993, Ontario Regulation 40/85 has been amended by Ontario Regulations 186/93, 198/93, 315/93 and 646/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. The Schedule to Ontario Regulation 40/85 is amended by adding the following section:

30.—(1) Despite paragraph 5 of subsection 32 (1) the minimum side yard requirement for the land described in subsection (2) is 1.22 metres.

(2) Subsection (1) applies to that parcel of land in the geographic Township of MacPherson in the District of Nipissing, being part of Broken Lot A in Concession III, more particularly described as Parcel 15238 Nipissing.

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on November 25, 1993.

52/93

ONTARIO REGULATION 809/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 2, 1993
Filed: December 6, 1993

**VILLAGE OF DUTTON, TOWNSHIP OF
DUNWICH BOUNDARY**

1. On January 1, 1994, the portion of the Township of Dunwich described as Parts 2, 3, 4 and 5 on Reference Plan 11R-5013 in the Township of Dunwich, County of Elgin is annexed to the Village of Dutton.

2. All real property including any highway, street fixture, waterline, easement and restrictive covenant running with the land in the annexed area of The Corporation of the Township of Dunwich vests in The Corporation of the Village of Dutton on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Village of Dutton extend to the annexed area and the by-laws of The Corporation of the Township of Dunwich cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Dunwich,
- (i) that were passed under section 34 or 42 of the *Planning Act* or predecessors of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

ONTARIO REGULATION 810/93
made under the
AMBULANCE ACT

Made: December 2, 1993
Filed: December 7, 1993

Amending Reg. 19 of R.R.O. 1990
(General)

Note: Regulation 19 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 1 (1) of Regulation 19 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“midwife” means a member of the College of Midwives of Ontario; (“sage-femme”)

2.—(1) Subsection 45 (2) of the Regulation is amended by inserting after “physician” in the first line “or a midwife”.

(2) Subsection 45 (3) of the Regulation is amended by inserting after “physician” in the last line “or midwife”.

3. This Regulation comes into force on the day the *Midwifery Act, 1991* comes into force.

RUTH GRIER
Minister of Health

Dated at Toronto on November 16, 1993.

which shall remain in force until repealed by the council of The Corporation of the Village of Dutton;

(b) by-laws of The Corporation of the Township of Dunwich passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and

(c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Dunwich.

4. The clerk of The Corporation of the Township of Dunwich shall promptly prepare and furnish to the clerk of The Corporation of the Village of Dutton a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the annexed area up to and including December 31, 1993, and the persons assessed therefor.

5.—(1) All real property taxes levied under any general or special Act and uncollected in the annexed area which are due and unpaid on December 31, 1993, shall be deemed on January 1, 1994, to be taxes due and payable to The Corporation of the Village of Dutton and may be collected by The Corporation of the Village of Dutton.

(2) All business taxes levied and uncollected in the annexed area which are due and unpaid on December 31, 1993, shall continue after that date to be taxes due and payable to The Corporation of the Village of Dutton and may be collected by The Corporation of the Village of Dutton.

6. For the purposes of the assessment roll to be prepared for the Village of Dutton under subsection 14 (1) of the *Assessment Act* in 1994, the annexed area shall be deemed to be part of the Village of Dutton.

7. The agreement between The Corporation of the Village of Dutton and The Corporation of the Township of Dunwich entered into on September 2, 1993 is hereby given effect. O. Reg. 809/93.

52/93

RÈGLEMENT DE L'ONTARIO 810/93
pris en application de la
LOI SUR LES AMBULANCES

pris le 2 décembre 1993
déposé le 7 décembre 1993

modifiant le Règl. 19 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 19 n'a pas été modifié en 1993. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 Le paragraphe 1 (1) du Règlement 19 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la définition suivante :

«sage-femme» Membre de l'Ordre des sages-femmes de l'Ontario. («midwife»)

2 (1) Le paragraphe 45 (2) du Règlement est modifié par insertion, après «médecin» à la première ligne, de «ou une sage-femme».

(2) Le paragraphe 45 (3) du Règlement est modifié par insertion, après «médecin» à la deuxième ligne, de «ou la sage-femme».

3 Le présent règlement entre en vigueur le jour de l'entrée en vigueur de la *Loi de 1991 sur les sages-femmes*.

RUTH GRIER
Ministre de la Santé

Fait à Toronto le 16 novembre 1993.

ONTARIO REGULATION 811/93
made under the
FARM PRODUCTS MARKETING ACT

Made: December 6, 1993
Filed: December 7, 1993

Amending Reg. 440 of R.R.O. 1990
(Vegetables of Processing—Marketing)

Note: Since January 1, 1993, Regulation 440 has been amended by Ontario Regulation 27/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 3 (2) of Regulation 440 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) A licence expires on the date set out in the licence as the expiry date.

(2.1) If any expiry date is not set out in a licence, the licence expires when the licensee ceases to engage in the processing of vegetables. O. Reg. 811/93, s. 1.

2. Section 4 of the Regulation is amended by striking out “or renew” in the first line.

3. Sections 7 and 8 of the Regulation are revoked and the following substituted:

7.—(1) The Commission may require that a processor furnish security or a performance bond that shall not exceed 50 per cent of the price payable to producers for vegetables processed during the immediately preceding twelve-month period or proposed to be processed in the ensuring twelve-month period by the processor.

(2) The Commission may determine that the security or performance bond is forfeited when the processor who furnished the security or bond fails to comply with or contravenes any term or condition of the processor's licence or the Act, the regulations, the plan or any order or direction of the Commission. O. Reg. 811/93, s. 3, *part*.

8.—(1) If a penalty is imposed under section 6 or security or a performance bond is forfeited under subsection 7 (2), the Commission shall pay the penalty or the proceeds of the security or performance bond to the local board for distribution proportionately among the producers of vegetables who sold vegetables to the processor and who did not receive the minimum price for the vegetables, to the extent of the money owing to them.

(2) If there are no producers as described in subsection (1) or if there is an excess balance of penalty or proceeds, the Commission shall pay the penalty, proceeds or excess balance into the Consolidated Revenue Fund. O. Reg. 811/93, s. 3, *part*.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL E. DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on December 6, 1993.

52/93

ONTARIO REGULATION 812/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 2, 1993
Filed: December 7, 1993

TOWNSHIP OF ENNISKILLEN,
TOWN OF PETROLIA BOUNDARY

1. On January 1, 1994, the portion of the Township of Enniskillen described in the Schedule is annexed to the Town of Petrolia.

2. All real property of The Corporation of The Township of Enniskillen situate in the annexed area vests in The Corporation of The Town of Petrolia on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Town of Petrolia extend to the annexed area and the by-laws of The Corporation of the Township of Enniskillen cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Enniskillen,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or predecessors of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or,
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Town of Petrolia;

- (b) by-laws of The Corporation of the Township of Enniskillen passed under section 3 of the *Development Charges Act* which shall remain in force until the earlier of,
 - (i) the date they are repealed by the council of The Corporation of the Town of Petrolia, and
 - (ii) the date they expire under subsection 6 (1) or (2) of the *Development Charges Act*;
- (c) by-laws of The Corporation of the Township of Enniskillen passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Enniskillen.

4. The clerk of The Corporation of the Township of Enniskillen shall promptly prepare and furnish to the clerk of The Corporation of the Town of Petrolia a special collector's roll showing all arrears of taxes or special rates assessed against the land in the annexed area up to and including December 31, 1993, and the persons assessed therefor.

5.—(1) All real property taxes levied under any general or special Act and uncollected in the annexed area that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Town of Petrolia and may be collected by The Corporation of the Town of Petrolia.

(2) On or before April 1, 1994, The Corporation of the Town of Petrolia shall pay to The Corporation of the Township of Enniskillen an amount equal to the amount of all real property taxes that The Corporation of the Town of Petrolia is entitled to collect in the annexed area under subsection (1), that were due but unpaid on December 31, 1993.

6. All business taxes levied and uncollected in the annexed area which are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Township of Enniskillen and may be collected by The Corporation of the Township of Enniskillen.

7. For the purposes of the assessment roll to be prepared for the Town of Petrolia under subsection 14 (1) of the *Assessment Act* for the purposes of the 1994 taxation year, the annexed area shall be deemed to be a part of the Town of Petrolia.

8. The agreement between The Corporation of the Town of Petrolia and The Corporation of the Township of Enniskillen entered into on April 26, 1993 is hereby given effect. O. Reg. 812/93.

Schedule

LANDS TO BE ANNEXED BY THE TOWN OF PETROLIA FROM THE TOWNSHIP OF ENNISKILLEN

That portion of Lot 11 and Lot 12, Concession IX, Township of Enniskillen, County of Lambton, comprising approximately 134 acres or 54.2 hectares, described as follows:

PREMISING that the northerly limit of Lot 11, Concession IX has a bearing of north 87° 44' 20" west and relating all bearings to it;

COMMENCING at the northwest corner of Lot 11;

THEN south 87° 44' 20" east along the northerly limit of Lot 11 a distance of 1,989.28 feet to the northeast corner of Lot 11;

THEN south 2° 02' 20" west along the line between lots 11 and 12 a distance of 209 feet, more or less, to the centre line of Bear Creek;

THEN along the centre line of Bear Creek to a point where the centre line intersects the westerly limit of Lot 11;

THEN north 1° 47' 50" east along the westerly limit of Lot 11 a distance of 3,168.15 feet, more or less, to the point of commencement. O. Reg. 812/93, Sched.

52/93

ONTARIO REGULATION 813/93 made under the PLANNING ACT

Made: December 2, 1993

Filed: December 7, 1993

Amending O. Reg. 25/86

(Zoning Areas—District of Kenora,
Part of the Sioux Lookout Planning Area)

Note: Since January 1, 1993, Ontario Regulation 25/86 has been amended by Ontario Regulations 138/93, 341/93, 423/93, 424/93, 645/93, 647/93, 691/93, 702/93 and 730/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 25/86 is amended by adding the following section:

110.—(1) Despite section 4, the lands described in subsection (4) are, for the purposes of this Order, lands in a General Industrial Zone to which Part IX applies.

(2) Despite subsection (1), subsection 43 (2) does not apply to the lands described in subsection (4).

(3) Despite subsection 44 (1), the lands described in subsection (4) are subject to the following requirements:

Minimum Lot Area	6,000	square metres
Minimum Lot Frontage	50	metres
Maximum Lot Coverage	35	percent
Minimum Front Yard	18	metres
Minimum Rear Yard	4.3	metres
Minimum Side Yards	9	metres
Maximum Height of Building or Structure	10.5	metres

(4) Subsections (1), (2) and (3) apply to the lands in the geographic Township of Drayton in the Territorial District of Kenora, being composed of part of Lot 2 in Range III in the Reserve designated as Part 1 on Plan 23R-8948, deposited in the Land Registry Office for the Land Titles Division of Kenora (No. 23). O. Reg. 813/93, s. 1.

BRYAN O. HILL
Director

Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on December 2, 1993.

52/93

ONTARIO REGULATION 814/93 made under the GAME AND FISH ACT

Made: December 8, 1993

Filed: December 8, 1993

Amending Reg. 510 of R.R.O. 1990
(Open Seasons—Fur-Bearing Animals)

Note: There are no prior amendments to Regulation 510.

1.—(1) Subsection 1 (2) of Regulation 510 of the Revised Regulations of Ontario, 1990 is amended by striking out "wolf and the hybrid of *Canis lupus L.* and *Canis latrans Say*" in the first and second lines.

(2) Section 1 of the Regulation is amended by adding the following subsections:

(4) Wolf, and the hybrid of *Canis lupus L.* and *Canis latrans Say* may be hunted or trapped, and the pelts thereof may be possessed, in any part of Ontario except in the geographic townships of Hagarty, Richards and Burns in the County of Renfrew from the 1st day of October in any year to the 30th day of September in the year following, both inclusive.

(5) Wolf, and the hybrid of *Canis lupus L.* and *Canis latrans Say* may be hunted or trapped, and the pelts thereof may be possessed, in the geographic townships of Hagarty, Richards and Burns in the County of Renfrew from the 1st day of October in any year to the 14th day of December of that year and from the 1st day of April in any subsequent year to the 30th day of September in that year, both inclusive. O. Reg. 814/93, s. 1 (2).

HOWARD HAMPTON
Minister of Natural Resources

Dated at Toronto on December 8, 1993.

52/93

ONTARIO REGULATION 815/93made under the
PLANNING ACTMade: December 2, 1993
Filed: December 9, 1993Amending O. Reg. 102/72
(Restricted Areas—County of Ontario
(now The Regional Municipality of Durham),
Township of Pickering (now the Town of Pickering))

Note: Since January 1, 1993, Ontario Regulation 102/72 has been amended by Ontario Regulations 316/93, 470/93, 471/93, 472/93, 584/93 and 717/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Ontario Regulation 102/72 is amended by adding the following sections:

86.—(1) Despite section 4, one single dwelling existing on the lands in subsection (2) on the date this section comes into force is permitted if the following requirements are met:

Minimum Lot Frontage	42 metres
Minimum Lot Area	0.9 hectares
Minimum Front Yard	9 metres
Minimum Rear Yard	9 metres
Minimum Side Yards	2.4 metres
Minimum Floor Area	95 square metres
Minimum Lot Coverage	20 per cent

(2) Subsection (1) applies to that parcel of land in the Town of Pickering in The Regional Municipality of Durham being part of Lot 11 in Concession V, designated as parts 1 and 2 on Plan 40R-15027, deposited in the Land Registry Office for the Registry Division of Durham (No. 40). O. Reg. 815/93, s. 1, *part*.

87.—(1) Despite section 4, one single dwelling together with accessory structures may be erected, located and used on the lands described in subsection (2) if the following requirements are met:

Minimum Lot Frontage	5 metres
Minimum Lot Area	0.4 hectares
Minimum Front Yard	9 metres
Minimum Rear Yard	9 metres
Minimum Side Yards	2.4 metres
Minimum Floor Area	95 square metres
Minimum Lot Coverage	20 per cent

(2) Subsection (1) applies to that parcel of land in the Town of Pickering in The Regional Municipality of Durham being part of Lot 11 in Concession V, designated as Part 3 on Plan 40R-15027, deposited in the Land Registry Office for the Registry Division of Durham (No. 40). O. Reg. 815/93, s. 1, *part*.

DIANA LINN JARDINE
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs

Dated at Toronto on December 2, 1993.

52/93

ONTARIO REGULATION 816/93made under the
PLANNING ACTMade: December 2, 1993
Filed: December 9, 1993Amending O. Reg. 834/81
(Restricted Areas—Territorial
District of Sudbury)

Note: Since January 1, 1993, Ontario Regulation 834/81 has been amended by Ontario Regulations 141/93, 192/93, 200/93, 201/93, 202/93, 274/93, 390/93, 428/93, 446/93, 484/93, 485/93, 486/93, 530/93, 644/93, 693/93, 703/93 and 727/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:

134.—(1) Despite subsection 22 (1), a building for the storage of construction equipment and material may be located, erected and used on the land described in subsection (2) if the following requirements are met:

Maximum ground floor area	300 square metres
Maximum height	6 metres
Minimum setbacks from the boundaries of the land described in subsection (2):	
east	4 metres
west	20 metres
north	20 metres
south	2 metres

(2) This section applies to that land in the geographic Township of Dill in the Territorial District of Sudbury being part of Lot 5, Concession II, designated as Part 2 on a Reference Plan SR-2321 deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).

BRYAN O. HILL
Director
Plans Administration Branch
North and East
Ministry of Municipal Affairs

Dated at Toronto on December 2, 1993.

52/93

ONTARIO REGULATION 817/93made under the
**TORONTO ISLANDS RESIDENTIAL
COMMUNITY STEWARDSHIP ACT, 1993**Made: December 2, 1993
Filed: December 9, 1993**GENERAL**

1. In this Regulation, "bank rate" means the bank rate established by the Bank of Canada as the minimum rate at which the Bank of Canada makes short term advances to banks listed in Schedule I to the *Bank Act* (Canada). O. Reg. 817/93, s. 1.

2.—(1) The total debt to be levied by the City under subsection 5 (4) of the Act is \$1,012,293 plus interest as determined under subsection (2).

(2) The interest shall be calculated from the day the Act came into force at the bank rate in effect on that day plus 2 per cent and adjusted every three months to reflect the current bank rate plus 2 per cent.

(3) The principal amount of the debt described in subsection (1) shall be amortized over a fifteen-year period. O. Reg. 817/93, s. 2.

3. An application under subsection 7 (1) or 9 (1) of the Act shall be made in writing to the Field Management Branch of the Ministry of Municipal Affairs and shall be on a form provided by the Ministry. O. Reg. 817/93, s. 3.

4.—(1) In making a recommendation under subsection 8 (1) of the Act, the Commissioner may consider principles of law and may also take into account the special historical, social and economic factors relevant to the Toronto Islands community.

(2) In making a determination under subsection 9 (3) of the Act, the Commissioner may consider the length and permanency of residency, any previous lease arrangements, and whether the occupancy was established before March 15, 1991. O. Reg. 817/93, s. 4.

5. The maximum period of time that a protected occupant is entitled to exclusive occupation under subsection 9 (5) of the Act is thirty months. O. Reg. 817/93, s. 5.

6.—(1) An owner who is at least sixty years of age qualifies for the purchase price set out in subsection 17 (4) of the Act or the adjusted discounted purchase price under subsection 17 (5) of the Act if his or her housing costs would exceed 25 per cent of the total income before taxes from all sources for all household members.

(2) For the purposes of subsection (1), housing costs are the total of,

- (a) an amount equal to principal and interest at the prevailing rate for a conventional mortgage having a three-year term and an amortization period of 25 years for the purchase price of a land lease;
- (b) an amount equal to principal and interest at the prevailing rate for a conventional mortgage having a three-year term and an amortization period of 25 years to cover the physical rehabilitation required to bring the house up to the minimum standard required by the Fire Code;
- (c) estimated municipal taxes and the most recent annual charge in respect of the debt for the sewer and water infrastructure; and
- (d) the most recent annual heating costs.

(3) The Trust is responsible for the administration of this section. O. Reg. 817/93, s. 6.

7.—(1) In this section, "accumulated rate of inflation" is calculated using the monthly, all items consumer price index published for the Toronto census metropolitan area by Statistics Canada and is determined as follows:

$$\frac{\text{CPI(B)}}{\text{CPI(A)}}$$

where CPI(A) = the consumer price index for October, 1993;

CPI(B) = the consumer price index for the second month prior to the time of sale of the lease.

(2) Before the first anniversary of the day the Act came into force, the purchase price for a land lease under subsections 21 (5), (6), 22 (3) and 23 (2) of the Act is the original land lease purchase price as determined under section 17 of the Act.

(3) On or after the first anniversary of the day the Act came into force, the purchase price for a land lease under subsections 17 (5), 19 (11), 21 (5) and (6) and sections 22 and 23 of the Act is the adjusted purchase price calculated as follows:

$$A_p = P \times [1 - 1.0003^{-(36135+D)}] \times I$$

where A_p = adjusted purchase price;

P = original purchase price for land lease under subsection 17 (3) of the Act;

D = the number of days after the proclamation of the Act;

I = accumulated rate of inflation.

(4) Despite subsection (3), on or after the first anniversary of the day the Act came into force, the purchase price for a land lease under subsection 17 (5) of the Act to an owner who meets the age and need requirements set out in section 6 is the adjusted discounted purchase price calculated as follows:

$$A_r = R \times [1 - 1.0003^{-(36135+D)}] \times I$$

where A_r = adjusted discounted purchase price;

R = original discounted purchase price for land lease under subsection 17 (4) of the Act;

D = the number of days after the proclamation of the Act;

I = accumulated rate of inflation.

(5) The proceeds from the sale of a land lease under section 19, subsections 21 (5) and (6) and section 22 of the Act or from the sale under subsection 23 (2) of the Act of a land lease referred to in clause 23 (1) (c) of the Act shall be distributed as follows:

1. The vendor or estate of the deceased owner is entitled to receive an amount calculated as follows:

$$.6 \times \left(\frac{P}{36135} \right) \times (36135 - D) + (.4 \times A_p)$$

where P = original purchase price for land lease under subsection 17 (3) of the Act,

D = the number of days after the proclamation of the Act,

A_p = the adjusted purchase price as calculated under subsection (3).

2. The Province of Ontario is entitled to receive the remainder of the proceeds.

(6) Despite subsection (5), if the vendor is an individual who purchased the land lease at a discounted or adjusted discounted purchase price under subsection 17 (4) or (5) of the Act, the proceeds from the sale of a land lease under section 22 of the Act or from the sale under subsection 23 (2) of the Act of a land lease referred to in clause 23 (1) (c) of the Act shall be distributed as follows:

1. The vendor or estate of the deceased owner is entitled to receive an amount calculated as follows:

$$.6 \times \left(\frac{R}{36135} \right) \times (36135 - D) + (.4 \times A_r)$$

where R = original discounted purchase price for land lease under subsection 17 (4) of the Act,

D = the number of days after the proclamation of the Act,

A_r = the adjusted discounted purchase price as calculated under subsection (4).

2. The City of Toronto is entitled to receive an amount calculated as follows:

$$A_p - A_r$$

where A_p = adjusted purchase price calculated under subsection (3),

A_r = adjusted discounted purchase price calculated under subsection (4).

3. The Province of Ontario is entitled to the remainder of the proceeds.

(7) The proceeds from the sale under subsection 23 (2) of the Act of a land lease referred to in clause 23 (1) (a) or (b) of the Act shall be distributed in accordance with subsection 17 (11) of the Act.

(8) The payment required under subsection 21 (7) of the Act shall be calculated as follows:

$$(.6 \times A_p) - .6 \times \left(\frac{P}{36135} \right) \times (36135 - D)$$

where A_p = adjusted purchase price calculated under subsection (3);

P = original purchase price for land lease under subsection 17 (3) of the Act;

D = the number of days after the proclamation of the Act.

(9) The Trust shall transfer the payment received under subsection (8) to the Province of Ontario.

(10) Despite subsection (8), the payment required under subsection 21 (7) of the Act, if the deceased owner was an individual who purchased the land lease under subsection 17 (4) or (5) of the Act at a discounted or adjusted discounted purchase price, shall be calculated and paid in the following manner:

1. The Trust shall transfer the following amount to the City of Toronto:

$$A_p - A_r$$

where A_p = adjusted purchase price calculated under subsection (3),

A_r = adjusted discounted purchase price calculated under subsection (4).

2. The Trust shall transfer the following amount to the Province of Ontario:

$$(.6 \times A_r) - .6 \times \left(\frac{R}{36135} \right) \times (36135 - D)$$

where A_r = adjusted discounted purchase price calculated under subsection (4),

R = original discounted purchase price for land lease under subsection 17 (4) of the Act,

D = the number of days after the proclamation of the Act.

(11) The vendor is entitled to the proceeds from the sale of a house under section 22 of the Act and the sale under subsection 23 (2) of a house referred to in clause 23 (1) (b) of the Act.

(12) The Trust is entitled to the proceeds from the sale under subsection 23 (2) of the Act of a house referred to in clause 23 (1) (a) of the Act.

(13) The estate of the deceased owner is entitled to the proceeds from the sale under subsection 23 (2) of the Act of a house referred to in clause 23 (1) (c) of the Act. O. Reg. 817/93, s. 7.

8.—(1) The annual occupation charge for the land, from the fifteenth day after the land lease is offered by the Trust to the owner of the house or from the date on which an individual is determined by the Commissioner to be a protected occupant until the end of the interim period, is an amount equal to 8 per cent of the original purchase price for the land lease.

(2) The occupation charge is payable monthly, in advance, on the first day of each month.

(3) If the payment becomes payable on a day other than the first day of a month, the occupation charge shall be pro-rated over the remainder of the first month.

(4) Interest calculated at the bank rate plus 2 per cent shall be added to any occupation charge that is unpaid thirty days after the date it was due.

(5) The Trust shall forward the occupation charge plus any interest collected under subsection (4) for the land to the City within thirty days after receiving it.

(6) A protected occupant may apply to the Trust for a reduction or waiver of the occupation charge for the land.

(7) The protected occupant qualifies for the reduction or waiver if the total housing costs for the house he or she is occupying, without a reduction, would exceed 25 per cent of the total household income before taxes from all sources for all household members.

(8) For the purposes of subsection (7), housing costs are the total of,

- (a) the applicable occupation charge for the land, without a reduction;
- (b) the occupation charge for the house occupied;
- (c) estimated municipal taxes and the most recent annual charge in respect of the debt for the sewer and water infrastructure; and
- (d) the most recent annual heating costs.

(9) The Trust shall reduce the land occupation charge by the lesser of,

- (a) the full amount; and
- (b) the amount required to reduce the protected occupant's housing costs to 25 per cent of the total income before taxes from all sources of all household members.

(10) For the purposes of this section, the Trust shall use the definitions of "income" and the income verification procedures set out in sections 0402-01 to 0411-03 of the non-profit administrative manual published by the Ministry of Housing. O. Reg. 817/93, s. 8.

9.—(1) The annual occupation charge for the house, from the day on which the individual is determined by the Commissioner to be a protected occupant to the end of the protected occupancy, is an amount equal to 8 per cent of the initial appraised value of the house.

(2) The occupation charge is payable monthly, in advance, on the first day of each month.

(3) If the payment becomes payable on a day other than the first day of the month, the occupation charge shall be pro-rated over the remainder of the first month.

(4) Interest calculated at the bank rate plus 2 per cent shall be added to any occupation charge that is unpaid thirty days after the date it was due. O. Reg. 817/93, s. 9.

10.—(1) All appraisals under section 13 of the Act shall be carried out by an accredited appraiser selected by the Trust.

(2) The Trust shall select a minimum of three appraisers and maintain a list of their names.

(3) The appraised value of a house is the depreciated replacement cost, being the cost which would be incurred in replacing the building with a new one having a similar utility, adjusted for accrued depreciation.

(4) The accrued depreciation shall be measured by the appraisal method known as the observed condition-breakdown method. O. Reg. 817/93, s. 10.

11.—(1) Loans obtained by the owners for the purposes set out in subsection 18 (1) of the Act are guaranteed in full by the Province of Ontario up to a maximum amount of 12 million dollars for all loans, including interest, costs and expenses.

(2) The amount borrowed by each individual owner under the loan guarantee described in subsection (1) shall not exceed the amount equal to the price of the initial land lease plus the appraised value of the house. O. Reg. 817/93, s. 11.

12.—(1) The maximum purchase price of a house under clauses 17 (6) (b) and (c), subsection 19 (12), 21 (5) or (6), 22 (3) or 23 (2) or (10) of the Act is the sum of the appraised value as determined under section 10 plus the equity amount as determined under this section.

(2) The equity amount is calculated from the date that a house is transferred to an owner by the Province to the date that the house is sold.

(3) The equity amount attributable to a house is calculated on a daily basis.

(4) The initial appraised value carried out under subclause 13 (3) (d) (i) of the Act shall be deemed to be the appraised value of the house on the day that the house is transferred to the owner by the Province.

(5) The equity amount for a house at the end of the first day the house is transferred to an owner by the Province is the initial appraised value of the house multiplied by 0.0000411.

(6) The equity amount for a house at the end of each following day of ownership is the sum of,

(a) the equity amount for the previous day multiplied by 1.0000822; and

(b) the actual or imputed appraised value of the house for the previous day multiplied by 0.0000411.

(7) The imputed appraised value of a house referred to in subsection (6) is calculated as follows:

$$L \times \left(\frac{E}{L} \right)^{(1/D)}$$

where L = appraised value of the house for the previous day;

E = the next available actual appraised value of the house following the day for which the imputed appraised value is being calculated;

D = number of days elapsed between the days referred to in L and the day represented by E.

(8) In calculating an imputed appraised value for a house under subsection (7), if an actual appraised value is not available, L means the imputed appraised value of the house for the previous day. O. Reg. 817/93, s. 12.

13. The purchase price calculated under section 7 or 12 shall, in the

case of a sale of an interest held in joint tenancy, be reduced to reflect the proportion that the joint interest held bears to the amount otherwise determined. O. Reg. 817/93, s. 13.

14.—(1) Any individual may apply to purchase a house and land lease or vacant land lease by writing to the Toronto Islands Residential Community Trust Corporation at 160 John St., Suite 401, Toronto, M5V 2E5.

(2) The application shall include the name, address and telephone number of each individual applying to purchase a house and land lease and any application fee which may be required by the Trust. O. Reg. 817/93, s. 14.

15.—(1) Individuals described in paragraph 1 of subsection 25 (2) of the Act shall be placed in category A of the purchaser list.

(2) The order of the names within category A shall be determined by a random draw of names.

(3) Despite subsection (2), a protected occupant shall be deemed to be first in category A of the purchaser list when the house in respect of which he or she has been found to be a protected occupant is offered for sale.

(4) Owners described in paragraph 2 of subsection 25 (2) of the Act shall be placed in category B of the purchaser list as a single entry.

(5) The order of the names within category B received within sixty days after the day the Act came into force shall be determined by a random draw of names.

(6) The order of the names within category B received after the sixty-day period shall be based upon the date and time the application was received and, if received at the same time, in the order that they are randomly processed.

(7) The Trust may give priority within category B and subcategory C-1 to an individual who is forced to move as a result of a serious accident, health problem or other personal emergency.

(8) Individuals described in paragraph 3 of subsection 25 (2) of the Act shall be placed in category C of the purchaser list, in either subcategory C-1 or C-2.

(9) Subcategory C-1 shall consist of residents of the co-operative housing corporation, joint tenants and the children and spouses of owners.

(10) Subcategory C-2 shall consist of all other individuals described in paragraph 3 of subsection 25 (2) of the Act.

(11) The order of the names within subcategories C-1 and C-2 received within sixty days after the day the Act came into force shall be determined by a random draw of names.

(12) The order of the names within subcategories C-1 and C-2 received after the sixty-day period shall be based upon the date and time the application was received and, if received at the same time, in the order that they are randomly processed.

(13) If two or more individuals own a house, all of their names may be placed on the list but they are only entitled to one entry in category B for selection purposes.

(14) The individuals in category A have priority over the individuals in categories B and C.

(15) If an offer to sell a house and land lease or a vacant land lease is not accepted by anyone in category A, the Trust shall,

(a) in respect of the first offer to sell that house and land lease, offer the right of next refusal to all individuals in category B, then to those in subcategory C-1, then to those in subcategory C-2;

- (b) in respect of the next offer to sell another house and land lease, offer the right of refusal to all individuals in subcategory C-2, then to those in category B, then to those in subcategory C-1;
- (c) in respect of the next offer to sell another house and land lease, offer the right of refusal to all individuals in subcategory C-1, then to those in category B, then to those in subcategory C-2;
- (d) in respect of the next offer to sell another house and land lease, offer the right of refusal to all individuals in subcategory C-1, then to those in category B; and
- (e) in subsequent offerings, continue to follow the order of offerings described in clauses (a) to (d).

(16) An individual on the purchaser list is responsible for notifying the Trust of any change in the information provided in the application made under section 25 of the Act and the failure to do so may result in the individual's name being removed from the list.

(17) The Trust may delete any name on the purchaser list after one year but before doing so the Trust shall notify the individual and allow a reasonable period for the individual to renew his or her status on the list.

(18) The Trust is responsible for the administration of the list.

(19) The purchaser list shall not contain more than 500 names. O. Reg. 817/93, s. 15.

16.—(1) The association known as the Toronto Islands Resident's Association may nominate candidates for membership on the board of directors of the Trust by submitting a list of the names of the proposed candidates to the Minister.

(2) The Trust may by by-law specify procedures to be followed for compiling the list to be submitted to the Minister and the list shall be prepared in accordance with those procedures.

(3) Subsections (1) and (2) only apply if all residents of the Islands residential community are allowed to participate fully in the nomination process. O. Reg. 817/93, s. 16.

17. This Regulation comes into force on December 15, 1993.

52/93

ONTARIO REGULATION 818/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 8, 1993
Filed: December 9, 1993

Amending Reg. 601 of R.R.O. 1990
(Motor Vehicle Inspection Stations)

Note: Since January 1, 1993, Regulation 601 has been amended by Ontario Regulation 108/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Sections 1 to 17 of Regulation 601 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

INTERPRETATION

1. In this Regulation,

- (a) "annual inspection certificate", "annual inspection sticker", "dump vehicle inspection sticker" and "propane vehicle inspection sticker" have the same meaning as in Regulation 611 of the Revised Regulations of Ontario, 1990; and

- (b) a reference to a Schedule is a reference to that Schedule as set out in Regulation 611 of the Revised Regulations of Ontario, 1990. O. Reg. 818/93, s. 1, *part*.

CLASSES OF MOTOR VEHICLE INSPECTION STATIONS

2. Motor vehicle inspection stations are classified as follows:
 1. Class F is a fleet station.
 2. Class G is a station operated by Her Majesty the Queen in right of Canada or Ontario, a municipality or a school board or commission on behalf of a municipality.
 3. Class P is any station other than a Class F or Class G station. O. Reg. 818/93, s. 1, *part*.

MOTOR VEHICLE INSPECTION STATION LICENCES

3. Motor vehicle inspection station licences are classified as follows:
 1. A Type 1 licence is authority to inspect and certify trailers and motor vehicles including propane fuelled motor vehicles in accordance with the inspection requirements and performance standards set out in one or more of Schedules 1 to 8 as appropriate to the class or type of vehicle inspected.
 2. A Type 2 licence is authority to inspect and certify trailers and motor vehicles other than propane fuelled motor vehicles in accordance with the inspection requirements and performance standards set out in Schedules 1 to 6 as appropriate to the class or type of vehicle inspected.
 3. A Type 3 licence is authority to inspect and certify trailers in accordance with the inspection requirements and performance standards set out in Schedules 1 and 2.
 4. A Type 4 licence is authority to inspect and certify motorcycles in accordance with the inspection requirements and performance standards set out in Schedule 6.
 5. A Type 5 licence is authority to inspect and certify the fuel system of propane fuelled motor vehicles in accordance with the inspection requirements and performance standards set out in Schedule 7 or 8. O. Reg. 818/93, s. 1, *part*.

4.—(1) It is a condition of a licence that the licensee ensure that premises in which inspections are carried out,

- (a) have sufficient internal space or external hard standing area for the inspection of at least one vehicle of the class that the licensee is licensed to inspect;
- (b) be equipped with a mechanic's common hand tools and a hoist or jack suitable for the weight of the vehicle to be inspected;
- (c) be equipped with devices appropriate to the class or type of vehicle to be inspected for,
 - (i) aiming headlights,
 - (ii) measuring wear in brake system components,
 - (iii) measuring tire tread depth,
 - (iv) measuring play or wear in steering and suspension systems,
 - (v) detecting leaks in propane fuel systems;
- (d) be maintained in a clean and safe condition.

(2) It is a condition of a licence that the licensee ensure that the equipment referred to in clause (1) (c) be kept in proper working order and that all measuring or testing devices be calibrated to a degree of

accuracy consistent with the performance standards in the Schedules. O. Reg. 818/93, s. 1, *part*.

5. It is a condition of a licence that the licensee,
 - (a) own or lease the premises in which the inspections are carried out;
 - (b) display the licence in a conspicuous position in the station;
 - (c) issue a safety standards certificate or an annual inspection certificate only on a certificate form supplied to the licensee by the Ministry; and
 - (d) issue a safety standards certificate or an annual inspection certificate for a vehicle inspected in accordance with the inspection requirements and complying with the performance standards in one or more of Schedules 1 to 8 as appropriate to the class or type of vehicle inspected if the inspection fee charged by the licensee is paid. O. Reg. 818/93, s. 1, *part*.

6.—(1) It is a condition of a licence that the licensee not charge an additional inspection fee if,

- (a) a vehicle is inspected at a station;
- (b) repairs or adjustments to the vehicle or its equipment are required to qualify it for a safety standards certificate, an annual inspection certificate or a vehicle inspection sticker;
- (c) the inspection fee charged by the licensee is paid;
- (d) the required repairs or adjustments to the vehicle or its equipment are made at a place other than the station; or
- (e) the vehicle is brought back to the station for issuance of the certificate or affixing of a sticker within ten days after the original inspection.

(2) An additional fee may be charged if a second inspection of a wheel brake assembly must be carried out before a safety standards certificate or an annual inspection certificate is issued or before a vehicle inspection sticker is affixed to the vehicle. O. Reg. 818/93, s. 1, *part*.

7.—(1) It is a condition of a Class G licence that the licensee not issue or authorize any person to issue a safety standards certificate or an annual inspection certificate for a vehicle unless a permit or validated permit for the vehicle has been issued in the licensee's name or, in the case of an annual inspection certificate, unless the vehicle is a bus.

(2) It is a condition of a Class G licence that the licensee not issue or affix a vehicle inspection sticker or authorize any person to do so unless a permit or validated permit for the relevant vehicle has been issued in the licensee's name or unless the vehicle is a bus. O. Reg. 818/93, s. 1, *part*.

REGISTRATION OF MOTOR VEHICLE INSPECTION MECHANICS

8.—(1) It is a condition of the registration of a motor vehicle inspection mechanic, except a mechanic who only inspects trolley buses, that the mechanic hold a valid and subsisting certificate of qualification as a motor vehicle mechanic, motorcycle mechanic or truck-trailer repairer under the *Trades Qualification Act*.

(2) It is a condition of the registration of a motor vehicle inspection mechanic who only inspects trolley buses that a transit authority designate the mechanic as a person who may inspect trolley buses and notify the Director of the designation.

(3) It is a condition of the registration of a motor vehicle inspection mechanic who holds only a certificate of qualification as a motorcycle mechanic that the mechanic only issue safety standards certificates for motorcycles.

(4) It is a condition of the registration of a propane fuelled motor

vehicle inspection mechanic who inspects propane fuel systems that the mechanic hold a valid and subsisting certificate of qualification as a motor vehicle mechanic under the *Trades Qualification Act* and a PAV-1 Inspector certificate of qualification under the *Energy Act*.

(5) It is a condition of the registration of a motor vehicle inspection mechanic who holds only a certificate of qualification as a truck-trailer repairer that the mechanic only issue annual inspection certificates and affix annual inspection stickers for trailers and trailer converter dollies.

(6) In subsections (1) and (2), "trolley bus" means a bus propelled by electric power obtained from overhead wires. O. Reg. 818/93, s. 1, *part*.

9. If the employment of a motor vehicle inspection mechanic registered with a licensee is terminated or the licensee requests the termination of the registration, the licensee shall promptly report the mechanic's name, trade code, certificate number and termination date to the Ministry in writing. O. Reg. 818/93, s. 1, *part*.

OPERATING A MOTOR VEHICLE INSPECTION STATION

10. A licensee shall keep on the licensed premises,

- (a) a copy of each safety standards certificate and annual inspection certificate issued by the licensee for a period of one year from the date of issue;
- (b) a record of all vehicles inspected together with the measurements required to be recorded by the Schedules and, where applicable, a list of defects, recommended repairs and actual repairs carried out by the licensee, for a period of one year from the date of inspection;
- (c) a written record of all persons authorized by the licensee to countersign safety standards certificates or annual inspection certificates or to affix vehicle inspection stickers on behalf of the licensee, for a period of one year from the date of termination of such authority; and
- (d) in respect of every vehicle to which a vehicle inspection sticker has been affixed and for a period of one year from the date of affixing the sticker on the vehicle, a vehicle inspection record signed by the motor vehicle inspection mechanic inspecting the vehicle and the licensee or a person authorized in writing by the licensee showing,
 - (i) the owner's name,
 - (ii) the date of inspection,
 - (iii) the make of the vehicle,
 - (iv) the current number plate,
 - (v) the vehicle identification number,
 - (vi) the odometer reading on the date of inspection,
 - (vii) the mechanic's trade code and certificate number, and
 - (viii) the licence number of the station. O. Reg. 818/93, s. 1, *part*.

11.—(1) A licensee operating a Class P station shall identify the station by displaying an identifying sign provided by the Ministry in a conspicuous position, visible to the public.

(2) The sign remains the property of the Crown and shall be returned to the Ministry when the licensee ceases to hold a Class P licence or to operate a station.

(3) A sign identifying a Class P station shall not be displayed at a Class F or G station or at a station licensed to inspect only the fuel system of propane fuelled motor vehicles. O. Reg. 818/93, s. 1, *part*.

12.—(1) If vehicle inspection stickers with corresponding annual inspection certificate forms, if applicable, and safety standards certificate forms have not been used and are in the same condition as they were when they were received, a licensee may return them to the Ministry for a refund of the fees paid for them.

(2) A licensee who ceases to operate a motor vehicle inspection station or whose licence expires or is revoked shall return to the Ministry, along with the materials referred to in subsection (1), all vehicle inspection records. O. Reg. 818/93, s. 1, part.

13.—(1) A licensee shall promptly report to the Director the loss, theft or destruction of any safety standards certificate form, annual inspection certificate form or vehicle inspection sticker.

(2) The licensee shall include in the report the serial numbers of the certificates or stickers and all available information relevant to the loss, theft or destruction.

(3) The licensee who, after having given a report to the Director, recovers a lost or stolen form or sticker, shall promptly forward it to the Ministry. O. Reg. 818/93, s. 1, part.

FEEs

14.—(1) The following fees shall be paid to the Ministry:

- 1. For a Class F or P motor vehicle inspection station licence \$50.00
- 2. For a Class F licence replacing a subsisting Class P licence or for a Class P licence replacing a subsisting Class F licence 5.00
- 3. For a duplicate of a Class F or P licence in case of loss or destruction of the original 5.00
- 4. For a safety standards certificate form supplied to a Class F or P station 5.00
- 5. For the registration of a motor vehicle inspection mechanic by a Class F or P station 14.00
- 6. For an annual inspection sticker with accompanying annual inspection certificate supplied to a Class F or P station or a replacement in case of damage or destruction of the original 2.50
- 7. For a semi-annual inspection sticker supplied to a Class F or P station or for a replacement in case of damage or destruction of the original 1.00
- 8. For a propane vehicle inspection sticker supplied to a Class F or P station or for a replacement in case of damage or destruction of the original 5.00
- 9. For a dump vehicle inspection sticker supplied to a Class F or P station or for a replacement in case of damage or destruction of the original 1.00

(2) No fee is payable for the registration of a motor vehicle inspection mechanic who replaces a registered mechanic at the same station.

(3) The fees in paragraphs 1 and 5 of subsection (1) are reduced by one-half if an application for a license or registration is made after June 30 in the year for which it is issued. O. Reg. 818/93, s. 1, part.

15.—(1) An application for a licence shall be in Form 4.

(2) A safety standards certificate shall be in Form 5. O. Reg. 818/93, s. 1, part.

2. Form 3 of the Regulation is revoked.

52/93

ONTARIO REGULATION 819/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 8, 1993
Filed: December 9, 1993

Amending Reg. 585 of R.R.O. 1990
(Drivers' Licences)

Note: Since January 1, 1993, Regulation 585 has been amended by Ontario Regulation 402/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Paragraph 5 of subsection 21 (1) of Regulation 585 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- 5. For each search of driver records by driver licence number or name of driver \$12

52/93

ONTARIO REGULATION 820/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 8, 1993
Filed: December 9, 1993

Amending Reg. 628 of R.R.O. 1990
(Vehicle Permits)

Note: Since January 1, 1993, Regulation 628 has been amended by Ontario Regulation 404/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Paragraphs 5 and 6 of section 17 of Regulation 628 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

- 5. For a duplicate validated permit for a motor vehicle or a duplicate permit for a trailer, in case of loss or destruction \$10
- 6. For a duplicate validated permit, number plates and evidence of validation for a motor vehicle or a duplicate permit and a number plate for a trailer, in case of loss or destruction 15

52/93

ONTARIO REGULATION 821/93
made under the
SOCIAL CONTRACT ACT, 1993

Made: December 8, 1993
Filed: December 9, 1993

Amending O. Reg. 592/93
(Payments by Designated Employers
Under Section 43 of the Act)

Note: There are no prior amendments to Ontario Regulation 592/93.

1. Ontario Regulation 592/93 is amended by adding the following section:

4.—(1) If an employer who is required by regulation to pay a prescribed amount under section 43 of the Act administers funds on behalf of or in trust for others and is entitled to be paid from those funds for compensation paid to or in respect of employees, the prescribed amount shall be paid from such funds to the extent that the employer has no other assets from which the payment may be made.

(2) Subsection (1) applies only to the extent that the prescribed amount does not exceed the expenditure reduction target established under the Act for the employer by the Minister. O. Reg. 821/93, s. 1.

52/93

ONTARIO REGULATION 822/93
made under the
SOCIAL CONTRACT ACT, 1993

Made: December 8, 1993
Filed: December 9, 1993

Amending O. Reg. 590/93
(Definitions of Words and
Expressions Used in the Act)

Note: There are no prior amendments to Ontario Regulation 590/93.

1. Section 4 of Ontario Regulation 590/93 is amended by adding the following subsection:

(2) In section 24 of the Act, "increase in compensation" does not include the increased cost of maintaining a benefit paid or provided to an employee for the performance of his or her duties as an employee at the level or amount that was in effect immediately before June 14, 1993. O. Reg. 822/93, s. 1.

2. This Regulation shall be deemed to have come into force on June 14, 1993.

52/93

RÈGLEMENT DE L'ONTARIO 822/93
pris en application de la
LOI DE 1993 SUR LE CONTRAT SOCIAL

pris le 8 décembre 1993
déposé le 9 décembre 1993

modifiant le Règl. de l'Ont. 590/93
(Définitions des termes utilisés dans la Loi)

Remarque : Aucune modification n'a été apportée au Règlement de l'Ontario 590/93.

1 L'article 4 du Règlement de l'Ontario 590/93 est modifié par adjonction du paragraphe suivant :

(2) À l'article 24 de la Loi, l'expression «augmentation de la rétribution» exclut l'augmentation du coût engagé pour maintenir un avantage social qui est versé ou accordé à un employé pour l'exercice de ses fonctions à titre d'employé au niveau ou montant en vigueur immédiatement avant le 14 juin 1993. Règl. de l'Ont. 822/93, art. 1.

2 Le présent règlement est réputé être entré en vigueur le 14 juin 1993.

ONTARIO REGULATION 823/93
made under the
INSURANCE ACT

Made: December 8, 1993
Filed: December 9, 1993

Amending Reg. 664 of R.R.O. 1990
(Automobile Insurance)

Note: Since January 1, 1993, Regulation 664 has been amended by Ontario Regulation 780/93. There are no prior amendments.

1. Regulation 664 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

EXCESS ECONOMIC LOSS ENDORSEMENT

5.1—(1) If requested by an insured in respect of a contract of automobile insurance, the insurer shall offer the endorsement set out in Ontario Endorsement Form 45 (OEF 45), as approved by the Commissioner on November 29, 1993 under section 227 of the Act.

(2) Benefits provided by the endorsement referred to in subsection (1) shall be deemed not to be statutory accident benefits for the purpose of Part VI of the Act. O. Reg. 823/93, s. 1.

2. This Regulation comes into force on January 1, 1994.

52/93

ONTARIO REGULATION 824/93
made under the
**HEALTH PROTECTION AND
PROMOTION ACT**

Made: December 8, 1993
Filed: December 10, 1993

Amending Reg. 561 of R.R.O. 1990
(Exemption—Subsection 38 (2) of the Act)

Note: Regulation 561 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 1 of Regulation 561 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

1. Until December 31, 1994, a physician or other person authorized to administer an immunizing agent is exempt from the requirements of subsection 38 (2) of the Act if the patient to whom the immunizing agent is to be administered is not competent to consent and there is no committee of the person appointed under the *Mental Incompetency Act* to consent on the patient's behalf. O. Reg. 824/93, s. 1.

52/93

ONTARIO REGULATION 825/93
made under the
HEALTH INSURANCE ACT

Made: December 8, 1993
Filed: December 10, 1993

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 552 has been amended by Ontario Regulations 33/93, 86/93, 203/93, 214/93, 322/93, 375/93, 430/93, 596/93, 667/93, 736/93 and 737/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 38.3 of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(2.1) Subsection (2) does not apply to a claim for the cost of an insured service rendered by a dentist. O. Reg. 825/93, s. 1.

52/93

ONTARIO REGULATION 826/93
made under the
PUBLIC HOSPITALS ACT

Made: October 26, 1993
Approved: December 8, 1993
Filed: December 10, 1993

Amending Reg. 964 of R.R.O. 1990
(Classification of Hospitals)

Note: Since January 1, 1993, Regulation 964 has been amended by Ontario Regulations 215/93, 305/93, 330/93, 668/93 and 669/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Item 39 under the heading "Group B Hospitals" in the Schedule to Regulation 964 of the Revised Regulations of Ontario, 1990 is revoked.

RUTH GRIER
Minister of Health

Dated at Toronto on October 26, 1993.

52/93

ONTARIO REGULATION 827/93
made under the
MEDICINE ACT, 1991

Made: November 19, 1993
Approved: December 8, 1993
Filed: December 10, 1993

COMPOSITION OF STATUTORY COMMITTEES

1.—(1) The Executive Committee shall be composed of,

- (a) the President and Vice-President of the Council;
- (b) two members of the Council who are members of the College; and

(c) two members of the Council appointed to the Council by the Lieutenant Governor in Council.

(2) The President shall chair the Executive Committee. O. Reg. 827/93, s. 1.

2. The Registration Committee shall be composed of,

- (a) four members of the Council who are members of the College;
- (b) three members of the Council appointed to the Council by the Lieutenant Governor in Council. O. Reg. 827/93, s. 2.

3. The Complaints Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) three members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) four members of the College. O. Reg. 827/93, s. 3.

4. The Discipline Committee shall be composed of,

- (a) four members of the council who are members of the College;
- (b) four members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) six members of the College. O. Reg. 827/93, s. 4.

5. The Fitness to Practise Committee shall be composed of,

- (a) three members of the Council who are members of the College;
- (b) three members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) two members of the College. O. Reg. 827/93, s. 5.

6. The Quality Assurance Committee shall be composed of,

- (a) four members of the Council who are members of the College;
- (b) four members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) three members of the College. O. Reg. 827/93, s. 6.

7. The Patient Relations Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) four members of the Council appointed to the Council by the Lieutenant Governor in Council; and

(c) two members of the College. O. Reg. 827/93, s. 7.

8. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
PHYSICIANS AND SURGEONS OF ONTARIO:

GARY G. JOHNSON
President

MICHAEL E. DIXON
Registrar

Dated at Toronto on November 19, 1993.

52/93

ONTARIO REGULATION 828/93
made under the
OPTICIANRY ACT, 1991

Made: November 22, 1993
Approved: December 8, 1993
Filed: December 10, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND THE CARE OF,
AND RELATIONSHIP WITH, PATIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Contravening a standard of practice of the profession.
3. Doing anything to a patient for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which consent is required by law, without such a consent.
4. Delegating a controlled act unless the delegation is authorized by the regulations.
5. Permitting, counselling or assisting anyone who is not registered under the Act to perform an act which should be performed by a member.
6. Abusing a client verbally or physically.
7. Practising the profession while the member's ability to do so is impaired by any substance.
8. Discontinuing professional services contrary to the terms of an agreement between the member and a patient unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient is given a reasonable opportunity to arrange alternative services.
9. Practising opticianry while the member is in a conflict of interest.
10. Giving information about a patient to a person other than the patient or his or her authorized representative except with the consent of the patient or his or her authorized representative or as required or allowed by law.
11. Making false or derogatory statements about a member to any person.
12. Dispensing a contact lens to a patient, other than for diagnostic or emergency purposes, which the member knows, or ought to know, is not a new contact lens.
13. Failing to refer a patient to a registered physician when the member recognizes, or ought to recognize, a condition of the eye or adnexa that appears to require medical examination.
14. Failing to advise a patient or a member of the public, when requested, as to the procedure for submitting a complaint to the College.
15. Failing to supply in writing, when requested by a patient or a member of the public, the address and telephone number of the College.
16. Failing to reply without sufficient reason to a registered letter from the College.

REPRESENTATIONS ABOUT MEMBERS
AND THEIR QUALIFICATIONS

17. Inappropriately using a term, title or designation in respect of the member's practice.
18. Using a term, title or designation indicating or representing that the member has a specialization in the practice of opticianry which the member does not hold.
19. Using a name other than the member's name, as set out in the register, in the course of providing or offering to provide services within the scope of practice of opticianry.
20. Failing to maintain records as required by the regulations.
21. Falsifying a record relating to the member's practice.
22. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time, to the patient or his or her authorized representative, after a patient or his or her authorized representative has requested such a report or certificate.
23. Signing or issuing, in the member's professional capacity, a document that the member knows or ought to know contains a false or misleading statement.

BUSINESS PRACTICES

24. Submitting an account or charge for services that the member knows or ought to know is false or misleading.
25. Failing to specify in an account the selling price of subnormal vision devices, eye glasses or contact lenses, if requested to do so by the patient, or by the person or agency who is to pay, in whole or in part, for them.

MISCELLANEOUS

26. Contravening any provision of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
27. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital within the meaning of the *Public Hospitals Act* if,
 - i. the purpose of the law, by-law or rule is to protect public health, or
 - ii. the contravention is relevant to the member's suitability to practice.
28. Engaging in conduct or performing an act, in the course of practicing opticianry that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
29. Advertising or permitting advertising with respect to the member's practice in contravention of the regulations. O. Reg. 828/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OPTICIANS OF ONTARIO:

BARBARA SKINNER
Chair

GORD HYLAND
for Secretary-Treasurer

Dated at Toronto on November 22, 1993.

ONTARIO REGULATION 829/93
made under the
CHIROPODY ACT, 1991

Made: November 22, 1993
Approved: December 8, 1993
Filed: December 10, 1993

ELECTION OF COUNCIL MEMBERS

ELECTORAL DISTRICTS

1. The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1 (Toronto) composed of The Municipality of Metropolitan Toronto.
2. Electoral district 2 (South West) composed of the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford and Perth.
3. Electoral district 3 (Central West) composed of the counties of Brant, Bruce, Dufferin, Grey and Wellington and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo.
4. Electoral district 4 (East) composed of the counties of Frontenac, Hastings, Lanark, Prince Edward and Renfrew, and the united counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, Stormont, Dundas and Glengarry, and The Regional Municipality of Ottawa-Carleton.
5. Electoral district 5 (Central East) composed of the counties of Haliburton, Northumberland, Peterborough, Simcoe and Victoria and the regional municipalities of Durham, Peel and York.
6. Electoral district 6 (North) composed of the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming and The District Municipality of Muskoka. O. Reg. 829/93, s. 1.

NUMBER OF MEMBERS ELECTED

2. Nine members shall be elected to the Council in the following manner:

1. One chiroprapist for each of electoral districts 1 to 6, inclusive.
2. One podiatrist for each of the following pairs of electoral districts: electoral districts 1 and 2; electoral districts 3 and 4; and electoral districts 5 and 6. O. Reg. 829/93, s. 2.

FIRST COUNCIL

3.—(1) The first Council shall consist of,

- (a) three members elected from the existing Board of Regents to represent electoral districts 1 and 2; and
- (b) six new members elected to represent electoral districts 3, 4, 5 and 6.

(2) The election of the members described in clause (1) (b) shall be held in June, 1994. O. Reg. 829/93, s. 3.

ELECTION DATE

4.—(1) As the first Council members' terms of office expire, elections of members to the Council shall be held,

- (a) in June, 1995 and in every third year after that for electoral districts 1 and 2;

(b) in June, 1996 and in every third year after that for electoral districts 3 and 4;

(c) in June, 1997 and in every third year after that for electoral districts 5 and 6.

(2) The Council shall set the date for each election of members to the Council. O. Reg. 829/93, s. 4.

TERMS OF OFFICE

5.—(1) The terms of office for the first Council members are,

- (a) one year for the members representing electoral districts 1 and 2;
- (b) two years for the members representing electoral districts 3 and 4; and
- (c) three years for the members representing electoral districts 5 and 6.

(2) The term of office of a member elected to the Council under subsection 4 (1) is three years.

(3) The term of office of a member elected to the Council commences with the first regular meeting of the Council after the election. O. Reg. 829/93, s. 5.

ELIGIBILITY TO VOTE

6.—(1) A member is not eligible to vote if he or she is in default of,

- (a) payment of any fine imposed by the Discipline Committee;
- (b) completing and returning any prescribed form; or
- (c) furnishing any prescribed information.

(2) A member is eligible to vote in the electoral district,

- (a) in which the member principally practises on March 1 before the election; or
- (b) if the member is not engaged in the practice of chiroprapy, in which the member principally resides on March 1 before the election.

(3) The places referred to in clauses (2) (a) and (b) are determined according to the business and home addresses on record with the Registrar. O. Reg. 829/93, s. 6.

ELIGIBILITY FOR ELECTION

7.—(1) A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is engaged in the practice of chiroprapy in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of chiroprapy, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any prescribed fees;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election as a result of a professional misconduct, incompetence or incapacity proceeding;
- (e) the member's certificate of registration is not subject to a term, condition or limitation arising from a professional misconduct, incompetence or incapacity proceeding;

- (f) the member has not already served six consecutive years on the Council; and
- (g) the member is not a member of the Board of Directors of the Ontario Society of Chiropodists or the Ontario Podiatry Association.

(2) A member who has been elected to Council and served three consecutive terms is not eligible to be re-elected until at least three years have passed since the member last served as a Council member.

(3) A member is eligible for election to the Council in an electoral district in which a second call for nominations is sent under subsection 10 (3) if the member is resident in Ontario, is engaged in the practice of chiropody in Ontario, and satisfies the eligibility requirements set out in clauses (1) (b), (c), (d), (e), (f) and (g). O. Reg. 829/93, s. 7.

REGISTRAR TO SUPERVISE NOMINATIONS

8. The Registrar shall supervise the nomination of candidates. O. Reg. 829/93, s. 8.

NOTICE OF ELECTION AND NOMINATIONS

9. No later than ninety days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure. O. Reg. 829/93, s. 9.

NOMINATION PROCEDURE

10.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least forty-five days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least three members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) If no candidate is nominated for election in an electoral district, the Registrar shall postpone the date for the election in the district and shall send another call for nominations to every member who is eligible to vote. O. Reg. 829/93, s. 10.

ACCLAMATION

11. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 829/93, s. 11.

REGISTRAR'S ELECTORAL DUTIES

12.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty the Registrar may, subject to this Regulation and the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish procedures for the sending out of ballots;
- (c) establish a deadline for the receiving of ballots;
- (d) establish procedures for the marking, opening and counting of ballots;
- (e) provide for the notification of all candidates and members of the results of the election; and
- (f) provide for the destruction of ballots following an election.

(2) No later than thirty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place, a list of the candidates in the

electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws.

(3) Voting for candidates for election shall be by secret ballot using the ballot forms supplied by the Registrar.

(4) The Registrar shall declare the candidate or candidates who receive the largest number of votes to be elected.

(5) Where there is an interruption of mail service during the nominations or election, the Registrar may extend the date of the nominations or the date of the election, or both, for as long as the Registrar considers necessary to compensate for the interruption. O. Reg. 829/93, s. 12.

NUMBER OF VOTES TO BE CAST

13.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate.

(3) A member may vote only for a candidate in the same class of members as the member.

(4) A ballot that does not comply with subsection (1), (2) and (3) shall be deemed to be null and void. O. Reg. 829/93, s. 13.

COUNTING BALLOTS

14. Candidates or their representatives may be present when the ballots are opened and counted. O. Reg. 829/93, s. 14.

TIE VOTES

15. If there is a tie in an election of members to the Council, the Registrar shall break the tie, by lot. O. Reg. 829/93, s. 15.

RECOUNTS

16.—(1) A candidate may require a recount by giving a written request and depositing \$150 with the Registrar no more than fifteen calendar days after the date of the election.

(2) The Registrar shall hold the recount no more than ten days after receiving the request.

(3) The portion of the \$150 deposit remaining after paying the actual cost of the recount shall be refunded to the candidate but, if the recount changes the election result, the full amount of the deposit shall be paid to the candidate who paid the deposit. O. Reg. 829/93, s. 16.

DISQUALIFICATION OF ELECTED MEMBERS

17.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (b) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (c) is in default of payment of any prescribed fees;
- (d) is the subject of any disciplinary or incapacity hearing;
- (e) fails, without reasonable cause, to attend two consecutive meetings of the Council;
- (f) fails, without reasonable cause, to attend two consecutive meetings of a committee of which he or she is a member;

- (g) fails, without reasonable cause, to attend a hearing of a panel of a committee of which he or she is a member;
- (h) ceases to either practise or reside in the electoral district for which the member was elected; or
- (i) becomes a member of the Board of Directors of the Ontario Society of Chiropractors or Ontario Podiatry Association.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 829/93, s. 17.

FILLING OF VACANCIES

18.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election for that electoral district in accordance with this Regulation.

(3) The term of a member appointed under clause (1) (b) or elected in an election under clause (1) (c) or subsection (2) shall continue until the time the former member's term would have expired. O. Reg. 829/93, s. 18.

REVIEW OF AN ELECTION

19. Where the Council is of the opinion that there is doubt or dispute as to the validity of the election of any member of the Council, the Council shall review the election and shall decide whether the election of the member is valid and, if an election is found to be invalid, shall order a new election. O. Reg. 829/93, s. 19.

ACADEMIC COUNCIL MEMBERS

20.—(1) Two academic members shall be selected for the Council by the faculty of the Ontario Chiroprody Program.

(2) A member is eligible for selection as an academic member of the Council if, on the date of selection,

- (a) the person holds a full-time appointment in the faculty of the Ontario Chiroprody Program;
- (b) the member is not in default of payment of any prescribed fees;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the selection as a result of a professional misconduct, incompetence or incapacity proceeding;
- (e) the member's certificate of registration is not subject to a term, condition or limitation arising from a professional misconduct, incompetence or incapacity proceeding;
- (f) the member has not served more than six years on the Council;
- (g) the member is not a member of the Board of Directors of the Ontario Society of Chiropractors or the Ontario Podiatry Association.

(3) The term of office of an academic member shall be three years and it commences with the first regular meeting of the Council after the election.

(4) An academic member who has been selected to Council and served three consecutive terms is not eligible to be re-selected until at least three years have passed since the academic member last served as a Council member.

(5) An academic member of the Council shall not be reselected if he or she was previously disqualified by the Council. O. Reg. 829/93, s. 20.

DISQUALIFICATION

21. The Council shall disqualify a selected academic member from sitting on the Council if the member,

- (a) ceases to be eligible to be selected to Council;
- (b) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
- (c) is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
- (d) is in default of payment of fees prescribed by the regulations under the Act;
- (e) is the subject of any disciplinary or incapacity proceeding;
- (f) fails, without reasonable cause, to attend two consecutive meetings of the Council;
- (g) fails, without reasonable cause, to attend two consecutive meetings of a committee of which he or she is a member;
- (h) fails, without reasonable cause, to attend a hearing of a panel of a committee of which he or she is a member; or
- (i) becomes a member of the Board of Directors of the Ontario Society of Chiropractors or the Ontario Podiatry Association. O. Reg. 829/93, s. 21.

22. An academic member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 829/93, s. 22.

23. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF CHIROPODISTS OF ONTARIO:

D. A. SPRINGER
Chair

CHRISTINE ROBINSON
Secretary-Treasurer

Dated at Toronto on November 22, 1993.

52/93

ONTARIO REGULATION 830/93 made under the CHIROPODY ACT, 1991

Made: November 23, 1993
Approved: December 8, 1993
Filed: December 10, 1993

REGISTRATION

1. The following are prescribed as classes of certificates of registration:

1. General.
2. Academic.
3. Educational. O. Reg. 830/93, s. 1.

2.—(1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with the application fee.

(2) The application fee is \$50 and is non-refundable.

(3) It is a requirement for the issuing of a certificate of registration that the applicant pay the prescribed applicable annual fee but the application fee paid by the applicant shall be deducted from the annual fee for an applicant who registers for the first time.

(4) Where consideration of an application for registration involves determination of the equivalency of qualifications, the application shall be accompanied by an initial assessment fee of \$200. O. Reg. 830/93, s. 2.

3.—(1) The following are general requirements for a certificate of registration of any class:

1. The applicant must be able to speak and write either English or French with reasonable fluency.
2. The applicant must not have been found guilty of a criminal offence, an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada), or any other offence relevant to suitability to practise chiropody.
3. Where the applicant has been registered or licensed in Ontario in another health profession or has been registered or licensed in another jurisdiction in chiropody or another health profession, the applicant has not been the subject of a finding of professional misconduct, incompetence or incapacity.
4. Where the applicant is registered in Ontario in another health profession or is registered or licensed in another jurisdiction in chiropody or another health profession, the applicant is not the subject of any current professional misconduct, incompetence or incapacity proceeding.

(2) The applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 830/93, s. 3.

4.—(1) The following are specific requirements for a General certificate of registration:

1. The applicant must have successfully completed a post-secondary program approved by the Council whose curriculum includes courses in health sciences, chiropodial sciences, humanities and clinical education that, in the opinion of the Council, are relevant to the scope of practice of the profession.
2. The applicant must have successfully completed the examinations set or approved by the Council.
3. The applicant must have engaged in clinical practice for a total of at least three months during the two years immediately preceding the date of the application.
4. Where, in the opinion of the Registration Committee, the program that the applicant completed is deficient in one or more aspects, the applicant must give a written undertaking to the College whereby he or she agrees to abide by any terms, conditions and limitations imposed by the Registration Committee on his or her certificate of registration until the applicant meets the educational requirements set by the Registration Committee.

5. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to practise the profession in Canada.

(2) The requirements for a General certificate of registration in paragraphs 1, 2 and 4 of subsection (1) are non-exemptible.

(3) The requirement in paragraph 3 of subsection (1) does not apply to an applicant who successfully completed the program described in paragraph 1 of that subsection within the two years preceding the date of the application. O. Reg. 830/93, s. 4.

5.—(1) The following are specific requirements for an Academic certificate of registration:

1. The applicant must have successfully completed post-secondary program approved by the Council whose curriculum includes courses in health sciences, chiropodial science, humanities and clinical education that, in the opinion of the Council, are relevant to the scope of practice of the profession.
2. The applicant must have an appointment to the faculty for a post-secondary program in Ontario described in paragraph 1.
3. Where, in the opinion of the Registration Committee, the program that the applicant completed is deficient in one or more aspects, the applicant must give a written undertaking to the College whereby he or she agrees to abide by any terms, conditions and limitations imposed by the Registration Committee on his or her certificate of registration until the applicant meets the educational requirements set by the Registration Committee.
4. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to accept the appointment described in paragraph 2.

(2) The requirements in paragraphs 1, 2 and 3 of subsection (1) are non-exemptible. O. Reg. 830/93, s. 5.

6.—(1) The following are specific requirements for an Educational certificate of registration:

1. The applicant is,
 - i. enrolled in Ontario in a post-secondary program approved by the Council whose curriculum includes courses in health sciences, chiropodial sciences, humanities or clinical education that, in the opinion of the Council, is relevant to the scope of practice of the profession, or
 - ii. engaged in practice under the supervision of a member who holds a General or Academic certificate of registration in order to meet requirements imposed by the Registration Committee for qualification for a General certificate of registration.
2. The applicant is a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to enrol in a course referred to in subparagraph i of paragraph 1 or to engage in the supervised practice referred to in subparagraph ii of paragraph 1.

(2) The requirement in paragraph 1 of subsection (1) is non-exemptible.

(3) Where an applicant previously held an Educational certificate in order to meet the requirements imposed by the Registration Committee for qualification for a General certificate, the Educational certificate may be issued only with the approval of the Registration Committee, in accordance with the Committee's policy guidelines. O. Reg. 830/93, s. 6.

7. The following are conditions to maintain a certificate of registration of any class:

1. The member shall provide the College with details of any of the following that relate to the member including any that occur or arise after the registration of the member:
 - i. a finding of guilt in relation to a criminal offence, an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada) or any other offence relevant to suitability to practise,
 - ii. a finding of professional misconduct, incompetence or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to chiropody or another health profession, or
 - iii. a proceeding for professional misconduct, incompetence or incapacity, in Ontario in relation to another profession or in another jurisdiction in relation to chiropody or another health profession.
2. The member shall not make a false or misleading statement or representation in his or her annual information return.
3. Where, in the opinion of the Registration Committee, the member's education was incomplete in one or more aspects, the member shall abide by any terms, conditions and limitations imposed by the Registration Committee on his or her certificate of registration until the member meets the educational requirements set by the Committee. O. Reg. 830/93, s. 7.

8.—(1) The following are specific conditions to maintain a General certificate of registration:

1. If the member has not practised as a chiropodist for a period or periods of at least three months during the previous two years, the member shall not engage in the practice of chiropody until the member satisfies the Registration Committee that he or she is competent to do so.
2. The member's certificate of registration is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or to be authorized under the *Immigration Act* (Canada) to practise the profession in Canada.

(2) The condition in paragraph 2 of subsection (1) does not apply if the member was not required to be a Canadian citizen or permanent resident of Canada or to be authorized under the *Immigration Act* (Canada) to practise the profession in Canada when the member obtained his or her certificate of registration. O. Reg. 830/93, s. 8.

9.—(1) The following are specific conditions to maintain an Academic certificate of registration:

1. The member may engage in the practice of chiropody only within the scope of his or her appointment.
2. The member shall not charge or accept a fee for the performance of any chiropody service provided to a patient.
3. The member's certificate of registration is revoked when the member no longer holds an appointment described in paragraph 2 of subsection 5 (1).
4. The member's certificate of registration is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or ceases to be authorized under the *Immigration Act* (Canada) to engage in the appointment described in paragraph 2 of subsection 5 (1).

(2) The condition in paragraph 4 of subsection (1) does not apply if the member was not required to be a Canadian citizen or permanent resident of Canada or to be authorized under the *Immigration Act* (Canada) to engage in the appointment described in paragraph 2 of

subsection 5 (1) when the member obtained his or her certificate of registration. O. Reg. 830/93, s. 9.

10.—(1) The following are specific conditions to maintain an Educational certificate of registration:

1. The member may engage in the practice of chiropody only in the course of his or her enrolment in a post-secondary program in Ontario referred to in subparagraph i of paragraph 1 of subsection 6 (1) or under the supervision of a member who holds a General or Academic certificate of registration in order to meet the requirements imposed by the Registration Committee for qualification for a General certificate of registration.
2. The member shall not charge or accept a fee for the performance of any chiropody service provided to a patient.
3. The member's certificate of registration is revoked when the member ceases to be enrolled in a post-secondary program in Ontario referred to in subparagraph i of paragraph 1 of subsection 6 (1) or, where the certificate was issued to a member in order to meet the requirements imposed by the Registration Committee for qualification for a General certificate, on the first anniversary date of the certificate.
4. The member's certificate of registration is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or ceases to be authorized under the *Immigration Act* (Canada) to be enrolled in a post-secondary institution as described in paragraph 1.

(2) The condition in paragraph 4 of subsection (1) does not apply if the member was not required to be a Canadian citizen or permanent resident of Canada or to be authorized under the *Immigration Act* (Canada) to be enrolled as described in paragraph 1 of that subsection when the member obtained his or her certificate of registration. O. Reg. 830/93, s. 10.

11. If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar shall lift the suspension on the payment of,

- (a) the fee the member failed to pay;
- (b) the annual fee payable for the year in which the member wishes to register; and
- (c) any applicable penalties. O. Reg. 830/93, s. 11.

12. Where the Registrar has suspended a member's certificate of registration for failure to pay a prescribed fee, and the suspension remains in effect for a period exceeding two years, the certificate is automatically revoked. O. Reg. 830/93, s. 12.

13. A member whose certificate of registration was revoked under section 12 or who resigned while in default of a fee owed to the College, and who applies to be reinstated is required to satisfy the requirements for the class of certificate for which reinstatement is sought and to pay,

- (a) an application fee of \$50;
- (b) the fee the member failed to pay;
- (c) the annual fee payable for the year in which the member wishes to be reinstated; and
- (d) any applicable penalties. O. Reg. 830/93, s. 13.

14. The application fee for a member whose certificate of registration was revoked by an order of a panel of the Discipline Committee and who applies for reinstatement is \$400. O. Reg. 830/93, s. 14.

15.—(1) A member who, on the day before section 2 of the Act comes into force, held a certificate of registration issued under subsection 3 (1), (3) or (4) of Regulation 73 of the Revised Regulations of

Ontario, 1990 shall be deemed to hold a General certificate of registration.

(2) A member who, on the day before section 2 of the Act comes into force, held a certificate of registration issued under subsection 3 (1) of Regulation 73 of the Revised Regulations of Ontario, 1990 shall be deemed to be a member of the podiatrist class of members.

(3) A person who, on the day before section 2 of the Act comes into force, would have been entitled to renew his or her registration pursuant to subsection 5 (2) of Regulation 73 of the Revised Regulations of Ontario, 1990 shall be issued a General certificate of registration if the person applies for reinstatement within two years after section 2 of the Act comes into force and,

- (a) if the person applies within two years of the expiry of his or her registration, he or she pays the fees prescribed under section 11; or
- (b) if the person applies more than two years after the expiry of his or her registration, he or she pays the fees prescribed under section 13. O. Reg. 830/93, s. 15.

16. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF CHIROPODISTS OF ONTARIO:

D. A. SPRINGER
Chair

CHRISTINE ROBINSON
Secretary-Treasurer

Dated at Toronto on November 23, 1993.

52/93

ONTARIO REGULATION 831/93
made under the
DENTISTRY ACT, 1991

Made: November 24, 1993
Approved: December 8, 1993
Filed: December 10, 1993

ELECTORAL DISTRICTS

ELECTORAL DISTRICTS

1.—(1) The following electoral districts are established for the purpose of the election of members to the Council:

1. District 1, composed of the counties of Frontenac, Renfrew and Lanark, the united counties of Lennox and Addington, Stormont, Dundas and Glengarry, Prescott and Russell, Leeds and Grenville, and The Regional Municipality of Ottawa-Carleton.
2. District 2, composed of the counties of Hastings, Northumberland, Peterborough, Prince Edward, Victoria and Haliburton, and the regional municipalities of Durham and York.
3. District 3, composed of the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Rainy River, Thunder Bay and Timiskaming and The Regional Municipality of Sudbury.
4. District 4, composed of the regional municipalities of Halton and Peel.
5. District 5, composed of the counties of Bruce, Dufferin, Grey, Huron and Simcoe, the Territorial District of Parry Sound and The District Municipality of Muskoka.

6. District 6, composed of the counties of Elgin, Essex, Kent, Lambton and Middlesex.

7. District 7, composed of the counties of Brant, Oxford, Perth and Wellington and the regional municipalities of Haldimand-Norfolk and Waterloo.

8. District 8, composed of the regional municipalities of Hamilton-Wentworth and Niagara.

9. District 9, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north side by Steeles Avenue, on the east by the centre of Bayview Avenue and the centre of the Bayview Extension, on the south by the centre of St. Clair Avenue and easterly projection of St. Clair Avenue to the Bayview Extension, and on the west by the centre of Dufferin Street from St. Clair Avenue to Wilson Avenue, its northerly projection to the recommencement of Dufferin Street at Sheppard Avenue and the centre of Dufferin Street to the centre of Steeles Avenue.

10. District 10, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north by Steeles Avenue, on the west by the westerly boundary of the City of Etobicoke, on the south by the shore of Lake Ontario and on the east by the centre of Dufferin Street from Steeles Avenue to Sheppard Avenue, its southerly projection to the recommencement of Dufferin Street at Wilson Avenue, the centre of Dufferin Street to its southerly terminus and the southerly projection of Dufferin Street to the shore of Lake Ontario.

11. District 11, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north by the centre of St. Clair Avenue and the easterly projection of St. Clair Avenue to the Bayview Extension, on the east by the centre of the Bayview Extension to Pottery Road, the centre of Pottery Road to the Don River and the Don River to the shore of Lake Ontario, on the south by the shore of Lake Ontario and on the west by the centre of Dufferin Street from St. Clair Avenue to its southerly terminus and its southerly projection to the shore of Lake Ontario, and including the Toronto Islands.

12. District 12, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north by Steeles Avenue, on the east by the easterly boundary of the City of Scarborough, on the south by the shore of Lake Ontario and on the west by the centre of Bayview Avenue, the centre of the Bayview Extension to Pottery Road, the centre of Pottery Road to the Don River and the Don River to the shore of Lake Ontario.

(2) The electoral district in which a member is eligible to vote is the district in which, on the date ballots are mailed, the designated register address of the member is located.

(3) The designated register address of a member is,

- (a) the address in Ontario where the member practises;
- (b) if the member does not practise, the address where the member resides; or
- (c) if the member practises at more than one address, the addresses designated by the member as his or her register address. O. Reg. 831/93, s. 1.

NUMBER OF MEMBERS ELECTED

2.—(1) There shall be twelve members elected to the Council.

(2) One member shall be elected from each electoral district. O. Reg. 831/93, s. 2.

TERM OF OFFICE

3.—(1) Subject to section 4, the term of office of a member elected

to the Council is two years commencing with the first regular meeting of the Council immediately following the member's election.

(2) The elected members of the Council shall continue in office until their successors take office at the first regular meeting of the Council following an election. O. Reg. 831/93, s. 3.

ELECTION DATE

4. An election of members to the Council shall be held on the date in 1994 designated by the Council and on the second Wednesday of December in 1996 and the second Wednesday of December in every second year after that. O. Reg. 831/93, s. 4.

ELIGIBILITY TO VOTE

5. Every member may vote if, on the date ballots are mailed, the member,

- (a) holds a certificate of registration other than a graduate student certificate or an instructional certificate;
- (b) practises dentistry in or resides in Ontario;
- (c) is not in default of any fees or other amounts owed to the College; and
- (d) is not in default in completing and returning any prescribed form. O. Reg. 831/93, s. 5.

ELIGIBILITY FOR ELECTION

6.—(1) A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member holds a certificate of registration other than a graduate student certificate or an Instructional certificate;
- (b) the member is engaged in the practice of dentistry in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of dentistry, is resident in the electoral district for which he or she is nominated;
- (c) the member is not in default of any fees, fines or other amounts owed to the College;
- (d) the member is not in default of completing and returning any prescribed form;
- (e) the member is not the subject of any disciplinary or incapacity proceeding;
- (f) the member's certificate of registration is not subject to a term, condition or limitation imposed by a panel of the Discipline Committee or Fitness to Practise Committee;
- (g) a period of three years has elapsed since the member complied with all aspects of an order of a panel of the Discipline Committee or Fitness to Practise Committee;
- (h) the member is not,
 - (i) a member of the governing body of the Canadian Dental Association, Ontario Dental Association or other like organization, or
 - (ii) an appointed official of the Canadian Dental Association, Ontario Dental Association or other like organization such that a real or apparent conflict of interest may reasonably be expected to arise.

(2) A member may be elected to the Council in four consecutive elections.

(3) A member who has been elected to the Council in four consecutive elections is not eligible to be elected to the Council until at least four years have passed since the member last served on the Council as an elected member. O. Reg. 831/93, s. 6.

REGISTRAR TO SUPERVISE NOMINATIONS

7. The Registrar shall supervise the nomination of candidates. O. Reg. 831/93, s. 7.

NOTICE OF ELECTION AND NOMINATIONS

8. No later than forty-five days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time, place and method of the election and of the nomination procedure. O. Reg. 831/93, s. 8.

NOMINATION PROCEDURE

9.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least thirty days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least five members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) A candidate may withdraw his or her nomination for election to the Council by notifying the Registrar at least twenty-four days before the election. O. Reg. 831/93, s. 9.

ACCLAMATION

10.—(1) If only one candidate is nominated for an electoral district, the Registrar shall declare the candidate to be elected by acclamation.

(2) If no candidate is nominated in an electoral district, a vacancy shall be deemed to exist in the electoral district and the Council shall direct the Registrar to hold an election for the electoral district in accordance with this Regulation. O. Reg. 831/93, s. 10.

VOTING

11. Voting for an election of members to the Council shall be by mail ballot. O. Reg. 831/93, s. 11.

REGISTRAR'S ELECTORAL DUTIES

12.—(1) The Registrar shall supervise and administer the election of candidates and, for the purposes of carrying out that duty, and without limiting the generality of this, the Registrar may,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than fourteen days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place, a list of the candidates in the electoral district, a ballot and an explanation of the voting procedures. O. Reg. 831/93, s. 12.

NUMBER OF VOTES TO BE CAST

13. A member shall not cast more than one vote in an election of members to the Council. O. Reg. 831/93, s. 13.

TIE VOTES

14. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 831/93, s. 14.

RECOUNTS

15.—(1) A candidate may require a recount by giving a written request to the Registrar no more than fifteen days after being advised of the result of the election.

(2) The Registrar shall hold the recount no more than five days after receiving the request. O. Reg. 831/93, s. 15.

INTERRUPTION OF MAIL SERVICE

16. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 831/93, s. 16.

DISQUALIFICATION OF ELECTED MEMBER

17.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) ceases to be eligible to be elected to the Council;
- (b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (c) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (d) fails, without reasonable cause, to attend two consecutive regular meetings of the Council;
- (e) fails, without reasonable cause, to attend three consecutive meetings of a committee of which he or she is a member;
- (f) fails, without reasonable cause, to attend a hearing of a panel of a committee for which he or she has been selected;
- (g) breaches the College's conflict of interest guidelines respecting Council members;
- (h) breaches section 36 of the *Regulated Health Professions Act, 1991*;
- (i) ceases to either practise or reside in the electoral district for which the member was elected.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 831/93, s. 17.

VACANCIES

18.—(1) The seat of an elected Council member shall be deemed to be vacant upon the death, resignation or disqualification of the Council member.

(2) A resignation shall be irrevocable, may not be withdrawn and is effective when it is received by the President or Vice-President of the Council or by the Registrar.

(3) If the seat of an elected Council member becomes vacant in an electoral district not more than six months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint a member who would be eligible for an election from that electoral district as of the date of the appointment; or

(c) direct the Registrar to hold a by-election in accordance with this Regulation for that electoral district.

(4) If the seat of an elected Council member becomes vacant in an electoral district more than six months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election for that electoral district in accordance with this Regulation. O. Reg. 831/93, s. 18.

DISPUTES

19.—(1) Any dispute relating to the election or selection of a member to the Council or to the disqualification of a member of the Council shall be referred to the Elections Committee constituted in accordance with the by-laws.

(2) The Elections Committee shall investigate a dispute referred to it under subsection (1) in accordance with the procedure set out in the by-laws and shall report its findings and recommendations to the Council for such decision as the Council considers appropriate.

(3) A two-thirds majority of all Council members minus one, is required to disqualify a member of the Council.

(4) The member of the Council who is the subject of a vote under subsection (3) may not vote. O. Reg. 831/93, s. 19.

ACADEMIC MEMBERS

20.—(1) For the purposes of clause 6(1)(c) of the Act, one academic member shall be selected by the faculty of dentistry of the University of Toronto and one academic member shall be selected by the faculty of dentistry of the University of Western Ontario, to be appointed to the Council.

(2) A member is eligible for selection as an academic member of the Council if, on the date of selection,

- (a) the person holds a full-time appointment of professorial rank in the faculty of dentistry;
- (b) the member is not in default of any fees, fines or other amounts owed to the College;
- (c) the member is not in default of completing and returning any prescribed form;
- (d) the member is not the subject of any disciplinary or incapacity proceeding;
- (e) the member's certificate of registration is not subject to a term, condition or limitation imposed by a panel of the Discipline Committee or Fitness to Practise Committee;
- (f) a period of three years has elapsed since the member complied with all aspects of an order of a panel of the Discipline Committee or Fitness to Practise Committee;
- (g) the member is not,
 - (i) a member of the governing body of the Canadian Dental Association, Ontario Dental Association or other like organization, or
 - (ii) an appointed official of the Canadian Dental Association, Ontario Dental Association or other like organization such that a real or apparent conflict of interest may reasonably be expected to arise.

(3) The term of office of an academic member expires at the first meeting of the Council following the election of members to the Council held next after the effective date of his or her selection, or when the member is disqualified by the Council.

(4) An academic member who has been selected to the Council and served four consecutive terms is not eligible to be reselected until at least four years have passed since the academic member last served on the Council as a selected member.

(5) Subject to subsection (4), an academic member of the Council may be reselected so long as he or she was not previously disqualified by the Council. O. Reg. 831/93, s. 20.

DISQUALIFICATION OF ACADEMIC MEMBER

21.—(1) The Council shall disqualify an academic member from sitting on the Council if the academic member,

- (a) ceases to be eligible to be selected to the Council;
- (b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (c) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (d) fails, without reasonable cause, to attend two consecutive regular meetings of the Council;
- (e) fails, without reasonable cause, to attend three consecutive meetings of a committee of which he or she is a member;
- (f) fails, without reasonable cause, to attend a hearing of a panel of a committee for which he or she has been selected;
- (g) breaches the College's conflict of interest guidelines respecting Council members;
- (h) breaches section 36 of the *Regulated Health Professions Act, 1991*;
- (i) is found by the faculty that selected the member to be incapable of continuing to perform the duties of a member of the Council.

(2) An academic member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 831/93, s. 21.

VACANCIES OF ACADEMIC MEMBERS

22.—(1) The seat of an academic Council member shall be deemed to be vacant upon the death, resignation or disqualification of the Council member.

(2) A resignation is irrevocable, may not be withdrawn and shall be effective when it is received by the President or Vice-President of the Council or by the Registrar.

(3) If the seat of an academic member becomes vacant, the faculty that appointed the member shall appoint a successor for the balance of the term. O. Reg. 831/93, s. 22.

23. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO:

RICHARD M. BEYERS
President

ROGER L. ELLIS
Registrar

Dated at Toronto on November 24, 1993.

ONTARIO REGULATION 832/93 made under the DENTISTRY ACT, 1991

Made: November 18, 1993
Approved: December 8, 1993
Filed: December 10, 1993

REGISTRATION

1. In this Regulation, "qualifying examination" means,

- (a) the National Dental Examining Board of Canada examinations leading to a Certificate of the National Dental Examining Board of Canada so long as those examinations are approved by the College at the time the applicant takes the exam; or
- (b) an examination that was set or approved by the College at the time the applicant takes it. O. Reg. 832/93, s. 1.

2.—(1) There shall be the following classes of certificates of registration:

1. General.
2. Academic.
3. Specialty.
4. Education.
5. Graduate Student.
6. Instructional.

(2) A specialty certificate of registration shall authorize the applicant to practise one of the following specialties:

1. Endodontics.
2. Oral and maxillofacial surgery.
3. Oral pathology.
4. Oral radiology.
5. Orthodontics.
6. Paediatric dentistry.
7. Periodontics.
8. Prosthodontics.
9. Public health dentistry. O. Reg. 832/93, s. 2.

3.—(1) A person may apply for a certificate of registration by submitting a completed application form together with the application fee.

(2) The application fee is \$100. O. Reg. 832/93, s. 3.

4.—(1) The requirements for a certificate of registration of any class are the following:

1. The applicant has not been found guilty of a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada).
2. Where the applicant has been registered or licensed to practise dentistry in another jurisdiction, the applicant has not been the subject of a finding of professional misconduct, incompetence or incapacity.

3. Where the applicant is or has been registered or licensed to practise dentistry in another jurisdiction, the applicant is not the subject of a current professional misconduct, incompetence or incapacity proceeding.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 832/93, s. 4.

5. It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after the member is registered:

1. A finding of guilt in relation to a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada).
2. Where the member is registered or licensed to practise dentistry in another jurisdiction, a finding of professional misconduct, incompetence or incapacity.
3. Where the member is registered or licensed to practise dentistry in another jurisdiction, a proceeding for professional misconduct, incompetency or incapacity. O. Reg. 832/93, s. 5.

6. The additional requirements for a general certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university based dental school.
2. The applicant,
 - i. holds a Certificate of the National Dental Examining Board of Canada issued before January 1, 1994, or
 - ii. has successfully completed the qualifying examination.
3. Since satisfying the requirement in paragraph 2, there has been no three-year period during which the applicant has not engaged in the practice of dentistry on a continuous and regular basis in Canada or the United States or in a jurisdiction whose standards of practice have been approved by the College as equivalent to dental standards of practice in Ontario.
4. The applicant is reasonably fluent in either English or French.
5. The applicant has successfully completed an examination in ethics and jurisprudence and such other examinations as may be set or approved by the College.
6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration Act* (Canada), to permit the applicant to engage in the practice of dentistry in Canada. O. Reg. 832/93, s. 6.

7. The requirement in paragraph 2 of section 6 is non-exemptible. O. Reg. 832/93, s. 7.

8.—(1) The additional requirements for an academic certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university based dental school.
2. The applicant holds a full-time appointment of professorial rank to a faculty of dentistry at a university in Ontario.
3. The applicant is reasonably fluent in either English or French.
4. The applicant has successfully completed an examination in

ethics and jurisprudence and such other examinations as may be set or approved by the College.

5. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration Act* (Canada), to permit the applicant to engage in the practice of dentistry in Canada.

(2) It is an additional condition of an academic certificate of registration that the certificate is automatically revoked when the member ceases to hold a full-time appointment of professorial rank to a faculty of dentistry at a university in Ontario. O. Reg. 832/93, s. 8.

9.—(1) The additional requirements for a specialty certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university based dental school.
2. The applicant,
 - i. holds a Certificate of the National Dental Examining Board of Canada issued before January 1, 1994,
 - ii. has successfully completed the qualifying examination, or
 - iii. is, on the date of making the application, registered or licensed to practise as a dentist in Canada or the United States or in a jurisdiction whose standards of practice have been approved by the College as equivalent to dental standards of practice in Ontario.
3. The applicant has successfully completed the specialty program listed in subsection (2) for the specialty for which authorization is sought.
4. The applicant has successfully completed the specialty examination set or approved by the College.
5. Since satisfying the requirement in paragraph 2, there has been no three-year period during which the applicant has not engaged in the practice of dentistry on a continuous and regular basis in Canada or the United States or in a jurisdiction whose standards of practice have been approved by the College as equivalent to dental standards of practice in Ontario.
6. The applicant is reasonably fluent in either English or French.
7. The applicant has successfully completed an examination in ethics and jurisprudence and such other examinations as may be set or approved by the College.
8. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration Act* (Canada), to permit the applicant to engage in the practice of dentistry in Canada.

(2) The applicant shall satisfy the requirement in paragraph 3 of subsection (1) if the applicant has completed one of the following specialty programs:

1. In the case of endodontics, an approved diploma or degree program in endodontics consisting of a minimum of twenty-two months of full-time instruction.
2. In the case of oral and maxillofacial surgery, an approved diploma or degree program in oral and maxillofacial surgery consisting of a minimum of forty-eight months of full-time instruction.
3. In the case of oral pathology, an approved diploma or degree program in oral pathology consisting of a minimum of thirty-three months of full-time instruction.

4. In the case of oral radiology, an approved diploma or degree program in oral radiology consisting of a minimum of twenty-two months of full-time instruction.
5. In the case of orthodontics, an approved diploma or degree program in orthodontics consisting of a minimum of twenty-two months of full-time instruction.
6. In the case of paediatric dentistry, an approved diploma or degree program in paediatric dentistry consisting of a minimum of twenty-two months of full-time instruction.
7. In the case of periodontics, an approved diploma or degree program in periodontics consisting of a minimum of twenty-two months of full-time instruction.
8. In the case of prosthodontics, an approved diploma or degree program in prosthodontics consisting of a minimum of twenty-two months of full-time instruction.
9. In the case of public health dentistry, an approved diploma or degree program in public health consisting of a minimum of twenty-two months of full-time instruction.

(3) In this section "approved diploma or degree program" means a program taken in Canada or the United States that was, at the time the applicant commenced the program, approved by the Commission on Dental Accreditation of Canada or recognized by the Commission under the terms of a reciprocal agreement.

(4) A specialty certificate of registration has the following additional condition:

1. The member may engage in the practice of dentistry only within the specialty to which the certificate relates unless the member also holds a general certificate of registration. O. Reg. 832/93, s. 9.

10. The requirements in paragraphs 2 and 4 of subsection 9 (1) are non-exemptible. O. Reg. 832/93, s. 10.

11.—(1) The additional requirements for an education certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university based dental school.
2. The applicant is reasonably fluent in either English or French.
3. The applicant has a written offer of a hospital internship or residency in a program approved by the Council on Education and Accreditation of the Canadian Dental Association or a written offer of a non-hospital institutional position approved by a faculty of dentistry of a university in Ontario.
4. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration Act* (Canada), to permit the applicant to engage in the practice of dentistry in Canada.

(2) An education certificate of registration has the following additional conditions:

1. The certificate is automatically revoked when the member ceases to hold the internship, residency or position referred to in paragraph 3 of subsection (1).
2. The member may engage in the practice of dentistry only within the scope of the internship, residency or position to which the certificate of registration relates.
3. The member may practise only under the direction of,
 - i. a member of the medical or dental staff of the hospital in which the member is an intern or resident, or

- ii. a member of the academic staff of the faculty of dentistry that approved the position.

4. The member may not charge a fee for the performance of any act within the practice of dentistry. O. Reg. 832/93, s. 11.

12.—(1) The additional requirements for a graduate student certificate of registration are:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university based dental school.
2. The applicant is reasonably fluent in either English or French.
3. The applicant is enrolled in a post-graduate program of studies in a faculty of dentistry in a university in Ontario and the program has been approved by the Council on Education and Accreditation of the Canadian Dental Association.

(2) A graduate student certificate of registration has the following additional conditions:

1. The certificate is automatically revoked when the member ceases to be enrolled in the program referred to in paragraph 3 of subsection (1).
2. The member may engage in the practice of dentistry only as may be required for the program of studies in which he or she is enrolled and only under the supervision of a member of the faculty of dentistry.
3. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 832/93, s. 12.

13.—(1) The additional requirements for an instructional certificate of registration are:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university based dental school.
2. The applicant, has a written offer to teach or conduct a course sponsored by a faculty of dentistry of a university in Ontario, a public hospital or a body approved by the Council to sponsor courses.

(2) An instructional certificate of registration has the following additional conditions:

1. The certificate is automatically revoked upon the earlier of,
 - i. the day the course for which the certificate was issued is completed, or
 - ii. the 15th day after the day the certificate was issued.
2. The member may engage in the practice of dentistry only as may be required to teach or conduct the course for which the certificate was issued. O. Reg. 832/93, s. 13.

14. It is a requirement for the issuing of a certificate of registration of any class that the applicant pay the following fees, in addition to the application fee:

1. The registration fee.
2. The annual fee, if any, for the year in which the certificate is issued. O. Reg. 832/93, s. 14.

15.—(1) If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar may lift the suspension if the member applies and pays the prescribed fees within two years of the suspension.

(2) If a suspension under subsection (1) continues for two years, the certificate of registration is automatically revoked.

(3) A member whose certificate was revoked under subsection (2) may apply for reinstatement if the member,

- (a) satisfies the requirements for the class of certificate for which reinstatement is sought; and
- (b) pays the prescribed fees. O. Reg. 832/93, s. 15.

16.—(1) A member may resign by giving notice in writing to the College.

(2) A notice under subsection (1) is effective on the date the notice is received by the College or the date specified in the notice, whichever is later.

(3) If a member resigns while in default of payment of a fee owed to the College, the Registrar may reinstate the certificate of the member if the member,

- (a) applies for reinstatement;
- (b) pays the prescribed fees; and
- (c) satisfies the requirements for the class of certificate for which the reinstatement is sought.

(4) If a member resigns while not in default of payment of a fee owed to the College, and the member does not engage in the practice of dentistry in Ontario after the resignation, the member may apply for reinstatement to the Registrar and may be reinstated,

- (a) by the Registrar, if the application is made no later than three years after the resignation; or
- (b) by the Registration Committee, if the application is made more than three years after the resignation.

(5) A member described in subsection (4) does not have to satisfy the requirements for the class of certificate for which the reinstatement is sought. O. Reg. 832/93, s. 16.

17.—(1) A member who, on the day this Regulation comes into force, holds a licence of the class set out in section 25 of Regulation 547 of the Revised Regulations of Ontario, 1990 shall be deemed to hold a certificate of registration of an equivalent class under this Regulation.

(2) Despite subsection (1), a member who, on the day this Regulation comes into force, holds a general licence under Regulation 547 of the Revised Regulations of Ontario, 1990 that was restricted to a particular specialty, shall be deemed to hold a specialty certificate of registration authorizing practice in the same specialty under the Regulation.

(3) A member who, on the day this Regulation comes into force, holds a specialist certificate under Regulation 547 of the Revised Regulations of Ontario, 1990 in a class of specialist set out in Column I of the Table in section 35 of that Regulation shall be deemed to hold a specialty certificate of registration authorizing practice in the same specialty under this Regulation. O. Reg. 832/93, s. 17.

18. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE ROYAL COLLEGE
OF DENTAL SURGEONS OF ONTARIO:

RICHARD M. BEYERS
President

ROGER L. ELLIS
Registrar

Dated at Toronto on November 18, 1993.

ONTARIO REGULATION 833/93
made under the
DENTURISM ACT, 1991

Made: November 19, 1993
Approved: December 8, 1993
Filed: December 10, 1993

REGISTRATION

1.—(1) The following are non-exemptible registration requirements for a certificate of registration:

1. The applicant must have a diploma in denture therapy or denturism from,
 - i. George Brown College of Applied Arts and Technology,
 - ii. any other institution outside of Ontario that, in the opinion of the Registration Committee, issues an equivalent diploma or degree.

2. The applicant must have successfully completed the qualifying examinations in denturism at George Brown College of Applied Arts and Technology within twelve months of the application.

3. The applicant must be a Canadian citizen or a permanent resident of Canada or have an authorization under the *Immigration Act* (Canada) consistent with his or her proposed certificate of registration.

(2) For the purposes of subparagraph ii of paragraph 1 of subsection (1), a diploma or degree is equivalent if it offers courses in the areas listed in the Schedule. O. Reg. 833/93, s. 1.

2. The following are the standards and qualifications for a certificate of registration:

1. The applicant submits a completed application to the Registrar in the form provided by the Registrar, together with the application fee.
2. The applicant's past and present conduct affords reasonable grounds for belief that the applicant,
 - i. is mentally competent to practise denturism, and
 - ii. will practise denturism with decency, integrity and honesty and in accordance with the law.

3. The applicant has not made, by commission or omission, any false or misleading representation or declaration on or in connection with an application.

4. The applicant must deliver his or her original diploma in denture therapy or denturism and documentation identifying the applicant personally to the Registrar if the applicant did not receive a diploma in denture therapy or denturism from George Brown College of Applied Arts and Technology.

5. The applicant must have reasonable fluency in either English or French. O. Reg. 833/93, s. 2.

3. The following are the terms, conditions and limitations of a certificate of registration:

1. The member shall, within 15 days from the day the member becomes aware of any of the following, provide the College with written and, if necessary, oral details of any of the following that relate to the member and that occur or arise after the registration of the member,
 - i. a conviction for a criminal offence or an offence relevant to the practice of the profession,

- ii. a finding of professional misconduct, incompetency, incapacity or other similar finding in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another profession,
 - iii. the commencement of a proceeding for professional misconduct, incompetency or incapacity, or similar conduct, in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another profession.
2. The member's certificate of registration expires if the member ceases to be a Canadian citizen or a permanent resident of Canada or have an authorization under the *Immigration Act* (Canada) consistent with his or her certificate of registration.
3. After the second anniversary date of its issue, the certificate of registration expires on the date the annual fee is due unless the member,
- i. has engaged in the practice of denturism for at least 1,500 hours in the preceding three years,
 - ii. has successfully completed the most recent qualifying examinations in denturism at George Brown College of Applied Arts and Technology,
 - iii. has successfully completed, in the preceding six months, the courses set by the Council, or
 - iv. has taught denturism at an institution referred to in paragraph 1 of section 1 for a period of at least twelve months in the preceding three years.
4. The member shall submit a completed annual information return to the Registrar together with the annual fee.
5. The member shall include in the annual information return,
- i. proof that the member carries professional liability insurance in the minimum amount of \$1,000,000,
 - ii. proof that the member carries a minimum of \$1,000,000 of professional liability insurance through The Denturist Association of Ontario, or
 - iii. a signed statement that the member is not currently providing denturist services and undertakes not to do so without first obtaining professional liability insurance.

4. Despite section 1, the Registration Committee may issue a certificate of registration that will expire after a period of no more than thirty days to an applicant who,

- (a) is qualified to practise denturism in a jurisdiction outside of Ontario;
- (b) has an appointment to teach a brief continuing education program in denturism primarily for denturists; and
- (c) provides a written undertaking given by a member to supervise the applicant and be responsible for providing continuing care for patients attended to by the applicant in Ontario. O. Reg. 833/93, s. 4.

5. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule

Basic Sciences

General Anatomy and Physiology
Orofacial Anatomy

General Histology
Microbiology and Infection Control

Dental Sciences

Dental Histology and Embryology
Periodontology
Oral Pathology and Medicine
Dental Kinesiology (Biomechanics)
Dental Psychology
Dental Psychology and the Aging Process
Pharmacology and Emergency Care

Health Promotion

Public Health, Legislation and Research Nutrition

Management

Ethics and Professional Responsibilities
Small Business Management
Practice Management

Denturist Practice

Dental Materials
Preclinical Prosthetics
Clinical Prosthetics
Radiographic Pattern Recognition
Removable Partial Dentures (R.P.D.)
Dentures Over Implants

O. Reg. 833/93, Sched.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTURISTS OF ONTARIO:

BRIAN E. MONK
Chair

PATRICIA A. CLARK
Registrar

Dated at Toronto on November 19, 1993.

52/93

ONTARIO REGULATION 834/93 made under the OCCUPATIONAL THERAPY ACT, 1991

Made: November 24, 1993
Approved: December 8, 1993
Filed: December 10, 1993

ELECTIONS

1.—(1) The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1 (Central East) composed of The Regional Municipality of Toronto, the counties of Haliburton, Northumberland, Victoria and Simcoe, and the regional municipalities of Durham, Peel and York.
2. Electoral district 2 (Central West) composed of the counties of Brant, Dufferin and Wellington, and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo.
3. Electoral district 3 (South West) composed of the counties of Essex, Bruce, Grey, Kent, Lambton, Elgin, Middlesex, Oxford, Huron and Perth.

4. Electoral district 4 (Eastern) composed of the united counties of Prescott and Russell, Stormont, Dundas and Glengary, Lennox and Addington, Leeds and Grenville, The Regional Municipality of Ottawa-Carleton, and the counties of Hastings, Prince Edward, Frontenac, Renfrew and Lanark.

5. Electoral district 5 (North East) composed of The Regional Municipality of Sudbury, the territorial districts of Sudbury, Parry Sound, Timiskaming, Nipissing, Algoma, Cochrane and Manitoulin and The District Municipality of Muskoka.

6. Electoral district 6 (North West) composed of the territorial districts of Kenora, Rainy River and Thunder Bay.

(2) The electoral district in which a member is eligible to vote is the district in which, on the date of the election, the member principally practices, or if the member is not engaged in the practice of occupational therapy, in which, on that day, the member principally resides.

(3) A member is entitled to vote in an election if the member holds a valid general practicing, provisional practicing or non-practicing certificate of registration. O. Reg. 834/93, s. 1.

2. The number of members to be elected in an electoral district is as follows:

- 1. Electoral district 1 3 members
- 2. Electoral district 2 2 members
- 3. Electoral district 3, 4, 5 and 6 1 member per district

O. Reg. 834/93, s. 2.

3. The term of office of a member elected to the Council is three years, commencing with the first regular Council meeting immediately following the election. O. Reg. 834/93, s. 3.

4.—(1) An election of members to the Council shall be held in November, 1994 for all electoral districts.

(2) An election of members to the Council shall be held in the month of March, 1996 and in every third year after that for electoral districts 2 and 4.

(3) An election of members to the Council shall be held in the month of March, 1997 and in every third year after that for electoral districts 3, 5 and 6.

(4) An election of members to the Council shall be held in March, 1998 and in every third year after that for electoral district 1. O. Reg. 834/93, s. 4.

5. A member is eligible for election to the Council in an electoral district if, on the date of election,

- (a) the member is entitled to vote in an election in accordance with subsections 1 (2) and (3);
- (b) the member is not in default of payment of any fees prescribed in this Regulation;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election as a result of a professional misconduct, incompetence or incapacity proceeding;
- (e) the member's certificate of registration is not subject to a term, condition, or limitation imposed by a panel on the Discipline or Fitness to Practise Committee; and
- (f) the member is not a director, officer or employee of a volun-

tary organization of occupational therapists. O. Reg. 834/93, s. 5.

6. A member who has served on Council for more than nine consecutive years is not eligible for election until at least three years have passed since the member last served on the Council as an elected member. O. Reg. 834/93, s. 6.

7. The Registrar shall supervise the nomination of candidates. O. Reg. 834/93, s. 7.

8. No later than 120 days before the date of an election, the Registrar shall notify every member who is eligible to vote, of the date, time, and place of the election and of the nomination procedure. O. Reg. 834/93, s. 8.

9.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be submitted to the Registrar at least sixty days before the election.

(2) The nomination shall be signed by the candidate and by at least three members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) A candidate may withdraw his or her nomination for election to the Council by notifying the Council in writing within forty-five days of the election. O. Reg. 834/93, s. 9.

10. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidate to be elected by acclamation. O. Reg. 834/93, s. 10.

11.—(1) If there are no candidates for an electoral district who are eligible for election there shall be a second call for nominations.

(2) If a second call for nominations does not secure an eligible candidate, the Executive Committee shall nominate one or more members who are eligible for election.

(3) A person who consents to a nomination by the Executive Committee shall be deemed to be a validly nominated candidate when the nomination is received by the Registrar. O. Reg. 834/93, s. 11.

12.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty the Registrar may, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than thirty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place, a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 834/93, s. 12.

13.—(1) A member may cast as many votes on a ballot in an election of members of the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 834/93, s. 13.

14. If there is a tie in an election of the Council, the Registrar shall break the tie, by lot. O. Reg. 834/93, s. 14.

15.—(1) A candidate may require a recount by giving a written request to the Registrar no more than fifteen days after the date of an election and paying the fee of \$300 to the College seven days prior to the recount.

(2) The Registrar shall hold the recount no more than fifteen days after receiving the request. O. Reg. 834/93, s. 15.

16. If there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nominations or election for such period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 834/93, s. 16.

17.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (c) fails, without cause, to attend two consecutive meetings of the Council;
- (d) fails, without cause, to attend three consecutive meetings of a committee of which he or she is a member or two hearings of a panel for which he or she has been selected;
- (e) ceases to either practice or reside in the electoral district for which the member was elected; or
- (f) becomes a director, officer or employee of a voluntary organization of occupational therapists.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 834/93, s. 17.

18.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of the Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) The term of a member appointed under clause (1) (b) or elected under an election under clause (1) (c) or subsection (2) shall continue until the time the former Council member's term would have expired. O. Reg. 834/93, s. 18.

19.—(1) One person shall be selected to sit on the Council as an academic appointment.

(2) The academic appointment shall be selected by the occupational therapy members of the faculties of all programs in Ontario approved by the College of Occupational Therapists of Ontario. O. Reg. 834/93, s. 19.

20. For the purposes of clause 5 (1) (c) of the Act, a member is eligible for selection for an academic appointment to the Council if, on the date of the election,

- (a) the member has a full-time faculty appointment in an occupa-

tional therapy program in Ontario approved by the College of Occupational Therapists of Ontario;

- (b) the member is not in default of payment of any fees prescribed in this Regulation;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election as a result of a professional misconduct, incompetence or incapacity proceeding; and
- (e) the member's certificate of registration is not subject to a term, condition or limitation imposed by a panel of the Discipline or Fitness to Practise Committees. O. Reg. 834/93, s. 20.

21. The term of office for an academic appointment shall be three years. O. Reg. 834/93, s. 21.

22. The Council shall disqualify a selected academic member from sitting on the Council if the member,

- (a) ceases to have a faculty appointment in an occupational therapy program in Ontario approved by the College of Occupational Therapists of Ontario;
- (b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (c) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (d) fails, without cause, to attend two consecutive meetings of the Council;
- (e) fails, without cause, to attend three consecutive meetings of a committee of which he or she is a member or two hearings of a panel for which he or she has been selected;
- (f) ceases to either practice or reside in the electoral district for which the member was elected; or
- (g) becomes a director, officer or employee of a voluntary organization of occupational therapists. O. Reg. 834/93, s. 22.

23. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OCCUPATIONAL THERAPISTS OF ONTARIO:

JAN ROBINSON
Registrar

ELLEN POWIS
Secretary

Dated at Toronto on November 24, 1993.

52/93

ONTARIO REGULATION 835/93
made under the
OCCUPATIONAL THERAPY ACT, 1991

Made: November 24, 1993
Approved: December 8, 1993
Filed: December 10, 1993

REGISTRATION

1. The following are prescribed as classes of certificates of registration:

1. General practising certificate.
2. Provisional practising certificate.
3. Non-practising certificate.
4. Temporary certificate. O. Reg. 835/93, s. 1.

2.—(1) A person may apply for the issue of a certificate of registration by submitting a completed application in the form approved by the College to the Registrar together with the initial application fee.

(2) The initial application fee is \$75.

(3) When eligibility for registration has been determined, the name of the person will be entered onto the register and a certificate will be issued upon payment of the required registration fee for the appropriate class. O. Reg. 835/93, s. 2.

3.—(1) The following are registration requirements for a certificate of registration of any class:

1. The applicant has not been found guilty of a criminal offence or an offence related to the regulation of the practice of occupational therapy.
2. Where the applicant has been registered or licensed in Ontario in another health profession or in another jurisdiction in occupational therapy or another health profession, the applicant has not been the subject of a finding of professional misconduct, incompetence or incapacity.
3. Where the applicant is registered in Ontario in another health profession or is registered or licensed in another jurisdiction in occupational therapy or another health profession, the applicant is not the subject of any current professional misconduct, incompetence or incapacity proceeding.
4. The applicant must be able to speak and write either English or French with reasonable fluency.
5. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in employment as an occupational therapist.

(2) It is a condition of a certificate of registration of any class that the member shall provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. A finding of guilt in relation to a criminal offence or an offence related to the regulation of the practice of occupational therapy.
2. A finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to occupational therapy or another health profession.
3. A proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another profession or in another jurisdiction in relation to occupational therapy or another health profession.

(3) If the member ceases to be a Canadian citizen or a permanent resident of Canada or ceases to be authorized under the *Immigration Act* (Canada) to engage in employment as an occupational therapist, the member's certificate of registration shall be revoked.

(4) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 835/93, s. 3.

GENERAL PRACTISING CERTIFICATE OF REGISTRATION

4.—(1) The following are non-exemptible registration requirements for a general practising certificate of registration:

1. The applicant must have a degree in Occupational Therapy described in Schedule 1 or an academic qualification considered equivalent by the College from a program or an institution outside of Ontario. An academic qualification is equivalent if the curriculum includes courses within the basic sciences, the behavioral sciences, the clinical sciences, the managerial sciences, occupational therapy theory, practice and fieldwork.
2. The applicant must have completed a minimum of 1,000 hours fieldwork or clinical practicum approved by the College.
3. Where the applicant completes the requirements in paragraphs 1 and 2 more than eighteen months before the date the application is made, evidence of one of the following must be provided,
 - i. completion of at least 750 hours of service within the scope of practice of the profession in the three years prior to the application date,
 - ii. completion of at least 1,550 hours of service within the scope of practice of the profession in the five years prior to the application date, or
 - iii. successful completion of a refresher or upgrading program approved by the College within the previous eighteen months.

(2) It is a registration requirement for a general practising certificate of registration that the applicant must have successfully completed the examination set by or approved by the College.

(3) It is a condition of a general practising certificate of registration that the member practise the profession only if the member,

- (a) has completed at least 750 hours of service within the scope of practice of the profession in the previous three years;
- (b) has completed at least 1,550 hours of service within the scope of practice of the profession in the previous five years; or
- (c) has, within the previous eighteen months, successfully completed a refresher course approved by the College.

(4) The condition described in subsection (3) does not apply to members for the first eighteen months after their graduation.

(5) Despite subsection (1), an applicant for a general practising certificate of registration who applies no later than one year after the day this Regulation comes into force may be issued the certificate if the applicant meets the following non-exemptible registration requirements:

1. The applicant must hold a degree or diploma in Occupational Therapy from a school approved by the Canadian Association of Occupational Therapists or the World Federation of Occupational Therapists.
2. The applicant must satisfy one of the following requirements:
 - i. The applicant is practising as an occupational therapist in Ontario on the date of application.
 - ii. The applicant has,
 - A. practised as an occupational therapist in Ontario,
 - B. completed at least 750 hours of service within the scope of practice of the profession in the previous three years or at least 1,550 hours of service within the scope of practice of the profession in the previous five years, and

- C. provided satisfactory evidence of an offer of employment or detailed plans about commencing practice as a self-employed occupational therapist in Ontario within one year after the day this Regulation comes into force.

(6) A member who qualified for a general practising certificate of registration under subsection (5) has two years from the date his or her certificate is issued to satisfy the condition in subsection (3). O. Reg. 835/93, s. 4.

PROVISIONAL PRACTISING CERTIFICATE OF REGISTRATION

5.—(1) The following are non-exemptible registration requirements for a provisional practising certificate of registration:

1. The applicant must have a degree in Occupational Therapy described in Schedule 1 or an academic qualification considered equivalent by the College from an institution outside of Ontario or is found by the Registration Committee to require minimal educational upgrading to achieve an equivalent status. An academic qualification is equivalent if the curriculum includes courses within the basic sciences, the behavioral sciences, the clinical sciences, the managerial sciences, occupational therapy theory, practice and fieldwork.
2. The applicant must have completed a minimum of 1,000 hours fieldwork or clinical practicum approved by the College.
3. Where the applicant completes the requirements in paragraphs 1 and 2 more than eighteen months before the date the application is made, evidence of one of the following must be provided,
 - i. completion of at least 750 hours of service within the scope of practice of the profession in the three years prior to the application date,
 - ii. completion of at least 1,550 hours of service within the scope of practice of the profession in the five years prior to the application date,
 - iii. successful completion within the previous eighteen months of a refresher or upgrading program approved by the College.
4. The applicant must be employed by, or have an appointment with, an Ontario institution described in Schedule 2, a private organization where registered general practising therapists are employed or must have an offer of such employment or appointment.

(2) The following are registration requirements for a provisional practising certificate of registration:

1. The applicant must be eligible to write the examination set by or approved by the College.
2. The applicant must sign an undertaking with the College to complete any additional requirements that may be required by the Registration Committee.

(3) The following are conditions of a provisional practising certificate of registration:

1. The member shall practise the profession under the supervision of an occupational therapist holding a general practising certificate of registration and, if required by the College, the member shall practise the profession only within the scope of his or her employment by, or appointment with, the institution set out in the certificate.
2. The member's certificate of registration is automatically revoked on its second anniversary.

3. A member may be issued a general practising certificate of registration if, within two years of being issued a provisional practising certificate of registration, the member,

- i. passes the examination set or approved by the Council,
- ii. successfully completes any requirements that the Registration Committee may require, or
- iii. if requested by the Registration Committee, meets the requirements of subparagraphs i and ii.

(4) Despite subsection (1), an applicant for a provisional practising certificate of registration who applies within one year after the day this Regulation comes into force may be issued the certificate if the applicant meets the following non-exemptible registration requirements:

1. The applicant must hold a degree or diploma in occupational therapy from a school approved by the Canadian Association of Occupational Therapists or the World Federation of Occupational Therapists.
2. The applicant must have practised as an occupational therapist in Ontario.
3. The applicant must provide satisfactory evidence of an offer of employment or detailed plans about commencing practice as a self-employed occupational therapist in Ontario within one year after the day this Regulation comes into force.

(5) A person who qualified for a provisional practising certificate under subsection (4) shall be issued a general practising certificate of registration if, in addition to meeting the requirements of paragraph 3 of subsection (3), the person satisfactorily completes a clinical practice review.

(6) A member who qualifies for a general practising certificate of registration under paragraph 3 of subsection (3) or under subsection (5) has two years from the date his or her general certificate is issued to satisfy the condition in subsection 4 (3). O. Reg. 835/93, s. 5.

NON-PRACTISING CERTIFICATE OF REGISTRATION

6.—(1) It is a non-exemptible registration requirement for a non-practising certificate of registration that the applicant must either hold a general practising certificate of registration or satisfy the registration requirements for a general practising certificate of registration in paragraphs 1 and 2 of subsection 4 (1).

(2) The following are conditions of a non-practising certificate of registration:

1. The applicant shall not engage in the practice of occupational therapy in Ontario for the period during which a non-practising certificate of registration has been issued.
2. A member who holds a non-practising certificate may be issued a general practising certificate if the member successfully completes the refresher and evaluation requirements set by the Registration Committee.
3. The applicant shall surrender his or her general practising certificate of registration. O. Reg. 835/93, s. 6.

TEMPORARY CERTIFICATE OF REGISTRATION

7.—(1) The following are registration requirements for a temporary certificate of registration:

1. The applicant must hold a valid certificate of registration as an occupational therapist in another jurisdiction with education and clinical requirements equivalent to those of the College.
2. The applicant must have an offer of employment or appointment, which does not exceed four months, in an Ontario institution described in Schedule 2 or a private organization.

3. A general practising member has agreed to supervise the applicant and to be responsible for ensuring the provision of appropriate care for clients attended by the applicant in Ontario.

(2) A temporary certificate of registration shall not be issued to a person for more than four months within a twelve-month period. O. Reg. 835/93, s. 7.

RELATING TO SUSPENSION AND REVOCATION OF A CERTIFICATE

8.—(1) Where the Registrar has suspended a member's certificate of registration for failure to pay a prescribed fee, the suspension may be lifted on payment of,

- (a) the fee the member failed to pay;
- (b) the fee that would have been payable had the member's certificate not been suspended; and
- (c) any applicable penalties.

(2) Where the Registrar has suspended a member's certificate of registration for failure to pay a prescribed fee, and the suspension remains in effect for a period of two years, the certificate is automatically revoked.

(3) A member whose certificate of registration was revoked under subsection (2) and who applies to be reinstated is required to satisfy the requirements for the class of certificate for which reinstatement is sought and to pay the application fee and the annual fee payable for the year in which the member wishes to be reinstated. O. Reg. 835/93, s. 8.

9. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule 1

<u>University</u>	<u>Degree Granted</u>
University of Western Ontario	B.Sc. (Occupational Therapy)
McMaster University	B.H.Sc. (Occupational Therapy)
Queen's University	B.Sc. (Occupational Therapy)
University of Ottawa	B.Sc. (Occupational Therapy)
University of Toronto	B.Sc. (Occupational Therapy)

O. Reg. 835/93, Sched. 1.

Schedule 2

Post secondary educational institutions
Boards under the <i>Education Act</i>
Public Hospitals under the <i>Public Hospitals Act</i>
Psychiatric Facilities under the <i>Mental Health Act</i>
Designated Institutions under the <i>Mental Hospitals Act</i>
Approved Charitable Homes for the Aged under the <i>Charitable Institutions Act</i>
Nursing Homes under the <i>Nursing Homes Act</i>
Homes for the Aged under the <i>Homes for the Aged and Rest Homes Act</i>
Boards of Health under the <i>Health Protection and Promotion Act</i>
Agencies, Boards or Commissions

Independent Health Facilities under the *Independent Health Facilities Act*

Institutions funded by the Minister as community health centres, health service organizations or comprehensive health organizations.

O. Reg. 835/93, Sched. 2.

TRANSITIONAL COUNCIL OF THE COLLEGE OF OCCUPATIONAL THERAPISTS OF ONTARIO:

JAN ROBINSON
Registrar

ELLEN POWIS
Secretary

Dated at Toronto on November 24, 1993.

52/93

ONTARIO REGULATION 836/93 made under the OPTOMETRY ACT, 1991

Made: November 24, 1993
Approved: December 8, 1993
Filed: December 10, 1993

COMMITTEES

1.—(1) The Executive Committee shall be comprised of three members of which one member shall be the President of the Council, one member shall be the Vice-President of the Council and one member shall be a person appointed to the Council by the Lieutenant Governor in Council.

(2) A majority of members of the Executive Committee shall constitute a quorum. O. Reg. 836/93, s. 1.

2. The Registration Committee shall be comprised of five persons of which one member shall be both a member of the College and a member of the Council, one member shall be a person appointed to the Council by the Lieutenant Governor in Council and three members shall be members of the College or the Council. O. Reg. 836/93, s. 2.

3. The Complaints Committee shall be comprised of five persons of which one member shall be both a member of the College and a member of the Council, two members shall be persons appointed to the Council by the Lieutenant Governor in Council and two members shall be members of the College or the Council. O. Reg. 836/93, s. 3.

4. The Discipline Committee shall be comprised of nine persons of which two shall be members of the College and members of the Council, four shall be persons appointed to the Council by the Lieutenant Governor in Council and three persons shall be members of the College or the Council. O. Reg. 836/93, s. 4.

5. The Fitness to Practise Committee shall be composed of three persons of which one shall be both a member of the College and a member of the Council, one shall be a person appointed to the Council by the Lieutenant Governor in Council and one shall be a member of the College or the Council. O. Reg. 836/93, s. 5.

6. The Patient Relations Committee shall be composed of five persons of which two shall be persons appointed to the Council by the Lieutenant Governor in Council and three shall be members of the College or the Council. O. Reg. 836/93, s. 6.

7.—(1) The Quality Assurance Committee shall be composed of seven persons of which one shall be both a member of the College and a member of the Council, one shall be a person appointed to the Council by the Lieutenant Governor in Council, one shall be both a member of the College and a full time member of the faculty of the School of Optometry of the University of Waterloo and four shall be members of the College or the Council.

(2) A majority of members of the Quality Assurance Committee shall constitute a quorum. O. Reg. 836/93, s. 7.

8. The Council shall appoint a chair for each committee from among the members of a committee and the chair of each committee may delegate to a person of a committee the role of acting chair in the absence of the chair. O. Reg. 836/93, s. 8.

9. A committee or panel of a committee of the College may call a meeting to transact business, other than a hearing, and the meeting can take any form so long as every person participating in the meeting can communicate with every other person simultaneously. O. Reg. 836/93, s. 9.

10. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OPTOMETRISTS OF ONTARIO:

JOSEPH MITTELMAN
President

IRVING BAKER
Registrar

Dated at Toronto on November 24, 1993.

52/93

ONTARIO REGULATION 837/93
made under the
OPTOMETRY ACT, 1991

Made: November 24, 1993
Approved: December 8, 1993
Filed: December 10, 1993

REGISTRATION

CLASSES OF CERTIFICATES OF REGISTRATION

1. The following classes of certificates of registration are prescribed:

1. General certificate of registration.
2. Academic certificate of registration. O. Reg. 837/93, s. 1.

GENERAL CERTIFICATES OF REGISTRATION

2.—(1) The requirements and qualifications for the issuing of a general certificate of registration to an applicant are:

1. The applicant must have completed an application for a general certificate of registration.
2. The applicant must have one of the following academic qualifications:
 - i. Successful completion of the course in optometry at the School of Optometry of the University of Waterloo and the award of the degree of doctor of optometry by the University.
 - ii. Successful completion of a course outside Ontario which course is equivalent to the course at the School of Optometry of the University of Waterloo and the award of a degree comparable to the degree of doctor of optometry of the University of Waterloo.
3. The applicant must be able to speak and write in the English or French language with reasonable fluency.
4. Where the applicant has previously practised optometry, there must not be any finding of, or of any current proceeding involving an allegation of, professional misconduct, incompetence or incapacity or any like finding or proceeding against the applicant.

5. The applicant must not have been convicted of a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada).
6. The applicant must have Canadian citizenship, permanent residency or authorization under the *Immigration Act* (Canada) to engage in the practice of optometry.
7. The applicant must have successfully completed the examinations set or approved by the College at the time of the application.
8. The applicant must pay the application, examination and certificate of registration fees.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 2.

3. It is a condition of a general certificate of registration that the member shall provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:

1. Where the applicant has previously practised optometry, or is registered or licensed to practise optometry in another jurisdiction, a finding of professional misconduct, incompetence or incapacity or any like finding against the applicant.
2. A conviction of a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada). O. Reg. 837/93, s. 3.

4. A general certificate of registration terminates if the member ceases to be a Canadian citizen or no longer has permanent resident status or authorization under the *Immigration Act* (Canada) to engage in the practice of optometry. O. Reg. 837/93, s. 4.

ACADEMIC CERTIFICATES OF REGISTRATION

5.—(1) The requirements and qualifications for issuing an academic certificate of registration are:

1. The applicant must hold a full-time appointment as a faculty member at a university or in an optometric educational facility in the Province of Ontario approved by the Council.
2. The applicant must fulfill the requirements and qualifications of section 2 except the examination requirements in paragraph 7.
3. The applicant must successfully complete the jurisprudence examination set or approved by the College at the time of the application.
4. The applicant must pay the applicable fees.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 5.

6. It is a condition of every academic certificate of registration that the member only perform acts within the practice of optometry as part of his or her duties as a full-time professor, resident, supervising clinician or graduate student at a university in the Province of Ontario. O. Reg. 837/93, s. 6.

7. An academic certificate of registration shall be revoked when,
 - (a) the holder of the certificate of registration no longer holds a full-time appointment at a university in the Province of Ontario; or
 - (b) the holder is no longer a Canadian citizen or does not have permanent resident status under the *Immigration Act* (Canada) or no longer has special authorization under clause 10 (c) of that Act. O. Reg. 837/93, s. 7.

GENERAL

8.—(1) It is a condition of a certificate of registration of any class that the member provide,

- (a) at least 100 hours of direct optometric service to patients in every calendar year; and
- (b) at least 750 hours of direct optometric service to patients in every three year period.

(2) If a member fails to provide the hours of service required under subsection (1), the certificate of registration terminates.

(3) A member whose certificate of registration has been terminated in accordance with subsection (2) shall be reissued a certificate if the member successfully completes a refresher course offered or approved by the College.

(4) A member shall be exempt from the requirement of providing at least 100 hours of service in a year under clause (1) (a) if the member,

- (a) cannot perform the services for health reasons or maternity reasons; and
- (b) notifies the College of this fact.

(5) A member holding an academic certificate of registration shall be exempt from the requirement of providing at least 750 hours of service in a three-year period under clause (1) (b) if the member,

- (a) is a full-time member of the faculty of the School of Optometry at the University of Waterloo who does not engage in the practice of optometry except as part of his or her teaching duties; and
- (b) notifies the College that his or her teaching duties will prevent the member from attaining the required hours of service. O. Reg. 837/93, s. 8.

9. A member holding an academic certificate of registration who applies for a general certificate of registration shall be issued the certificate if the member has, at the time of application, held the academic certificate for five or more consecutive years and has practised optometry during those years. O. Reg. 837/93, s. 9.

10. The requirements and qualifications for the issuing of a general certificate of registration and an academic certificate of registration are non-exemptible except the requirements in paragraphs 3, 4 and 5 of section 2. O. Reg. 837/93, s. 10.

11.—(1) Subject to subsection (2), the name of the member entered in the register and used on the certificate of registration shall be the same as the name of the member in the documentary evidence of the member's degree in optometry or of a degree that is equivalent to a degree in optometry.

(2) The Registrar shall issue a certificate of registration using a name other than the name of the member which appears in the documentary evidence referred to in subsection (1) or direct the entry in the register of such a name if,

- (a) in the case of an applicant for a first certificate of registration, the applicant deposits with the Registrar the following information,
 - (i) a certified copy of an order of a court of competent jurisdiction changing the name of the applicant or member,
 - (ii) a certified copy of a valid certificate of marriage or of a decree absolute of divorce from a court with respect to the applicant or member,
 - (iii) documentary evidence as to the use of the name requested, or

(iv) any combination of material referred to in subclause (i), (ii) or (iii) and satisfies the Registrar that the use of the name requested is not for any improper purpose; or

(b) in the case of a member to whom a certificate of registration has already been issued, the member,

- (i) applies for the change of name to the Registrar,
- (ii) returns the member's current certificate of registration, and
- (iii) deposits with the Registrar the information described in clause (a). O. Reg. 837/93, s. 11.

12. The application fee is \$150, and is payable at the time of application. O. Reg. 837/93, s. 12.

13. The fee for a certificate of registration is \$100. O. Reg. 837/93, s. 13.

14.—(1) At least thirty days before the date the annual fees are payable, the Registrar shall mail to each member a notice requesting,

- (a) completion of the annual report;
- (b) completion of the continuing education report; and
- (c) filing of the certificate of proof of professional liability (malpractice) insurance.

(2) Upon receipt of the annual report and of the certificate of proof of professional liability (malpractice) insurance, the Registrar shall issue a receipt to the member. O. Reg. 837/93, s. 14.

15.—(1) A member whose certificate of registration was suspended by the Registrar may apply for reinstatement if,

- (a) the application is made within two years of the date of the suspension; and
- (b) the suspension was for,
 - (i) non-payment of fees,
 - (ii) failure to complete and return the annual report and continuing education report, or
 - (iii) failure to provide proof of professional liability insurance.

(2) The Registrar shall reinstate a member who applies under subsection (1) if the member,

- (a) pays any outstanding fee;
- (b) pays a reinstatement fee of \$150;
- (c) completes and returns the missing annual report and continuing education report; and
- (d) provides proof of professional liability (malpractice) insurance. O. Reg. 837/93, s. 15.

16. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OPTOMETRISTS OF ONTARIO:

JOSEPH MITTELMAN
President

IRVING BAKER
Registrar

Dated at Toronto on November 24, 1993.

ONTARIO REGULATION 838/93

made under the
PHARMACY ACT, 1991

Made: November 23, 1993
Approved: December 8, 1993
Filed: December 10, 1993

REGISTRATION

1. In this Regulation, "preceptor" means a pharmacist acting as a teacher of a registered pharmacy student or intern in a practical training program approved by the Council. O. Reg. 838/93, s. 1.

2.—(1) The following are requirements and qualifications for the issuing of a certificate of registration:

1. The applicant must complete and file with the Registrar an application, in a form supplied by the Registrar, within three years after receiving the degree referred to in paragraph 2 or within two years of last practising as a registered or licensed pharmacist for a continuous period of twelve months in any jurisdiction in a pharmacy or in a hospital.
2. The applicant must have a degree of Bachelor of Science in Pharmacy from the University of Toronto or such other degree as the Council considers equivalent to that degree or a degree in pharmacy as is required for the holder of the degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada.
3. The applicant must successfully complete an examination in pharmaceutical jurisprudence approved by the Council.
4. The applicant must hold a certificate of qualification issued by the Pharmacy Examining Board of Canada.
5. The applicant must have completed,
 - i. forty-eight weeks of in-service training approved by the Council, in accordance with the Council's written policies, while registered as a registered pharmacy student or intern, or
 - ii. other training outside Ontario of such duration and content as the Council considers equivalent to the training required under subparagraph i.
6. The applicant must be able to speak and write in English or French with reasonable fluency.
7. The applicant must provide an affidavit stating that the name of the applicant has not been removed from a pharmacy register in any jurisdiction, that the applicant has not been convicted of an offence under any Act regulating the practice of pharmacists or relating to the sale of drugs and that there are no current proceedings against the applicant for professional misconduct or incapacity, or for an alleged breach of any Act regulating the practice of pharmacists or relating to the sale of drugs, or any other criminal offence.
8. The applicant must be a Canadian citizen or must hold an immigrant visa or an employment visa under the *Immigration Act* (Canada).
9. The applicant must pay the initial registration fee prescribed by regulation.
10. The applicant must pay the annual fee for a pharmacist prescribed by regulation.

(2) It is a condition of a certificate of registration that the name of the applicant has not been removed from a pharmacy register in any jurisdiction, that the applicant has not been convicted of an offence under any Act regulating the practice of pharmacists or relating to the

sale of drugs and that there are no current proceedings against the applicant for professional misconduct or incapacity, or for an alleged breach of any Act regulating the practice of pharmacists or relating to the sale of drugs, or any other criminal offence. O. Reg. 838/93, s. 2.

3. The following are requirements for registration as a registered pharmacy student:

1. The applicant must be able to speak and write in English or French with reasonable fluency.
 2. The applicant must produce evidence that he or she,
 - i. has been accepted as a student in the Faculty of Pharmacy of the University of Toronto,
 - ii. has been accepted as a student in pharmacy at a university whose degree is considered by the Registration Committee to be equivalent to the degree of Bachelor of Science in Pharmacy from the University of Toronto, or
 - iii. has obtained a degree in pharmacy in a jurisdiction other than Ontario and has been required or permitted by the Registration Committee to complete a period of in-service training.
 3. The applicant must produce evidence in a form satisfactory to the Registrar that he or she has been accepted by a preceptor.
 4. The applicant must pay the registration fee prescribed by regulation.
 5. The applicant must apply in writing on a form supplied by the Registrar. O. Reg. 838/93, s. 3.
4. Every registered pharmacy student shall be registered as an intern if he or she,
- (a) has been granted the degree of Bachelor of Science in Pharmacy by the University of Toronto or such other degree the Registration Committee considers equivalent to it or a degree in pharmacy with such additional training as is required for the holder of the degree to become eligible to write the examinations of the Pharmacy Examining Board of Canada;
 - (b) has satisfactorily completed thirty-two weeks of in-service training approved by Council, in accordance with the Council's written policies, or such period of training as established by the Registration Committee;
 - (c) has paid the fee prescribed by regulation; and
 - (d) applies in writing on a form supplied by the Registrar. O. Reg. 838/93, s. 4.

5.—(1) The registration of a registered pharmacy student or intern shall be revoked if,

- (a) he or she fails within one year after registration as a registered pharmacy student to commence the courses of study leading to the degree of Bachelor of Science in Pharmacy from the University of Toronto or equivalent degree elsewhere;
- (b) he or she fails to attend the courses of study referred to in clause (a) for two consecutive years after having commenced them;
- (c) for any reason, he or she is refused readmission to a course of study;
- (d) he or she fails, within two years after obtaining the degree of Bachelor of Science in Pharmacy from the University of Toronto to complete his or her in-service training; or
- (e) he or she fails to complete the required in-service training within three years after having commenced such training.

(2) If the registration of a registered pharmacy student or intern is revoked in circumstances caused by accident, illness or other cause beyond his or her control, the Registration Committee may, upon application by the student or intern, restore the registration. O. Reg. 838/93, s. 5.

6.—(1) A registered pharmacy student shall complete in-service training under a preceptor for a term of not less than forty-eight weeks of training or training outside Ontario of such duration and content as the Council considers equivalent.

(2) The student shall serve as an intern for a portion of the training after having been granted the degree of Bachelor of Science in Pharmacy by the University of Toronto or such other degree as the Registration Committee considers equivalent.

(3) A preceptor shall not undertake the in-service training of more than one person at any one time unless authorized by the Registration Committee.

(4) Every preceptor shall, upon completion of the term of in-service training of a pharmacy student or intern or upon termination of the training for any cause, furnish the College on behalf of the registered pharmacy student or intern with a declaration of training on a form that shall be supplied by the Registrar.

(5) The Registrar shall issue to every registered pharmacy student and every intern a certificate of registration as a registered pharmacy student or intern and the certificate,

- (a) is evidence of registration as a registered pharmacy student or intern, as the case may be; and
- (b) shall be returned to the Registrar upon request if the registration is revoked. O. Reg. 838/93, s. 6.

7. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE ONTARIO
COLLEGE OF PHARMACISTS:

M. J. MONAGHAN
President

A. J. DUNSDON
Registrar

Dated at Toronto on November 23, 1993.

52/93

ONTARIO REGULATION 839/93
made under the
RESPIRATORY THERAPY ACT, 1991

Made: November 23, 1993
Approved: December 8, 1993
Filed: December 10, 1993

REGISTRATION

1. In this Regulation, "engaged in the practice of respiratory therapy", with respect to a respiratory therapist, means a respiratory therapist who is,

- (a) engaged in direct patient care within the scope of practice of respiratory therapy;
- (b) engaged as an administrator, supervisor or educator in the field of health care;
- (c) engaged in selling respiratory therapy equipment;

- (d) engaged in providing consultations for respiratory and related care, equipment and services; or
- (e) engaged in respiratory care or related research. O. Reg. 839/93, s. 1.

2. The following are prescribed as classes of certificates of registration:

1. General.
2. Graduate.
3. Limited. O. Reg. 839/93, s. 2.

3.—(1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar, together with the application fee.

(2) The application fee is \$75 and is non-refundable. O. Reg. 839/93, s. 3.

4.—(1) It is a requirement for the issuing of a certificate of registration of any class that the applicant pay the prescribed applicable annual fee.

(2) The application fee paid by the member shall be deducted from the fee required under subsection (1) if the applicant applied for the certificate of registration and paid the required fee before section 2 of the *Respiratory Therapy Act, 1991* comes into force. O. Reg. 839/93, s. 4.

5.—(1) The following are requirements for a certificate of registration of any class:

1. The applicant has not been found guilty of a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada).
2. Where the applicant has been registered or licensed in Ontario in another health profession or in another jurisdiction in respiratory therapy or another health profession, the applicant has not been the subject of a finding of professional misconduct, incompetence or incapacity.
3. Where the applicant is registered in Ontario in another health profession or is registered or licensed in another jurisdiction in respiratory therapy or another health profession, the applicant is not the subject of any current professional misconduct, incompetence or incapacity proceeding.
4. The applicant is able to speak and write in either English or French with reasonable fluency.
5. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of respiratory therapy.

(2) The applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 839/93, s. 5.

6. The following are conditions of a certificate of registration of any class:

1. The member shall provide the College with the details of any of the following that relate to the member and that occur or arise after the registration of the member,
 - i. a finding of guilt in relation to a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada),
 - ii. a finding of professional misconduct, incompetence or incapacity in Ontario in relation to another health

profession or in another jurisdiction in relation to respiratory therapy or another health profession, or

- iii. a proceeding for professional misconduct, incompetence or incapacity, in Ontario in relation to another profession or in another jurisdiction in relation to respiratory therapy or another health profession.
2. The member shall provide the College with satisfactory evidence of attainment of one of the following,
 - i. at least five credits per year in the Continuing Education Recognition for Respiratory Therapists program established and operated by the Canadian Society of Respiratory Therapists, including three credits in category II - Education, and at least 0.5 credits over each four-year period, commencing with the member's registration, in the Continuing Education Recognition for Respiratory Therapists program, in category I - Employment, or
 - ii. credits comparable to those in subparagraph i earned in a program of continuing education and employment recognition credits approved by the Council as equivalent to the program established and operated by the Canadian Society of Respiratory Therapists.
 3. Where the member fails to provide the College with satisfactory evidence of attainment of the requirements in subparagraph i or ii of paragraph 2, the member shall not engage in practice unless the member successfully completes the examination set or approved by the Council or a refresher program approved by the Council.
 4. The member shall provide the College with satisfactory evidence of professional liability insurance coverage in the amounts and coverages set out in the policies of the College. O. Reg. 839/93, s. 6.

7.—(1) The following are additional requirements for a General certificate of registration:

1. One of the following,
 - i. successful completion of a diploma respiratory therapy program in Canada that, at the time of completion, was approved by the Conjoint Committee for the Accreditation of Educational Programs in Respiratory Therapy, or
 - ii. successful completion of a program for training respiratory therapists that is considered by the Council to be equivalent to the program referred to in subparagraph i and registration or licensure as a respiratory therapist in another jurisdiction.
2. The applicant must have successfully completed the examination of the Canadian Board of Respiratory Care or, before September 1990, the examination of the Canadian Society of Respiratory Therapists, or such other examination or examinations as may be approved by the Council as equivalent to it.
3. The applicant must have engaged in the practice of respiratory therapy within the four years immediately preceding the application for registration.

(2) The requirements in paragraphs 1 and 2 of subsection (1) are non-exemptible.

(3) The requirement in paragraph 3 of subsection (1) does not apply to an applicant who has completed a program referred to in paragraph 1 of subsection (1) within the three years immediately preceding the application. O. Reg. 839/93, s. 7.

8.—(1) The following are additional requirements for a Graduate certificate of registration:

1. One of the following,
 - i. successful completion of a diploma respiratory therapy program in Canada that, at the time of completion, was approved by the Conjoint Committee for the Accreditation of Educational Programs in Respiratory Therapy, or
 - ii. successful completion of a program for training respiratory therapists that is considered by the Council to be equivalent to the program referred to in subparagraph i and, where there is an examination for credentialing respiratory therapists in the jurisdiction in which the program is located, eligibility to write the examination.
2. The applicant completed the program referred to in subparagraph i or ii of paragraph 1 within the twelve months immediately preceding the application.

(2) The requirements in paragraph 1 of subsection (1) are non-exemptible.

(3) A Graduate certificate of registration is automatically revoked eighteen months after the date it was issued.

(4) A member who holds a Graduate certificate shall be issued a General certificate of registration if, within eighteen months after the date the Graduate certificate was issued, the member successfully completes the examination referred to in paragraph 2 of subsection 7 (1) and the member satisfies the requirements in section 5. O. Reg. 839/93, s. 8.

9.—(1) The following are additional requirements for a Limited certificate of registration:

1. The application is made within nine months after section 2 of the *Respiratory Therapy Act, 1991* comes into force.
2. The applicant does not satisfy the additional requirements for a General certificate of registration listed in subsection 7 (1) or for a Graduate certificate of registration listed in subsection 8 (1).
3. The applicant has worked as a respiratory therapist providing direct patient care in Ontario within the two years before section 2 of the *Respiratory Therapy Act, 1991* comes into force.

(2) A Limited certificate of registration is subject to the terms, conditions and limitations specified on it.

(3) A member who holds a Limited certificate of registration shall be issued a General certificate of registration if, within twenty months after the date the Limited certificate was issued, the member successfully completes the examination referred to in paragraph 2 of subsection 7 (1) and the member satisfies the requirements of section 5.

(4) A member who holds a Limited certificate and who fails to obtain a General certificate in accordance with subsection (3) shall be eligible for a General certificate if the member satisfies the requirements of sections 5 and 7. O. Reg. 839/93, s. 9.

10.—(1) A member may become an inactive member if,

- (a) the member holds a general or limited certificate of registration and has held it for at least one year;
- (b) the member notifies the Registrar of the intention to become an inactive member and pays the required annual fee before March 1 of that year; and
- (c) the member is not in default of any fee, penalty or other amount owed to the College.

(2) A member who holds a certificate of registration of an inactive member is subject to the following conditions:

- 1. The member shall not engage in the practice of respiratory therapy.
- 2. The member is not eligible to be elected to the Council or to a committee.
- (3) An inactive member may become an active member if,
 - (a) the member notifies the Registrar of the intention to become an active member and pays the required annual fee; and
 - (b) the member is not in default of any fee, penalty or other amount owed to the College. O. Reg. 839/93, s. 10.

11.—(1) A member who holds a General certificate of registration shall use the title Registered Respiratory Therapist.

(2) A member who holds a Graduate certificate of registration shall use the title Graduate Respiratory Therapist.

(3) A member who holds a Limited certificate of registration shall use the title Practical Respiratory Therapist. O. Reg. 839/93, s. 11.

12. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF RESPIRATORY THERAPISTS OF ONTARIO:

DIANE THOMPSON
Chair

MARGARET CARTER
Vice-Chair

Dated at Toronto on November 23, 1993.

52/93

ONTARIO REGULATION 840/93
made under the
CONSOLIDATED HEARINGS ACT

Made: December 8, 1993
Filed: December 10, 1993

Amending Reg. 171 of R.R.O. 1990
(Aggregate Resources Act)

Note: Regulation 171 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 2 of Regulation 171 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:

- (c) the proposed undertaking, including all alternatives to it, by Ambro Inc. to operate a sand and gravel pit on part of lots 13, 14 and 15, Concession 5, W.H.S., Town of Caledon.

52/93

ONTARIO REGULATION 841/93
made under the
GAME AND FISH ACT

Made: December 8, 1993
Filed: December 10, 1993

Amending Reg. 502 of R.R.O. 1990
(Hunting on Designated Crown Land and
in Provincial Parks)

Note: Since January 1, 1993, Regulation 502 has been amended by Ontario Regulations 283/93 and 387/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Clause 24 (b) of Regulation 502 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (b) from the first day of the open season therefor or from September 15 in any year, whichever occurs later, to and including the last day of the open season therefor, in an area described in Schedules 12, 13, 17, 20 to 30, 32 to 43 and 45 to 67,

2. The Regulation is amended by adding the following Schedules:

Schedule 40

Bonnechere River Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 42

Kawartha Highlands Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 45

Lake St. Peter Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 46

MISSINAIBI PROVINCIAL PARK

Excepting that part situate in the Chapleau Crown Game Preserve. O. Reg. 841/93, s. 2, part.

Schedule 47

Steel River Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 48

Sturgeon River Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 49

Turtle River Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 50

Obabika River Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 51

Solace Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 52

Little Current River. O. Reg. 841/93, s. 2, part.

Schedule 53

Albany River Provincial Park. O. Reg. 841/93, s. 2, part.

Schedule 54

Biscotasi Lake Provincial Park.

O. Reg. 841/93, s. 2, *part.*ONTARIO REGULATION 842/93
made under the
GAME AND FISH ACTMade: December 8, 1993
Filed: December 10, 1993

Schedule 55

Black Creek Provincial Park.

O. Reg. 841/93, s. 2, *part.*Amending Reg. 509 of R.R.O. 1990
(Open Seasons—Black Bear)

Schedule 56

Blackstone Harbour Provincial Park.

O. Reg. 841/93, s. 2, *part.*

Note: Regulation 509 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

Schedule 57

Brightsand River Provincial Park.

O. Reg. 841/93, s. 2, *part.***1. Section 5 of Regulation 509 of the Revised Regulations of Ontario, 1990 is revoked.**

52/93

Schedule 58

Dana-Jowsey Lakes Provincial Park.

O. Reg. 841/93, s. 2, *part.*ONTARIO REGULATION 843/93
made under the
GAME AND FISH ACTMade: December 8, 1993
Filed: December 10, 1993

Schedule 59

Fawn River Provincial Park.

O. Reg. 841/93, s. 2, *part.*Amending Reg. 512 of R.R.O. 1990
(Open Seasons—Moose and Deer)

Schedule 60

Kopka River Provincial Park.

O. Reg. 841/93, s. 2, *part.*

Note: Since January 1, 1993, Regulation 512 has been amended by Ontario Regulation 355/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

Schedule 61

La Motte Lake Provincial Park.

O. Reg. 841/93, s. 2, *part.***1. Item 34 of Schedule 3 to Regulation 512 of the Revised Regulations of Ontario, 1990 is amended by striking out "No person shall use or be accompanied by a dog" in Column 4.**

52/93

Schedule 62

La Verendrye River Provincial Park.

O. Reg. 841/93, s. 2, *part.*ONTARIO REGULATION 844/93
made under the
GAME AND FISH ACTMade: December 8, 1993
Filed: December 10, 1993

Schedule 63

Otoskwin-Attawapiskat River Provincial Park.

O. Reg. 841/93, s. 2, *part.*Amending Reg. 530 of R.R.O. 1990
(Wildlife Management Units)

Schedule 64

Ottawa River Provincial Park.

O. Reg. 841/93, s. 2, *part.*

Note: Since January 1, 1993, Regulation 530 has been amended by Ontario Regulations 68/93 and 411/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The description of Wildlife Management Unit 93B, set out in the Schedule to Regulation 530 of the Revised Regulations of Ontario, 1990, is amended by striking out "Howard" in the third line and substituting "Harwich".

Schedule 65

Pipestone River Provincial Park.

O. Reg. 841/93, s. 2, *part.*

52/93

ONTARIO REGULATION 845/93
made under the
PROVINCIAL PARKS ACTMade: December 8, 1993
Filed: December 10, 1993

Schedule 66

Severn River Provincial Park.

O. Reg. 841/93, s. 2, *part.*Amending Reg. 952 of R.R.O. 1990
(General)

Schedule 67

Upper Madawaska River Provincial Park.

O. Reg. 841/93, s. 2, *part.*

Note: Since January 1, 1993, Regulation 952 has been amended by Ontario Regulations 284/93 and 285/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

52/93

1. Subclause 27 (2) (a) (iii) of Regulation 952 of the Revised

Regulations of Ontario, 1990 is revoked and the following substituted:

- (iii) with an engine rating not exceeding 10 horsepower on Cauchon Lake, Cauliflower Lake, Grand Lake, Joe Lake, Manitou Lake (formerly called Wilkes Lake), Madawaska Lake, Lake Traverse, Little Joe Lake, North Tea Lake, Radiant Lake, Rain Lake or Tepec Lake, and

52/93

ONTARIO REGULATION 846/93
made under the
WILDERNESS AREAS ACT

Made: December 8, 1993
Filed: December 10, 1993

Amending Reg. 1098 of R.R.O. 1990
(Wilderness Areas)

Note: There are no prior amendments to Regulation 1098.

1. Subsections 1 (2) and (3) of Regulation 1098 of the Revised Regulations of Ontario, 1990 are revoked.

2. Schedules 9, 13, 14 and 15 to the Regulation are revoked.

52/93

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1994—01—01

ONTARIO REGULATION 847/93 made under the PLANNING ACT

Made: December 13, 1993
Filed: December 14, 1993

CRITERIA—POWER OF SALE

1.—(1) No approval shall be given by a council under subsection 50 (18) of the Act unless the approval conforms with,

- (a) any official plan in effect in the municipality; and
- (b) the zoning by-law of the municipality, if any.

(2) Subsection (1) does not apply if the land to which the foreclosure or power of sale relates is,

- (a) the identical parcel of land which has been the subject of a consent to convey given under clause 50 (3) (f) or 5 (f) of the Act and the consent did not stipulate that subsection 50 (3) or (5) of the Act applies to any subsequent conveyance or transaction; or
- (b) the whole of the remaining part of a parcel of land, the other parts of which parcel have been the subject of a consent to convey given under clause 50 (3) (f) or 5 (f) of the Act and the consent did not stipulate that subsection 50 (3) or (5) of the Act applies to any subsequent conveyance or transaction. O. Reg. 847/93, s. 1.

ED PHILIP
Minister of Municipal Affairs

Dated at Toronto on December 13, 1993.

1/94

ONTARIO REGULATION 848/93 made under the PLANNING ACT

Made: December 13, 1993
Filed: December 14, 1993

CRITERIA—VALIDATION OF TITLE

1.—(1) In considering whether to issue a certificate under section 57 of the Act, council shall have regard to the matters described under subsection 51 (4) of the Act.

(2) No certificate under section 57 of the Act shall be issued by a council unless the certificate conforms with,

- (a) any official plan in effect in the municipality; and

- (b) the zoning by-law of the municipality, if any. O. Reg. 848/93, s. 1.

ED PHILIP
Minister of Municipal Affairs

Dated at Toronto on December 13, 1993.

1/94

ONTARIO REGULATION 849/93 made under the LOCAL SERVICES BOARDS ACT

Made: December 5, 1993
Filed: December 15, 1993

Amending Reg. 737 of R.R.O. 1990
(Local Services Boards)

Note: Since January 1, 1993, Regulation 737 has been amended by Ontario Regulations 147/93, 148/93, 189/93, 291/93 and 481/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 23 (4) of Regulation 737 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2, 5 and 6 of the Schedule to the Act. O. Reg. 849/93, s. 1.

2. Subsection 28 (4) of the Regulation is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2, 3, 4, 5 and 6 of the Schedule to the Act. O. Reg. 849/93, s. 2.

3. The Schedule to section 47.1 of the Regulation is amended by striking out "II" in the second line of the twelfth paragraph and substituting "III".

SHELLEY MARTEL
Minister of Northern Development and Mines

Dated at Sudbury on December 5, 1993.

1/94

ONTARIO REGULATION 850/93 made under the INSURANCE ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 664 of R.R.O. 1990
(Automobile Insurance)

Note: Since January 1, 1993, Regulation 664 has been amended by Ontario Regulations 780/93 and 823/93. There are no prior amendments.

1. Section 11 of Regulation 664 of the Revised Regulations of Ontario, 1990 is amended by striking out "\$50" in the first line and substituting "\$100".

2. Section 13 of the Regulation is amended by striking out "\$100" in the second line and substituting "\$250".

3. This Regulation comes into force on January 1, 1994.

1/94

ONTARIO REGULATION 851/93
made under the
ENVIRONMENTAL PROTECTION ACT

Made: December 15, 1993

Filed: December 16, 1993

Amending Reg. 356 of R.R.O. 1990
(Ozone Depleting Substance—General)

Note: Regulation 356 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Sections 22, 23, 24, 27, 29, 30, 31 and 32 of Regulation 356 of the Revised Regulations of Ontario, 1990 are amended by striking out "mentioned in subsection 25 (3)" wherever it appears and substituting in each case "mentioned in Table 1".

2.—(1) Section 25 of the Regulation is amended by striking out "mentioned in subsection (3)" wherever it appears and substituting in each case "mentioned in Table 1".

(2) Subsection 25 (5) of the Regulation is revoked.

3. The Regulation is amended by adding the following section:

25.1 Subject to subsection 24 (2) and despite subsections 24 (1) and 25 (3), a person may use an ozone depleting substance in making rigid insulation foam of the type mentioned in item 5 of Table 1 in 1993, 1994 and 1995, if the ratio of the total amount by weight of ozone depleting substances used by the person in the year to the total amount by weight of that type of foam made by the person in the year does not exceed the ratio for the person's reference year. O. Reg. 851/93, s. 3.

4. Subsection 26 (4) of the Regulation is amended by striking out "the Table to subsection 25 (3)" in the third line and substituting "Table 1".

5. Section 28 of the Regulation is amended by,

(a) striking out "mentioned in subsection 25 (3)" in the second line and substituting "mentioned in Table 1"; and

(b) striking out "from 1990 to 1993" in the third line and substituting "after 1989".

1/94

ONTARIO REGULATION 852/93
made under the
CHIROPRACTIC ACT, 1991

Made: November 27, 1993
Approved: December 15, 1993
Filed: December 16, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND THE CARE OF,
AND RELATIONSHIP WITH, PATIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Contravening a standard of practice of the profession or failing to maintain the standard of practice expected of members of the profession.
3. Doing anything to a patient for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
4. Delegating a controlled act contrary to the Act or the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
5. Abusing a patient verbally, physically, psychologically or emotionally.
6. Practising the profession while the member's ability to do so is impaired by any substance.
7. Discontinuing professional services that are needed unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient is given a reasonable opportunity to arrange alternative services.
8. Discontinuing professional services contrary to the terms of an agreement between the member and a hospital, nursing home or other facility or agency that provides health services to the public unless,
 - i. the discontinuation is requested by the hospital, nursing home or other facility or agency,
 - ii. alternative services are arranged, or
 - iii. a reasonable opportunity to arrange alternative services is provided.
9. Practising the profession while the member is in a conflict of interest.
10. Giving information about a patient to a person other than the patient, his or her authorized representative, or the member's legal counsel or insurer, except with the consent of the patient or his or her authorized representative or as required or allowed by law.
11. Breaching an agreement with a patient relating to professional services for the patient or fees for such services.
12. Failing to reveal the nature of a remedy or treatment used by the member following a patient's request to do so.
13. Failing to advise a patient to consult with another health professional when the member knows or ought to know that,
 - i. the patient's condition is beyond the scope of practice and competence of the member,
 - ii. the patient requires the care of another health professional, or
 - iii. the patient would be most appropriately treated by another health professional.
14. Providing a diagnostic or therapeutic service that is not necessary.

7. If the member practises under a practice name, he or she shall,
- notify the College in writing of the name of every member who engages in practice under the practice name and whether as a principal member or an associated member;
 - use a practice name that is reasonably referable to and describes the location of the practice or that has been approved by the Executive Committee; and
 - notify the College in writing of any change in the members who practise under the practice name within thirty days of the change. O. Reg. 853/93, s. 7.

8.—(1) A member shall not use a term, title or designation indicating specialization in dentistry or representing to the public that the member is a specialist or is specially qualified in a branch of dentistry or restricts his or her practice to a branch of dentistry, unless the member holds a specialty certificate authorizing practice in the appropriate specialty.

(2) This does not prevent a member who does not hold a specialty certificate from representing that he or she limits his or her practice to a branch of dentistry if the member clearly indicates at the same time that the member is a general practitioner. O. Reg. 853/93, s. 8.

9.—(1) A member shall not use a term, title or designation indicating specialization in any aspect or branch of dentistry other than those branches of dentistry set out in Column 2 of the Table.

(2) A member who holds a specialty certificate authorizing practice in the branch of dentistry set out in Column 2 of the Table shall not use a title indicating specialization other than the corresponding title referred to in Column 1 of the Table. O. Reg. 853/93, s. 9.

10. This Regulation comes into force on the day section 2 of the Act comes into force.

TABLE

COLUMN 1	COLUMN 2
Title	Branch of Dentistry
endodontist	endodontics
oral and maxillofacial surgeon	oral and maxillofacial surgery
oral pathologist	oral pathology
oral radiologist	oral radiology
orthodontist	orthodontics
paediatric dentist	paediatric dentistry
periodontist	periodontics
prosthodontist	prosthodontics
public health dentist	public health dentistry

O. Reg. 853/93, Table.

TRANSITIONAL COUNCIL OF THE ROYAL COLLEGE
OF DENTAL SURGEONS OF ONTARIO:

RICHARD M. BEYERS
President

ROGER L. ELLIS
Registrar

Dated at Toronto on November 30, 1993.

ONTARIO REGULATION 854/93

made under the
DENTURISM ACT, 1991

Made: December 2, 1993
Approved: December 15, 1993
Filed: December 16, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND RELATIONSHIP WITH, PATIENTS

- Failing to abide by any term, condition or limitation imposed on the member's certificate of registration.
- Failing to maintain the standards of practice of the profession.
- Delegating a controlled act except to a student,
 - attending a course of study at an institution recognized by the Registration Committee leading to a diploma in denture therapy or denturism, and
 - acting under the personal supervision of a member.
- Abusing a patient verbally or physically.
- Practising the profession while the member's ability to do so is impaired by alcohol, drugs or any other substance.
- Discontinuing denturist services to a patient without adequate reason unless,
 - the member has entered into an agreement to provide denturist services and the period specified in the agreement has expired, or the member has given the patient five working days' notice of the member's intention to discontinue the services agreed upon,
 - the services are no longer required,
 - the patient requests the discontinuation,
 - the patient has had a reasonable opportunity to arrange for the services of another member, or
 - alternative services are arranged.
- Failing to fulfil the terms of an agreement with a patient, except in accordance with paragraph 6.
- Practising the profession while the member is in a conflict of interest.
- Giving confidential information about a patient to a person other than the patient or his or her authorized representative except with the consent of the patient or his or her authorized representative or as required by law.
- Making a misrepresentation to a patient including a misrepresentation respecting a remedy, treatment, device or procedure.
- Performing a controlled act that has been delegated to the member unless the delegation is authorized by the regulations.
- Using or having in the member's office premises dental instruments or equipment, other than instruments or equipment appropriate to the practice of denturism, unless,

- i. a dental surgeon practises dentistry in the same office premises, or
 - ii. the member has obtained the consent of the Executive Committee.
13. Using or having in the member's office a drug as defined in clause 113 (1) (d) of the *Drug and Pharmacies Regulation Act* other than,
- i. drugs or anaesthetics prescribed for the personal use of the member, or
 - ii. drugs in the exclusive custody of a dental surgeon practising dentistry in the same office premises.
14. Failing to refer to a dental surgeon or a physician a patient who has an apparent intra oral condition that the member recognizes or ought to recognize is outside the scope of practice of denturism.
15. Permitting, assisting or counselling any person to perform a controlled act except in accordance with the *Regulated Health Professions Act, 1991*, an act listed in Schedule 1 to that Act and the regulations under those Acts.
16. Practising denturism in a public place or in a vehicle or other movable contrivance without the approval of the Executive Committee.
17. Recommending or providing unnecessary denturist services.

REPRESENTATIONS ABOUT MEMBERS AND THEIR QUALIFICATIONS

18. Using a term, title or designation other than one authorized by the Act or the regulations, or as provided in section 2.

RECORD KEEPING AND REPORTS

19. Failing to maintain records as required by the regulations.
20. Falsifying a record of the examination or treatment of a patient or otherwise relating to the member's practice.
21. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within thirty days of a request from the patient or his or her authorized representative.
22. Signing or issuing, in the member's professional capacity, a document that the member knows or ought to know is false or misleading.
23. Failing to make arrangements with a patient for the transfer of the patient's records when,
- i. the member ceases practice, or
 - ii. the patient requests the transfer.

BUSINESS PRACTICES

24. Submitting an account or charge for services that the member knows or ought to know is false or misleading.
25. Failing to disclose all relevant fees before providing services when requested to do so by the patient.
26. Charging a fee that is excessive or unreasonable in relation to the services performed.
27. Failing to itemize an account for professional services, using terminology understandable to a patient,

- i. if requested to do so by the patient or the person or agency who is to pay, in whole or in part, for the services, or
 - ii. if the account includes a commercial laboratory fee.
28. Failing to issue a receipt when requested to do so.
29. Selling or assigning any debt owed to the member for professional services, but a member may retain an agent to collect unpaid accounts and may accept payment for professional services by a credit card.
30. Failing, while providing denturist services, to carry professional liability insurance in the minimum amount of \$ 1,000,000 or failing, when requested by the College, to provide proof of carrying such insurance.
31. Accepting an amount in full payment of a fee or account that is less than the amount submitted by or on behalf of the member to a third party payer unless the member has made reasonable efforts to collect the balance or has obtained the written consent of the third party payer.
32. Contacting or communicating, directly or indirectly, with a person, either in person or by telephone, in an attempt to solicit patients.

MISCELLANEOUS

33. Contravening by act or omission the Act, the *Regulated Health Professions Act, 1991*, or the regulations under either of those Acts.
34. Contravening a federal, provincial or territorial law or a municipal by-law relevant to the member's suitability to practise.
35. Influencing a patient to change his or her will or other testamentary instrument.
36. Directly or indirectly benefiting from the practice of denturism while the member's certificate of registration is suspended unless full disclosure is made by the member to the College of the nature of the benefit to be obtained and prior approval is obtained from the Executive Committee.
37. Participating in an arrangement that would result in a member or former member committing the act of misconduct described in paragraph 36.
38. Failing to abide by a written undertaking given by the member to the College or failing to carry out an agreement entered into with the College.
39. Failing to attend an oral caution of the Complaints Committee or an oral reprimand of the Discipline Committee.
40. Failing to co-operate with a representative of the College upon production of an appointment in accordance with section 76 of the Health Professions Procedural Code and to provide access to and copies of all records, documents and things that are relevant to the investigation.
41. Failing to co-operate with a representative of another College upon production of an appointment in accordance with section 76 of the Health Professions Procedural Code and to provide access to and copies of all records, documents and things that are relevant to the investigation.
42. Failing to permit entry at a reasonable time and to co-operate with an authorized representative of the College conducting an inspection and examination of the member's office, records, equipment or practice.
43. Failing to take all reasonable steps to ensure that any informa-

tion provided by or on behalf of the member to the College is accurate.

44. Failing to reply appropriately in writing within thirty days to any written communication from the College that requests a response.
45. Failing to pay a fee or amount owed to the College after reasonable notice of the payment due has been given to the member.
46. Where a member engages in the practice of denturism with another member, failing to prevent another member from committing an act of professional misconduct or incompetence unless the member did not know and, in the exercise of reasonable diligence, would not have known of the other member's misconduct or incompetence.
47. Engaging in conduct or performing an act, relevant to the practice of denturism, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, unethical or unprofessional. O. Reg. 854/93, s. 1.

2.—(1) A member shall not use a name or title other than his or her name as set out in the register in the course of providing or offering to provide denturist services, unless the name or title,

- (a) reasonably refers to and describes the location of the practice;
- (b) has been approved by the Executive Committee; and
- (c) is accompanied by the name of the member, as set out in the register.

(2) When a member practises denturism in association or in partnership with one or more other members and uses a name or title approved under subsection (1), the member shall notify the College within thirty days of a change in the association or partnership. O. Reg. 854/93, s. 2.

3. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTURISTS OF ONTARIO:

BRIAN E. MONK
Chair

PATRICIA A. CLARK
Registrar

Dated at Toronto on December 2, 1993.

1/94

ONTARIO REGULATION 855/93
made under the
MEDICAL RADIATION TECHNOLOGY
ACT, 1991

Made: November 25, 1993
Approved: December 15, 1993
Filed: December 16, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

1. Failing to comply with the conditions or limitations in the member's certificate of registration.
2. Holding out that the member has special qualifications not possessed by the member.
3. Inappropriately using a term, title or designation in respect of the member's practice.

4. Inappropriately using a term, title or designation indicating a specialization in the profession.
5. Contravening the regulations respecting conflicts of interest.
6. Practising the profession while the member's ability to do so is impaired by any substance.
7. Giving information about a patient to any person except as required or allowed by law or except to facilitate diagnosis or treatment of a patient.
8. Using a name, other than the member's name as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession.
9. Falsifying a record relating to the member's practice.
10. Abusing any person with whom the member comes into contact in the course of practising the profession.
11. Carelessly, negligently or unskilfully using ionizing radiation.
12. Failing to maintain the standards of practice of the profession.
13. Failing to keep records as required by the regulations.
14. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
15. Contravening a federal, provincial or territorial law, a municipal by-law, or a by-law or rule of a hospital within the meaning of the *Public Hospitals Act* if,
 - i. the purpose of the law, by-law or rule is to protect public health, or
 - ii. the contravention is relevant to the member's suitability to practice.
16. Influencing a patient to change a will or other testamentary instrument.
17. Engaging in conduct or performing an act in the course of practising the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
18. Doing anything to a patient for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
19. Failing to reveal the nature of a procedure or treatment used by the member following a patient's request to do so to the extent required and permitted by the standards of practice of the profession.
20. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement. O. Reg. 855/93, s. 1.

2. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
Chair

SHARON SABERTON
Registrar

Dated at Toronto on November 25, 1993.

1/94

ONTARIO REGULATION 856/93
made under the
MEDICINE ACT, 1991

Made: December 6, 1993
Approved: December 15, 1993
Filed: December 16, 1993

PROFESSIONAL MISCONDUCT

1.—(1) The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

1. Contravening a term, condition or limitation on the member's certificate of registration.
 2. Failing to maintain the standard of practice of the profession.
 3. Abusing a patient verbally or physically.
 4. Practising the profession while the member's ability is impaired.
 5. Having a conflict of interest.
 6. Prescribing, dispensing or selling drugs for an improper purpose.
 7. Discontinuing professional services that are needed unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient is given a reasonable opportunity to arrange alternative services.
 8. Failing to fulfil the terms of an agreement for professional services.
 9. Performing a professional service for which consent is required by law without consent.
 10. Giving information concerning the condition of a patient or any services rendered to a patient to a person other than the patient or his or her authorized representative except with the consent of the patient or his or her authorized representative or as required by law.
 11. Sharing fees with a person who has referred a patient or receiving fees from any person to whom a member has referred a patient or requesting or accepting a rebate or commission for the referral of a patient.
 12. Failing to reveal the exact nature of a secret remedy or treatment used by the member following a proper request to do so.
 13. Making a misrepresentation respecting a remedy, treatment or device.
 14. Making a claim respecting the utility of a remedy, treatment, device or procedure other than a claim which can be supported as reasonable professional opinion.
 15. Using a name other than the member's name as set out in the register in the course of providing or offering to provide services within the scope of practice of the profession.
 16. Falsifying a record relating to the member's practice.
 17. Failing without reasonable cause to provide a report or certificate relating to an examination or treatment performed by the member to the patient or his or her authorized representative within a reasonable time after the patient or his or her authorized representative has requested such a report or certificate.
 18. Signing or issuing, in the member's professional capacity, a document that the member knows or ought to know is false or misleading.
 19. Refusing to perform a medically necessary service unless all or part of the fee is paid before the service is performed.
 20. Charging a fee for services not performed, but a member may charge for the cancellation of an appointment less than twenty-four hours before the appointment time.
 21. Charging a fee that is excessive in relation to the services performed.
 22. Charging a fee for a service that exceeds the fee set out in the then current schedule of fees published by the Ontario Medical Association without informing the patient, before the service is performed, of the excess amount that will be charged.
 23. Charging a fee for an undertaking to be available to provide services to a specific patient.
 24. Failing to itemize an account for professional services,
 - i. if requested to do so by the patient or the person or agency who is to pay, in whole or in part, for the services, or
 - ii. if the account includes a commercial laboratory fee.
 25. Failing to issue a statement or receipt when requested by a patient or his or her authorized representative.
 26. Selling or assigning any debt owed to the member for professional services, but a member may accept a credit card to pay for professional services and may make a general assignment of debts as collateral for a loan to finance his or her medical practice.
 27. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
 28. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a public hospital if,
 - i. the purpose of the law, by-law or rule is to protect public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
 29. Permitting, counselling or assisting a person who is not a member of the College to perform acts which should be performed by a member.
 30. Failing to respond appropriately or within a reasonable time to a written inquiry from the College.
 31. Influencing a patient to change his or her will or other testamentary instrument in favour of a member.
 32. Being subjected to the withdrawal or restriction of rights or privileges under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada) or the regulations under either of those Acts, unless by the member's own request.
 33. An act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
 34. Conduct unbecoming a physician.
- (2) Despite paragraph 10 of subsection (1), it is not professional misconduct for a member to give information about a patient, including access to the patient's records,

- (a) to a practitioner of a health profession for the purpose of providing care to the patient; or
- (b) to a person for the purpose of research or health administration or planning if the member reasonably believes that the person will take reasonable steps to protect the identity of the patient.

(3) A member shall be deemed to have committed an act of professional misconduct if the governing body of a health profession in a jurisdiction other than Ontario has made a finding of incompetence or professional misconduct or a similar finding against the member, and the finding is based on facts which would, in the opinion of the College, be grounds for a finding of incompetence as defined in section 52 of the Code or would be an act of professional misconduct as defined in subsection (1).

(4) A member shall be deemed to have committed an act of professional misconduct if,

- (a) the governing body of a health profession in a jurisdiction other than Ontario has provided records to the College evidencing that an allegation of professional misconduct or incompetence or a similar allegation has been made against the member and he or she has entered into an agreement or compromise with the governing body in order to settle the matter without a finding of misconduct or incompetence or a similar finding being made;
- (b) the College is satisfied that the records are authentic, accurate and complete; and
- (c) the act or omission that is the subject of the allegation would, in the opinion of the College, be an act of professional misconduct as defined in subsection (1), or would constitute incompetence as defined in section 52 of the Code. O. Reg. 856/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PHYSICIANS AND SURGEONS OF ONTARIO:

GARY G. JOHNSON
President

MICHAEL E. DIXON
Registrar

Dated at Toronto on December 6, 1993.

1/94

ONTARIO REGULATION 857/93
made under the
MEDICINE ACT, 1991

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 856/93
(Professional Misconduct)

Note: There are no prior amendments to Ontario Regulation 856/93.

1.—(1) Paragraph 23 of subsection 1 (1) of Ontario Regulation 856/93 is revoked and the following substituted:

- 23. Charging a block or annual fee, which is a fee charged for services that are not insured services as defined in section 1 of the *Health Insurance Act* and is a set fee regardless of how many services are rendered to a patient.
- 23.1 Charging a fee for an undertaking not to charge for a service or class of services.

23.2 Charging a fee for an undertaking to be available to provide services to a patient.

(2) Section 1 of the Regulation is amended by adding the following subsection:

(2.1) Paragraphs 23, 23.1 and 23.2 of subsection (1) do not apply in a case where a member charges a fee to a third party for a third party service under the *Health Insurance Act*. O. Reg. 857/93, s. 1 (2).

2. This Regulation comes into force on the day section 2 of the Act comes into force.

1/94

ONTARIO REGULATION 858/93
made under the
MIDWIFERY ACT, 1991

Made: November 30, 1993
Approved: December 15, 1993
Filed: December 16, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

**THE PRACTICE OF THE PROFESSION AND THE CARE OF,
AND RELATIONSHIP WITH, CLIENTS**

- 1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
- 2. Contravening a standard of practice of the profession.
- 3. Doing anything to a client for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
- 4. Delegating a controlled act in contravention of the Act, the *Regulated Health Professions Act, 1991*, or the regulations under either of those Acts.
- 5. Abusing a client, physically or verbally, or taking unfair advantage of the position of confidence and authority in relation to a client which the midwife has as a professional.
- 6. Practising the profession while under the influence of any substance, or while suffering from illness or other dysfunction which the member knows or ought to know impairs the member's ability to practise.
- 7. Prescribing, dispensing or selling drugs for an improper purpose.
- 8. Discontinuing professional services that are needed unless,
 - i. the client requests the discontinuation,
 - ii. alternative services acceptable to the client are arranged,
 - iii. there is no longer a relationship of trust and confidence between the midwife and the client and the client is given a reasonable opportunity to arrange alternative services, or
 - iv. the client requests services inconsistent with the standards of practice of the profession and the midwife has adhered to the standard of practice for discontinuing care in such circumstances.
- 9. Discontinuing professional services provided to a community or clientele without reasonable cause, unless adequate notice

- has been given or adequate alternative arrangements for services have been made.
10. Failing without reasonable cause to provide to a client continuity of care as defined in College practice guidelines.
 11. Failing without reasonable cause to provide services to a client during labour and birth in the client's chosen birthplace.
 12. Practising the profession while the member is in a conflict of interest.
 13. Giving information about a client to a person other than the client or his or her authorized representative except with the consent of the client or his or her authorized representative or as required or allowed by law.
 14. Breaching an agreement with a client relating to professional services for the client or fees for such services.
 15. Inappropriately using a term, title or designation in respect of the member's practice.
 16. Using a name other than the member's name as set out in the register, in the course of providing or offering to provide services within the scope of practice of the profession.

RECORD KEEPING AND REPORTS

17. Failing to keep records as required by the regulations.
18. Falsifying a record relating to the member's practice.
19. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time to the client or his or her authorized representative after a client or his or her authorized representative has requested such a report or certificate.
20. Signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement.

BUSINESS PRACTICES

21. Submitting an account or charge for services that the member knows is false or misleading.
22. Charging a fee that is excessive in relation to the services charged for.
23. Failing to inform the client of the fee to be charged for services before the commencement of the services.
24. Charging a fee or accepting payment from a client in respect of a service for which the member has been paid by the Ministry of Health.
25. Charging for midwifery services on a fee for service arrangement.
26. Charging a block fee without specifying,
 - i. the services covered by the fee,
 - ii. the amount of the fee,
 - iii. the arrangements for paying the fee,
 - iv. the rights and obligations of the midwife and the client if the relationship between them is terminated before all the services are provided.
27. Charging a fee, in addition to a block fee described in paragraph 26, for an undertaking to be available to provide services to the client.

28. Failing to itemize an account for professional services, if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services.

MISCELLANEOUS MATTERS

29. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
30. Contravening a federal, provincial, or territorial law, or a municipal by-law so as to prejudice the interests of a client.
31. Influencing a client to change his or her will or other testamentary instrument.
32. Engaging in conduct or performing an act, in the course of practising the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 858/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MIDWIVES OF ONTARIO:

MARY EBERTS
Chair

BRENDA HYATALI
Vice-Chair

Dated at Toronto on November 30, 1993.

1/94

ONTARIO REGULATION 859/93 made under the OPTOMETRY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND RELATIONSHIP WITH, PATIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Exceeding the scope of practice of the profession.
3. Doing anything to a patient for a therapeutic, preventative, palliative, diagnostic, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such a consent.
4. Abusing a patient verbally or physically.
5. Practising the profession while the member's ability to do so is impaired by any substance.
6. Discontinuing professional services that are needed unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged, or
 - iii. the patient is given a reasonable opportunity to arrange alternative services.

A member may discontinue services pending payment of an outstanding account for services already provided, unless the needed services are of an emergency nature.

7. Discontinuing professional services contrary to the terms of an agreement between the member and a hospital within the meaning of the *Public Hospitals Act*.
8. Practising the profession while the member is in a conflict of interest.
9. Breaching an agreement with a patient relating to professional services for the patient or fees for such services.
10. Failing to reveal the exact nature of a secret remedy or treatment used by the member following a patient's request to do so.
11. Making a misrepresentation with respect to a remedy, treatment or device.
12. Treating or attempting to treat an eye or vision system condition which the member recognizes or should recognize as being beyond his or her experience or competence.
13. Failing to refer a patient to a regulated health professional when the member recognizes or should recognize a condition of the eye or vision system that appears to require such referral and examination.
14. Failing to make available to a patient who requests one a written, signed and dated prescription for a subnormal vision device, contact lenses or eyeglasses.
15. Dispensing to a patient a contact lens, other than for diagnostic or emergency purposes, that the member knows or should know is not new.
16. Recommending or providing unnecessary diagnostic or treatment services.
17. Failing to maintain the standards of practice of the profession.
18. Delegating a controlled act in contravention of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
19. Performing a controlled act which has not been delegated to the member in accordance with the regulations.
20. Ordering a person who is under the supervision of a member to perform an act, or supervising an act, in the practice of optometry that is not consistent with the regulations.
21. Permitting, counselling or assisting any person who is not a member to perform an act which should be performed by a member.

REPRESENTATIONS ABOUT MEMBERS AND THEIR QUALIFICATIONS

22. Using a title, term or designation in respect of the member's practice in contravention of section 2.
23. Using in any way with respect to the member's practice the name of another member whose practice the member acquired, after a period of three years from the date of the acquisition.
24. Engaging in the practice of optometry by employment, association, partnership or otherwise in more than three locations or holding out that the member is doing so, without the approval of the Council.
25. Advertising or permitting advertising with respect to the member's practice in contravention of the regulations.

RECORD KEEPING AND REPORTS

26. Giving information concerning the condition of a patient or any services rendered to a patient to a person other than the patient or his or her authorized representative except with the consent of the patient or his or her authorized representative or as required by law.
27. Failing to make and maintain records as required by the regulations.
28. Falsifying a record relating to a member's practice, including records of observations, clinical findings or treatment of patients.
29. Signing or issuing, in the member's professional capacity, a certificate, report or similar document that contains a statement the member knows or should know is false, misleading or otherwise improper, or that withholds statements or information that the member knows or ought to know should be disclosed.
30. Failing, without reasonable cause, to provide within a reasonable time any report or certificate requested by a patient or his or her authorized representative in respect of an examination or treatment provided by the member.
31. Failing to make arrangements with a patient for access to or for transfer of the records of the patient to another member when requested to do so by the patient, or when the member closes an office location or retires from practice.

BUSINESS PRACTICES

32. Submitting an account for services rendered to a patient that the member knows or should know is false or misleading.
33. Charging fees that are excessive or unreasonable in relation to the services performed.
34. Charging a fee for a service that exceeds the fee set out in the schedule of fees published by the Ontario Association of Optometrists at the time the service was rendered without informing the patient, before the service is performed, of the excess amount that will be charged.
35. Failing to issue a statement or receipt to a patient or to a third party responsible for the payment of the account of a patient.
36. Issuing a statement or receipt which does not,
 - i. itemize the services provided and the fees charged,
 - ii. describe the ophthalmic appliances utilized by the member in the performance of the services, or
 - iii. set out the commercial laboratory cost incurred by the member in the provision of the services.
37. Charging or receiving payment for contact lenses, a subnormal vision device or eyeglasses in excess of the commercial laboratory cost incurred by the member in the provision of the service.
38. Charging or receiving more than the amount payable to an insured person under the Ontario Health Insurance Plan for the insured service.
39. Accepting payment in respect of an insured service to an insured person before the member receives notice from the Ontario Health Insurance Plan that the patient has been reimbursed by the Plan, unless the insured person has consented to make the payment on an earlier date.
40. Accepting payment before performing an optometric service that is not an insured service within the meaning of the *Health*

Insurance Act, unless the patient is informed of his or her right to refuse to make payment before the service is performed, and the patient consents to make the payment in advance. This does not apply to the payment of a commercial laboratory fee to be incurred by a member in connection with the service.

41. Accepting a credit card to obtain payment for an optometric service unless the provider of the credit card agrees to rely solely on the provider's agreement with the credit card holder or on the credit card sales slip, and not on the member's patient records, to enforce payment.
42. Requesting payment for a service that is an insured service within the meaning of the *Health Insurance Act* before performing the service.
43. Displaying or permitting the display of ophthalmic appliances that may be seen from the exterior of the premises in which a member is engaged in the practice of optometry.
44. Contacting or communicating personally with, or causing or permitting any person to contact or communicate personally with, potential patients for the purpose of soliciting patients.

MISCELLANEOUS MATTERS

45. Refusing to allow an authorized representative of the College to enter at a reasonable time the office or offices where the member practises optometry for the purposes of inspecting or removing the member's records and equipment.
46. Failing to co-operate with the Quality Assurance Committee or its assessors.
47. Failing to comply with an order of the Complaints Committee requiring the member to appear before the committee to be cautioned or admonished.
48. Failing to abide by a written undertaking given by the member to the College or its committees, or to carry out an agreement entered into with the College or its committees.
49. Being convicted of an offence that affects the fitness of a member to practise optometry.
50. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
51. Failing to co-operate with a representative of another College on production of an appointment under section 76 of the Code or to provide access to or copies of a record, document or thing that may be reasonably required for the purposes of an investigation.
52. Failing to provide to a patient who requests them the practice address and telephone number of a member who formerly practised in association or in partnership with the member when the member knows or ought to know this information.
53. Engaging in conduct or performing an act that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, unprofessional or unethical.
54. Influencing a patient to change his or her will or other testamentary instrument.
55. Selling any debt owed to the member for professional fees or charges. This does not include the assignment of any debt owed or the use of credit cards to pay for professional fees or charges. O. Reg. 859/93, s. 1.

2.—(1) Except as provided in subsections (2) and (3), a member shall not use a title, term or designation other than the member's name, as set out in the register, the occupational designation "optometrist" or "doctor of optometry" and the member's degrees and fellowships.

(2) If two or more members are in practice together in one office, the name of at least one member and the designation "and associate" or "and associates" may be used, provided that the names of all the members are posted in the office and the College is notified of those names.

(3) If three or more members are in practice together in one office, the designation "optometric centre" or "optometric clinic", either in conjunction with one or more of the member's names or with a geographical location reasonably referable to the location of the practice may be used, provided that the names of all the members are posted in the office and the College is notified of those names. O. Reg. 859/93, s. 2.

3. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OPTOMETRISTS OF ONTARIO:

JOSEPH MITTELMAN
President

IRVING BAKER
Registrar

Dated at Toronto on December 1, 1993.

1/94

ONTARIO REGULATION 860/93 made under the OPTOMETRY ACT, 1991

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 859/93
(Professional Misconduct)

Note: There are no prior amendments to Ontario Regulation 859/93.

1.—(1) Section 1 of Ontario Regulation 859/93 is amended by adding the following paragraphs:

34.1 Charging a block fee, which is a fee charged for services that are not insured services as defined in section 1 of the *Health Insurance Act* and is a set fee regardless of how many services are rendered, unless the fee is for, or related to,

- i. spectacle treatment,
- ii. binocular vision treatment,
- iii. contact lens treatment, or
- iv. subnormal vision treatment.

34.2 Charging a fee for an undertaking not to charge for a service or class of services.

34.3 Charging a fee for an undertaking to be available to provide services to a patient.

(2) Section 1 of the Regulation is amended by adding the following subsection:

(2) Paragraphs 34.1, 34.2 and 34.3 of subsection (1) do not apply in a case where a member charges a fee to a third party for a third party service under the *Health Insurance Act*. O. Reg. 860/93, s. 1 (2).

2. This Regulation comes into force on the day section 2 of the Act comes into force.

1/94

ONTARIO REGULATION 861/93

made under the
PHYSIOTHERAPY ACT, 1991

Made: November 30, 1993
Approved: December 15, 1993
Filed: December 16, 1993

PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSIONAL AND THE CARE OF,
AND RELATIONSHIP WITH, PATIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failing to maintain the standards of practice of the profession.
3. Performing a professional service for which consent is required by law, without such consent.
4. Delegating a controlled act.
5. Abusing a patient verbally or physically.
6. Practising the profession while the member's ability to do so is impaired by any substance.
7. Discontinuing professional services that are needed unless,
 - i. the patient requests the discontinuation,
 - ii. alternative services are arranged,
 - iii. the patient is given a reasonable opportunity to arrange alternative services,
 - iv. the member is unable to provide adequate physiotherapy services because there are insufficient resources available to meet the needs of the community in question,
 - v. the patient has failed to make payment within a reasonable time for physiotherapy services received, and all reasonable attempts on the part of the member to facilitate such payment have been unsuccessful,
 - vi. the member has reasonable grounds to believe that the patient may abuse the member, verbally, physically or sexually, or
 - vii. the patient's lack of co-operation or compliance with his or her treatment plan is such that the services are not effective.
8. Practising the profession while the member is in a conflict of interest.
9. Giving information about a patient to a person other than the patient or his or her authorized representative except with the consent of the patient or his or her authorized representative or as required or allowed by law.
10. Failing to fulfil the terms of an agreement with a patient.
11. Using a term, title, or designation indicating or implying a specialization in the profession.
12. Practising the profession using a name other than the member's name as entered in the register.
13. Failing to keep records as required by the regulations.

14. Falsifying a record.
15. Failing, without reasonable cause, to provide a report or certificate relating to an examination or treatment performed by the member, within a reasonable time to the patient or his or her authorized representative after a patient or his or her authorized representative has requested such a report or certificate.
16. Signing or issuing a document containing a statement that the member knows or ought to know contains a false or misleading statement.
17. Signing or issuing a certificate, report, or similar document without taking reasonable measures to ascertain the accuracy of its contents.
18. Submitting an account or charge for services that the member knows or ought to know is false or misleading.
19. Charging a fee that is excessive in relation to the services performed.
20. Failing to itemize an account for professional services if requested to do so by the patient or the person or agency who is to pay, in whole or in part, for the services.
21. Selling or assigning any debt owed to the member for professional services, but a member may retain an agent to collect unpaid accounts and may accept payment for professional services by a credit card.
22. Refusing to perform a necessary professional service unless all or part of the fee is paid before the service is performed.
23. Performing an act or making an omission inconsistent with the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
24. Contravening a federal, provincial or territorial law relevant to the member's suitability to practise.
25. Engaging in conduct or performing an act that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
26. Breaching an undertaking provided to the College.
27. Failing to reply within thirty days to any written communication from the College or its officers, employees or agents.
28. Refusing to co-operate with an authorized representative of the College, including refusing to allow the representative to enter at a reasonable time the premises in which the member provides professional services for the purposes of assessing, inspecting or investigating the member's practice, professional records and equipment.
29. Failing to supervise an auxiliary appropriately or in accordance with the regulations.
30. Where the services of a member are not insured services under the *Health Insurance Act*, failing to advise a patient or his or her authorized representative of that fact and of the fees charged by the member for professional services before performing the services.
31. Failing to refer a patient to a regulated health professional when the member recognises or ought to recognise an abnormality or condition which indicates such a referral.
32. Continuing treatment of a patient where it is no longer indicated or treatment has ceased to be effective, or providing unnecessary treatment.
33. Directly or indirectly benefiting from the practice of physiother-

apy while the member's certificate of registration is suspended, unless the member first adequately discloses the nature of the benefit to the College and obtains the consent of the panel of the Discipline Committee imposing the suspension or of the Executive Committee. O. Reg. 861/93, s. 1.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PHYSIOTHERAPISTS OF ONTARIO:

BARBARA STOKES
Chair

CHRISTINE SMITH
Secretary-Treasurer

Dated at Toronto on November 30, 1993.

1/94

ONTARIO REGULATION 862/93
made under the
CHIROPRACTIC ACT, 1991

Made: December 4, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

1. The following are prescribed as classes of certificates of registration:

1. General.
2. Academic.
3. Retired.
4. Inactive. O. Reg. 862/93, s. 1.

2.—(1) A person shall apply for a certificate of registration by submitting a completed application in the form provided together with the applicable fee.

(2) The application fee is \$50 for a general, academic or inactive certificate of registration.

(3) There is no application fee for a retired certificate of registration.

(4) Despite subsection (2), there is no application fee for an inactive certificate of registration if the applicant holds a general certificate of registration.

(5) The application fee is non-refundable. O. Reg. 862/93, s. 2.

3.—(1) The following are registration requirements for a certificate of registration of any class:

1. The applicant has graduated from,
 - i. a chiropractic education program in Canada listed in the Schedule,
 - ii. a chiropractic education program in Canada considered by the Council to be equivalent to a program listed in the Schedule, or
 - iii. a chiropractic education program outside Canada accredited by the Accreditation Commission of the Council on Chiropractic Education.

2. If the applicant has previously been or is registered or licensed to practise another health profession in Ontario, or chiropractic or another health profession in any other jurisdiction, the applicant must provide evidence that there has been no finding of, and that there is no current proceeding involving an allegation of, professional misconduct, incompetence or incapacity.

3. The applicant must not have been found guilty of an offence that is relevant to suitability to practise.

4. The applicant must be able to speak and write either English or French with reasonable fluency.

(2) The requirement in paragraph 1 of subsection (1) is non-exemptible. O. Reg. 862/93, s. 3.

4. The following are additional registration requirements for a general certificate of registration:

1. The applicant must have passed,
 - i. the examinations set by the Council, and
 - ii. the examination set by the Canadian Chiropractic Examining Board or approved by the Council as equivalent to the examination set by the Board.
2. If the applicant satisfied the requirement in paragraph 1 of subsection 3 (1) more than two years before the date he or she satisfied the requirements in paragraph 1, or the date the application for a certificate of registration is submitted, whichever is the later, the applicant must either successfully complete a refresher course approved by the Registration Committee or otherwise satisfy the Registration Committee that he or she is competent to practise. O. Reg. 862/93, s. 4.

5. The following are additional registration requirements for an academic certificate of registration:

1. The applicant must have,
 - i. successfully completed a residency program established by a chiropractic education program described in paragraph 1 of subsection 3 (1),
 - ii. a fellowship or specialty certification recognized by a chiropractic education program described in paragraph 1 of subsection 3 (1) in a specialty approved by the College, or
 - iii. a minimum of five years practice as a chiropractor.

2. The applicant must have an appointment as a full-time educational instructor at a chiropractic education program in Ontario listed in the Schedule or considered by the Council to be equivalent to a program listed in the Schedule. O. Reg. 862/93, s. 5.

6. The following are additional registration requirements for an inactive certificate of registration:

1. The applicant must hold, or be eligible for, a general certificate of registration.
2. The applicant must not be in default of any fee, fine or other amount owed to the College.
3. The applicant must give a written undertaking to the College not to engage in chiropractic practice in Ontario and not to submit accounts directly to the Ontario Health Services Insurance Plan or the Workers' Compensation Board in respect of chiropractic services. O. Reg. 862/93, s. 6.

7. It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that

relate to the member and that occur or arise after the registration of the member:

- 1. A finding of guilt in relation to any offence relevant to the member's suitability to practise.
- 2. A finding of professional misconduct, incompetence or incapacity in Ontario in relation to another health profession or in any other jurisdiction in which the member is registered or licensed to practise chiropractic or another health profession.
- 3. A proceeding for professional misconduct, incompetence or incapacity in Ontario in relation to another health profession or in any other jurisdiction in which the member is registered or licensed to practise chiropractic or another health profession. O. Reg. 862/93, s. 7.

8. It is an additional condition of an academic certificate of registration that the certificate is automatically revoked when the member no longer holds an appointment as a full-time educational instructor at a chiropractic education program referred to in paragraph 2 of section 5. O. Reg. 862/93, s. 8.

9. It is an additional condition of a retired certificate of registration that the member not engage in chiropractic practice. O. Reg. 862/93, s. 9.

10. The following are additional conditions of an inactive certificate of registration:

- 1. The member shall not engage in chiropractic practice in Ontario.
- 2. The member shall not submit an account directly to the Ontario Health Services Insurance Plan or the Workers' Compensation Board in respect of a chiropractic service.
- 3. The member shall notify the Registrar before resuming active practice.
- 4. If the member holds an inactive certificate for more than two years, the member shall not resume practice unless the member successfully completes a refresher course approved by the Registration Committee or otherwise satisfies the Registration Committee that he or she is competent to practise.
- 5. If the member resumes active practice during the course of a membership year, the member shall pay the prescribed fee for a general certificate of registration. O. Reg. 862/93, s. 10.

11.—(1) It is a requirement for the issuing of a certificate of registration that the applicant pay the following fee:

- 1. For a general certificate of registration \$325.00
- 2. For an academic certificate of registration \$325.00
- 3. For an inactive certificate of registration \$325.00
- 4. For a retired certificate of registration Nil

(2) A member who holds a general certificate of registration is exempted from paying the prescribed fee for an inactive certificate of registration. O. Reg. 862/93, s. 11.

12.—(1) If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar may lift the suspension on payment of,

- (a) the fee the member failed to pay;
- (b) the annual fee for the year in which the suspension is to be lifted; and
- (c) any applicable penalty.

(2) If the Registrar does not lift the suspension of a certificate of registration that has been suspended for failure to pay a prescribed fee for more than two years from the date of the suspension, the certificate is automatically revoked.

(3) A member whose certificate of registration was revoked pursuant to subsection (2) and who applies to be reinstated is required to pay,

- (a) an application fee of \$50;
- (b) the annual fees and any applicable penalties the member failed to pay up to the date of revocation; and
- (c) the annual fee for the year in which the member wishes to be reinstated.

(4) The Registration Committee may grant a partial exemption from the fees payable by a member pursuant to subsection (1) or (3) if the Committee is satisfied that extraordinary circumstances exist which justify the exemption.

(5) The amount payable by a member who applies for reinstatement of a retired certificate of registration is \$50. O. Reg. 862/93, s. 12.

13. The Registrar may revoke the certificate if the member made a false or misleading statement in his or her application for registration. O. Reg. 862/93, s. 13.

14.—(1) A member who, on the day before this Regulation comes into force, holds a certificate of registration issued under section 3, 4 or 5 of Regulation 276 of the Revised Regulations of Ontario, 1990 shall be deemed to hold a general certificate of registration under the Act.

(2) A member who, on the day before this Regulation comes into force, holds a certificate of registration issued under section 6 of Regulation 276 of the Revised Regulations of Ontario, 1990 shall be deemed to hold an academic certificate of registration under the Act.

(3) A member who, on the day before this Regulation comes into force, is a retired member, shall be deemed to hold a retired certificate of registration under the Act.

(4) A person who, on the day before this Regulation comes into force, would have been entitled to renew his or her registration under subsection 7 (2) of Regulation 276 of the Revised Regulations of Ontario, 1990 shall be reinstated to a certificate of registration of the appropriate class if the person applies for reinstatement and makes the payments prescribed under subsection 12 (1). O. Reg. 862/93, s. 14.

15. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF CHIROPRACTORS OF ONTARIO:

EDWARD R. BURGE
Chair

S. J. PUSEY
Secretary-Treasurer

Dated at Toronto on December 4, 1993.

1/94

ONTARIO REGULATION 863/93
made under the
DENTAL HYGIENE ACT, 1991

Made: November 30, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

1. The following are prescribed as classes of certificates of registration:

1. General.

2. Specialty.

3. Inactive. O. Reg. 863/93, s. 1.

2. A person may apply for the issue of a certificate of registration in a class set out in section 1 by submitting an application to the Registrar, in the form that shall be supplied by the Registrar, together with the application fee. O. Reg. 863/93, s. 2.

3. It is a registration requirement for a certificate of registration of any class that the applicant provide details of any of the following that relate to the applicant:

1. Any charge for a criminal offence, or an offence related to the regulation of the practice of the profession where the ensuing proceedings conclude without a verdict of not guilty or the registration of an acquittal.
2. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession, or in another jurisdiction in relation to the profession or another health profession.
3. A current proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another health profession, or in another jurisdiction in relation to the profession or another health profession.
4. An unsuccessful application for registration as a dental hygienist in Ontario or another jurisdiction.
5. An attempt to pass a licensing examination in Ontario or another jurisdiction that has not, at the time of the application, resulted in a passing grade. O. Reg. 863/93, s. 3.

4. It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. Any charge for a criminal offence, or an offence related to the regulation of the practice of the profession, where the ensuing proceedings conclude without a verdict of not guilty or the registration of an acquittal.
2. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession, or in another jurisdiction in relation to the profession or another health profession.
3. A proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another health profession, or in another jurisdiction in relation to the profession or another health profession. O. Reg. 863/93, s. 4.

5.—(1) An applicant for issuance of a general certificate of registration must meet the following non-exemptible registration requirements:

1. The applicant must have,

i. in the case of an applicant other than an applicant described in subparagraph ii,

- A. obtained a diploma in dental hygiene in a Faculty of Dentistry or College of Applied Arts and Technology in Ontario following a course of study of at least two years,
- B. successfully completed a course in dental hygiene of at least two years at an educational institution that at the time of the applicant's graduation was accredited by a Canadian or American accrediting body acceptable to the Council for the education of dental hygienists, or

C. successfully completed a course in dental hygiene of at least two years at an educational institution outside of Ontario that the Registration Committee considers to be the equivalent to the educational program currently being taught in a College of Applied Arts and Technology referred to in subparagraph A, or

ii. in the case of an applicant who has previously held a certificate of registration under the Act or under a predecessor of the Act which certificate has lapsed, successfully completed a course of training as a dental hygienist that, in the opinion of the Registration Committee, is substantially similar, but not equivalent, to the training described in sub-subparagraph B or C of subparagraph i.

2. The applicant must have successfully completed the certification examinations set or approved by the College, and complied with all requirements associated with those examinations, including payment of the examination fees.
3. The applicant must provide proof of eligibility to acquire professional liability insurance and prior to the issuance of a certificate, must show proof of actual coverage.

(2) It is a term, condition or limitation of a certificate of registration issued to an applicant described in subparagraph ii of paragraph 1 of subsection (1) that the applicant obtain such additional education and experience as, in the opinion of the Registration Committee, is necessary to provide the applicant with education and experience equivalent to that which is obtained under sub-subparagraph B or C of subparagraph i of paragraph 1 of subsection (1). O. Reg. 863/93, s. 5.

6. The following are registration requirements for a general certificate of registration:

1. The applicant must satisfy the Registration Committee, where he or she has previously practised dental hygiene or another health profession in Ontario or any other jurisdiction, that there has been no finding of, and that there is no current proceeding involving an allegation of professional misconduct, incompetence or incapacity or any like finding or proceeding against the applicant that affects the fitness of the applicant to practise the profession.
2. The applicant must satisfy the Registration Committee that he or she has not been convicted or charged with, and not found "not guilty" or acquitted of, an offence that affects the fitness of the applicant to engage in the practice of the profession.
3. In the event that the applicant completed the educational program in subparagraph i of paragraph 1 of subsection 5 (1) more than three years prior to the date of the application for registration, the applicant must have within fifteen months of application successfully completed a refresher course approved by the Council in accordance with its policies.
4. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.
5. The applicant must be able to speak and write either English or French with reasonable fluency. O. Reg. 863/93, s. 6.

7.—(1) The following are conditions of a general certificate of registration:

1. The member's certificate of registration is suspended if the member ceases to be a Canadian citizen or a permanent resident of Canada or to be authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.
2. The member shall practise the profession only if the member has been engaged in the practice of dental hygiene in a practice,

supervisory or educational setting for at least 500 hours in the previous three years or the member has, within the previous fifteen months, successfully completed a refresher course approved by the College.

3. The member's certificate of registration is suspended if the member ceases to maintain the professional liability insurance.
4. The member shall maintain a principal place of practice in Ontario.

(2) Paragraph 2 of subsection (1) does not apply to a member who has been a member for less than two years. O. Reg. 863/93, s. 7.

8.—(1) The following are non-exemptible registration requirements for a specialty certificate of registration as a restorative dental hygienist:

1. The applicant must be the holder of a general certificate of registration.
2. The applicant must have,
 - i. obtained a certificate in a specialty program in dental hygiene in a Faculty of Dentistry of College of Applied Arts and Technology in Ontario,
 - ii. successfully completed a course in a specialty program in dental hygiene in an educational institution that at the time of the applicant's graduation was accredited by a Canadian or American accrediting body acceptable to the Council for the education of dental hygienists in that specialty, or
 - iii. successfully completed a course in a specialty program in dental hygiene outside of Ontario that the Registration Committee considers to be the equivalent to the specialty educational program currently being taught in the College of Applied Arts and Technology referred to in subparagraph i.
3. In the event that the applicant completed a specialty program referred to in paragraph 2 more than three years prior to the date of the application for a specialty certificate of registration, the applicant must have within fifteen months of application successfully completed a specialty refresher course approved by the College.
4. The applicant must have successfully completed the specialty registration examinations set or approved by the College, and complied with all requirements associated with those examinations, including payment of the examination fees.

(2) Only a member who holds a specialty certificate shall use the title "restorative dental hygienist", a variation or abbreviation or an equivalent in another language.

(3) It is a condition of a specialty certificate of registration as a restorative dental hygienist that the member practise the specialty only if the member provides at least 100 hours of restorative functions in direct patient care every three years or if, within the previous fifteen months, the member has successfully completed a refresher course approved by the College.

(4) Subsection (3) does not apply to a member who has been a specialty member for less than two years. O. Reg. 863/93, s. 8.

9.—(1) It is a non-exemptible registration requirement for an inactive certificate of registration that the member have previously been the holder of a general certificate of registration.

(2) It is a condition of an inactive certificate of registration that the member not practise as a dental hygienist in Ontario. O. Reg. 863/93, s. 9.

10. A member who holds an inactive certificate of registration may, upon application, be issued a general or specialty certificate of registration if the member,

- (a) has been an inactive member for less than three years; or
- (b) has satisfactorily completed a refresher course approved by the College within the fifteen months before the application. O. Reg. 863/93, s. 10.

11.—(1) The Registrar shall, at least forty-five days before the deadline for annual renewal of the current certificate of registration, send to every member, at the address of the principal practice shown in the register, a notice respecting the required payment of annual fees, the filing of statistical information and the requirements to be satisfied to meet the terms and conditions of the class of certificate in question.

(2) Every member shall submit to the College on renewal of his or her certificate of registration, an information return containing the following information:

1. The member's principal place of practice.
2. The member's principal place of residence.
3. The addresses and telephone numbers of all locations in which the member practises the profession.
4. The address to which the member wishes correspondence from the College to be sent.
5. The statistical information required by regulation.
6. Proof of professional liability insurance, in the amount required under section 17.
7. A declaration of compliance with the terms and conditions of the certificate in the form provided.

(3) If a member fails to comply with subsection (2) the address to which the member wishes correspondence from the College to be sent and the member's principal place of practice or residence shall be deemed to be as shown on the information return last submitted under subsection (2). O. Reg. 863/93, s. 11.

12.—(1) If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar may lift the suspension on the payment of,

- (a) the fee the member failed to pay;
- (b) the fees that would have been payable had the member's certificate not been suspended, to a maximum of two years annual fees;
- (c) all outstanding fees or any penalties imposed by a committee of the College; and
- (d) any applicable penalties, including the reinstatement fee.

(2) If the Registrar suspends a member's certificate of registration for failure to provide proof of professional liability insurance, the Registrar may list the suspension on the receipt of proof of such insurance and the payment of the reinstatement fee set out in subsection (4).

(3) If the Registrar suspends a member's certificate of registration under subsection (1) or (2) and the suspension remains in effect for a period exceeding two years, the certificate is automatically revoked.

(4) The fee for reinstatement of a member whose certificate of registration is suspended under subsection (1) or (2) or revoked for cause or for failing to satisfy the conditions or requirements of registration is \$125.

(5) A member may be reinstated if the member applies for reinstatement.

ment within two years of the suspension of the certificate of registration. O. Reg. 863/93, s. 12.

13. The obligation to pay the annual membership fee or renewal fee and to submit the annual information return continues even if the Registrar fails to mail a notice or the member fails to receive such notice. O. Reg. 863/93, s. 13.

14. A member must notify the Registrar in writing within seven days of any change of name, location of practice or principal practice, business telephone number, or principal residence, including an original copy of proof of any change of name. O. Reg. 863/93, s. 14.

15. All members holding a general certificate shall maintain a minimum of \$250,000 in professional liability insurance. O. Reg. 863/93, s. 15.

16. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTAL HYGIENISTS OF ONTARIO:

LYNDA MICKELSON
Chair

LINDA STREVENIS
Registrar

Dated at Toronto on November 30, 1993.

1/94

ONTARIO REGULATION 864/93
made under the
MESSAGE THERAPY ACT, 1991

Made: November 30, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

GENERAL

1. The following are prescribed as classes of certificates of registration:

1. General.
2. Inactive. O. Reg. 864/93, s. 1.

2. A person may apply for the issue of a certificate of registration of a class set out in section 1 by submitting an application to the Registrar, in the form that shall be supplied by the Registrar, together with the application fee. O. Reg. 864/93, s. 2.

3. It is a registration requirement for a certificate of registration of any class that the applicant provide details of any of the following that relate to the applicant:

1. A conviction for a criminal offence related to the regulation of the practice of the profession.
2. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
3. A current proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.

4. An unsuccessful application for registration as a Massage Therapist in Ontario or another jurisdiction.

5. An attempt to pass a licensing examination in Ontario or another jurisdiction that has not, at the time of the application, resulted in a passing grade. O. Reg. 864/93, s. 3.

4. It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. A conviction for a criminal offence or an offence related to the regulation of the practice of the profession.
2. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
3. A proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another health profession. O. Reg. 864/93, s. 4.

GENERAL CERTIFICATES OF REGISTRATION

5.—(1) An applicant for the issuance of a general certificate of registration must meet the following non-exemptible registration requirements:

1. The applicant must have,
 - i. in the case of an applicant other than an applicant described in subparagraph ii,
 - A. obtained a diploma in massage therapy from a private vocational school in Ontario, or a College of Applied Arts and Technology in Ontario, or
 - B. successfully completed a course in massage therapy at an educational institution outside of Ontario that the Registration Committee considers to be equivalent to the educational program currently being taught in schools referred to in sub-subparagraph A, or
 - ii. in the case of an applicant who has previously held a certificate of registration under the Act or under a predecessor of the Act which certificate has lapsed, successfully completed a course of training as a massage therapist that, in the opinion of the Registration Committee, is substantially similar, but not equivalent, to the training described in sub-subparagraph A or B of subparagraph i.
2. The applicant must have successfully completed the certification examinations set or approved by the College and complied with all requirements associated with those examinations, including payment of the examination fees.
3. The applicant must provide proof of eligibility to acquire professional liability insurance, and prior to the issuance of a certificate, must show proof of actual coverage.

(2) It is a term, condition or limitation of a certificate of registration issued to an applicant described in subparagraph ii of paragraph 1 of subsection (1) that the applicant obtain such additional education and experience as, in the opinion of the Registration Committee, is necessary to provide the applicant with education and experience equivalent to that which is described in sub-subparagraph A or B of subparagraph i of paragraph 1 of subsection (1). O. Reg. 864/93, s. 5.

6. The following are registration requirements for a general certificate of registration:

MISCELLANEOUS

1. The applicant must satisfy the Registration Committee, where he or she has previously practised massage therapy or another health profession in Ontario or any other jurisdiction, that there has been no finding of, and that there is no current proceeding involving an allegation of, professional misconduct, incompetence or incapacitation or any like finding or proceeding against the applicant that affects the fitness of the applicant to practise the profession.
 2. The applicant must satisfy the Registration Committee that he or she has not been convicted or charged with, and not found "not guilty" or acquitted of, an offence that affects the fitness of the applicant to engage in the practice of the profession.
 3. In the event that the applicant completed an educational program described in subparagraph i of paragraph 1 of subsection 5 (1) more than three years prior to the date of the application for registration, the applicant must have, within fifteen months of application, successfully completed a refresher course approved by the Council in accordance with its policies.
 4. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.
 5. The applicant must be able to speak and write either English or French with reasonable fluency. O. Reg. 864/93, s. 6.
- 7.—(1) The following are conditions of a general certificate of registration:

1. The member's certificate of registration is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or to be authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.
2. The member shall practise the profession only if,
 - i. the member has provided at least 500 hours of direct client care within the scope of practice of the profession in the previous three years, or
 - ii. the member has, within the previous fifteen months, successfully completed a refresher course approved by the College.
3. The member's certificate of registration is revoked if the member ceases to maintain the amount of professional liability insurance required under section 14.
4. The member shall maintain a principal place of practice in Ontario.

(2) Paragraph 2 of subsection (1) does not apply to a member who has been a member for less than two years. O. Reg. 864/93, s. 7.

INACTIVE CERTIFICATES

8.—(1) It is a non-exemptible registration requirement for an inactive certificate of registration that the member have previously been the holder of a general certificate of registration.

(2) It is a condition of an inactive certificate of registration that the member not practice in Ontario as a Massage Therapist. O. Reg. 864/93, s. 8.

9. A member who holds an inactive certificate of registration shall, upon application, be issued a general certificate of registration if the member,

- (a) has been an inactive member for less than three years; or
- (b) has satisfactorily completed a refresher course approved by the College within the fifteen months prior to the application. O. Reg. 864/93, s. 9.

10.—(1) The Registrar shall, at least forty-five days before the deadline for annual renewal of the current certificate of registration, send to every member, at the address of the principal practice shown in the register, a notice respecting the required payment of annual fees, the filing of statistical information and the requirements to be satisfied to meet the terms and conditions of the class of certificate in question.

(2) Every member shall submit to the College, on renewal of a certificate of registration, an information return containing the following information:

1. The member's principal place of practice.
2. The member's principal place of residence.
3. The addresses and telephone numbers of all locations in which the member practises the profession, and the business names of the practices, if any.
4. The address to which the member wishes correspondence from the College to be sent.
5. The statistical information required by regulation.
6. Proof of professional liability insurance, in at least the minimal amount required under section 14.
7. A declaration of compliance with the terms and conditions of the certificate in the form provided.

(3) If a member fails to comply with subsection (2), the address to which the member wishes correspondence from the College to be sent and the member's principal place of practice or residence shall be deemed to be as shown on the information return last submitted under subsection (2). O. Reg. 864/93, s. 10.

11. A member must notify the Registrar within fourteen days of any change of name, location of practice or principal practice, business name of practice, business telephone number or principal residence by registered mail, including an original copy of proof of any change of name. O. Reg. 864/93, s. 11.

12.—(1) If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar may lift the suspension on the payment of,

- (a) the fee the member failed to pay;
- (b) the fees that would have been payable had the member's certificate not been suspended, to a maximum of two years annual fees;
- (c) all outstanding fees or any penalties imposed by a committee of the College; and
- (d) any applicable penalties, including the reinstatement fee.

(2) If the Registrar suspends a member's certificate of registration for failure to provide proof of professional liability insurance, the Registrar may lift the suspension on the receipt of proof of such insurance and the payment of the reinstatement fee set out in this Regulation.

(3) Where the Registrar suspends a member's certificate of registration and the suspension remains in effect for a period exceeding two years, the certificate is automatically revoked.

(4) The fee for reinstatement of a member whose certificate of registration is suspended under subsection (1) or (2) or revoked for cause or for failing to satisfy the conditions or requirements of registration is \$600.

(5) A member may be reinstated if the member applies for reinstatement within two years of the suspension of the certificate of registration. O. Reg. 864/93, s. 12.

13. The obligation to pay the annual membership fee or renewal fee and to submit the annual information return continues even if the Registrar fails to mail a notice or the member fails to receive such notice. O. Reg. 864/93, s. 13.

14. All members holding a general certificate shall have a minimum of \$150,000 in professional liability insurance. O. Reg. 864/93, s. 14.

15. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MASSAGE THERAPISTS OF ONTARIO:

E. E. S. COWALL
Chair

NEIL ANDERSON
Secretary-Treasurer

Dated at Toronto on November 30, 1993.

1/94

ONTARIO REGULATION 865/93
made under the
MEDICINE ACT, 1991

Made: December 7, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

DEFINITIONS AND GENERAL REQUIREMENTS

Definitions

1. In this Regulation,

“accredited medical school” means a medical school accredited by the Committee on Accreditation of Canadian Medical Schools or by the Liaison Committee on Medical Education;

“degree in medicine” means,

(a) an M. D. or equivalent basic degree in medicine from a medical school that was, at the time of graduation, an accredited medical school, based upon successful completion of an undergraduate program of medical education that included a clerkship of at least forty weeks taken as part of the second half of the undergraduate program of medical education that includes,

- (i) clinical education of at least,
 - (A) eight weeks in internal medicine,
 - (B) eight weeks in surgery,
 - (C) four weeks in obstetrics and gynaecology,
 - (D) four weeks in paediatrics, and
 - (E) four weeks in psychiatry,

(ii) clinical education of at least four weeks in family medicine or an alternative program to develop the knowledge, skills, attitudes and behaviours necessary to enter postgraduate education in family medicine or primary medical care,

(iii) instruction and experience in both ambulatory and hospital settings, and

(iv) the major aspects of acute, chronic, continuing, preventive and rehabilitative care, or

(b) an M.D. or equivalent basic degree in medicine, based upon successful completion of a conventional undergraduate program of education in allopathic medicine that,

(i) teaches medical principles, knowledge and skills similar to those taught in undergraduate programs of medical education at accredited medical schools,

(ii) includes at least 130 weeks of instruction over a minimum of thirty-six months, and

(iii) was, at the time of graduation, listed in the World Directory of Medical Schools published by the World Health Organization. O. Reg. 865/93, s. 1.

General Requirements

2.—(1) It is a non-exemptible standard and qualification for a certificate of registration that the applicant's past and present conduct afford reasonable grounds for belief that the applicant,

- (a) is mentally competent to practise medicine;
- (b) will practise medicine with decency, integrity and honesty and in accordance with the law;
- (c) has sufficient knowledge, skill and judgment to engage in the kind of medical practice authorized by the certificate; and
- (d) can communicate effectively and will display an appropriate professional attitude.

(2) It is a standard and qualification for a certificate of registration that the applicant,

(a) submit to the College a completed application for the class of certificate for which application is made, in a form provided by the College;

(b) has one of the following:

(i) for a certificate of registration authorizing independent practice, Canadian citizenship or permanent resident status,

(ii) for a certificate of registration authorizing academic practice, Canadian citizenship, permanent resident status or an authorization under the *Immigration Act* (Canada) consistent with the practice for which the certificate is issued, or

(iii) for a certificate of registration authorizing postgraduate education by reason of section 11, 12, 13 or 15, Canadian citizenship, permanent resident status or an authorization under the *Immigration Act* (Canada) for the program of postgraduate medical education in which the applicant is appointed;

(c) pay the relevant application fee and annual membership fee; and

(d) establish his or her identity, provide documentation relating to the registration requirements and attend in person at the College for those purposes if requested.

(3) It is a term, condition and limitation of a certificate of registration that the certificate terminates when the holder no longer has the standards and qualifications required by clause (2) (b).

(4) Despite any other provision in this Regulation, an applicant who makes any false or misleading representation or declaration on or in connection with an application, by commission or omission, shall be

deemed thereafter not to have, and not to have had, the standards and qualifications for a certificate of any class.

(5) It is a term, condition and limitation of a certificate of registration that the holder practise only in the areas of medicine in which the holder is educated and experienced. O. Reg. 865/93, s. 2.

CLASSES OF CERTIFICATES OF REGISTRATION
AUTHORIZING PRACTICE

Independent Practice

3.—(1) The standards and qualifications for a certificate of registration authorizing independent practice are as follows:

1. The applicant must have a degree in medicine.
2. The applicant must have successfully completed Part 1 and Part 2 of the Medical Council of Canada Qualifying Examination.
3. The applicant must have completed one of the following:
 - i. A clerkship at an accredited medical school in Canada which meets the criteria of a clerkship in clause (a) of the definition of "degree in medicine" in section 1.
 - ii. A year of postgraduate medical education at an accredited medical school in Canada.
 - iii. A year of active medical practice in Canada which includes significant clinical experience pertinent to the applicant's area of medical practice.
4. The applicant must have certification by examination by the Royal College of Physicians and Surgeons of Canada or by the College of Family Physicians of Canada.

(2) An applicant who holds a certificate of registration authorizing academic practice and an appointment described in paragraph 2 of subsection 4 (1) is exempt from the standards and qualifications required under paragraphs 2, 3 and 4 of subsection (1) if the applicant satisfies the following standards and qualifications:

1. The applicant must have held the certificate and the appointment continuously for the three years immediately preceding the application.
2. The applicant must have, for the three years immediately preceding the application, continuously maintained an active medical practice in a clinical teaching unit formally affiliated with the medical school department in which he or she holds the professorial appointment.
3. The applicant must have permanent certification or certification by examination by the Royal College of Physicians and Surgeons of Canada or by the College of Family Physicians of Canada.

(3) An applicant is exempt from the requirement of successfully completing Part 1 and Part 2 of the Medical Council of Canada Qualifying Examination under paragraph 2 of subsection (1), if,

- (a) on or before December 31, 1991, the applicant had,
 - (i) successfully completed the qualifying examination of the Medical Council of Canada,
 - (ii) successfully completed the examinations for the diploma of the National Board of Medical Examiners of the United States of America, or
 - (iii) obtained one of the following scores on the Licensing Examination of the Federation of State Medical Boards of the United States of America:

(A) if the examination was taken before July 1, 1985, a weighted score average of seventy-five using the weighting formula of 1/6 for Part 1 of Component 1, 2/6 for Part 2 of Component 1 and 3/6 for Component 2, or

(B) if the examination was taken after July 1, 1985, a score of seventy-five on each of Component 1 and Component 2; or

(b) on or before December 31, 1993, the applicant had successfully completed Part 1 of the Medical Council of Canada Qualifying Examination.

(4) An applicant described in subsection (5) is exempt from the standards and qualifications required under paragraphs 2, 3 and 4 of subsection (1) if the applicant satisfies the following standards and qualifications:

1. The applicant must have certification by the Royal College of Physicians and Surgeons of Canada by examination passed ten years prior to application.
2. The applicant must have maintained an active medical practice while holding an academic or hospital practice licence, or a certificate of registration authorizing academic practice or hospital practice, continuously for the ten years immediately preceding the application.

(5) Subsection (4) applies to an applicant who, on October 31, 1992, held an academic practice licence or a hospital practice licence under a predecessor of the Act.

(6) A former member whose certificate of registration authorizing independent practice was suspended by the Registrar for failure to pay a prescribed fee or who resigned as a member shall, upon application for reinstatement, be deemed to have met the standards and qualifications in this section if the former member,

- (a) held the certificate for a continuous period of at least one year, and
- (b) submits the application form required by clause 2 (2) (a) within one year after the suspension or resignation.

(7) Subject to section 10 (restricted certificates), a person who, on the day this Regulation comes into force, holds an independent practice licence issued under a predecessor of the Act is deemed to be the holder of a certificate of registration authorizing independent practice under the Act. O. Reg. 865/93, s. 3.

Academic Practice

4.—(1) The standards and qualifications for a certificate of registration authorizing academic practice are as follows:

1. The applicant must have a degree in medicine.
2. The applicant must have a geographical full-time teaching appointment or a geographical full-time research appointment to the academic staff of an accredited medical school in Ontario at the rank of full or associate professor.
3. The applicant must have certification by the Royal College of Physicians and Surgeons of Canada or by the College of Family Physicians of Canada.

(2) Subject to section 10 (restricted certificates), a person who, on the day this Regulation comes into force, holds an academic licence issued under a predecessor of the Act is deemed to be the holder of a certificate of registration authorizing academic practice under this Act.

(3) It is a term, condition and limitation of a certificate of registration authorizing academic practice that,

- (a) the holder practise medicine only,
 - (i) in a clinical teaching unit formally affiliated with the medical school department in which he or she holds the professorial appointment, and
 - (ii) to the extent required by the teaching or research requirements of that appointment; and
- (b) the certificate terminates when the holder no longer holds an appointment in accordance with paragraph 2 of subsection (1) or is no longer certified in accordance with paragraph 3 of subsection (1). O. Reg. 865/93, s. 4.

Academic Visitor

5.—(1) The standards and qualifications for a certificate of registration authorizing academic practice by a visitor are as follows:

1. The applicant must have a degree in medicine.
2. The applicant must have an established scholarly career in medical teaching or research at a medical school outside Ontario, and a permanent appointment to the academic staff of the medical school primarily for the purpose of teaching or research.
3. The applicant must give an undertaking to fulfill the medical school's expectation that the applicant will return to the appointment referred to in paragraph 2 upon the expiry of the certificate.
4. The applicant must have a qualification as a medical specialist that is recognized by the medical licensing authority in the jurisdiction where the applicant holds his or her medical school appointment.
5. The applicant must hold an appointment by the dean of an accredited medical school in Ontario primarily to provide undergraduate or postgraduate medical education, or medical research, or both, for a specified period of time which does not exceed twelve months.

(2) It is a non-exemptible standard and qualification for a certificate of registration authorizing academic practice by a visitor that twelve months have elapsed since the expiry of the last of any previously issued such certificates to the applicant.

(3) It is a term, condition and limitation of a certificate of registration authorizing academic practice by a visitor that,

- (a) the holder practise medicine only,
 - (i) in a clinical teaching unit formally affiliated with the medical school department in which he or she holds his or her appointment as a visitor, and
 - (ii) to the extent required by the teaching or research requirements of that appointment;
- (b) the holder not charge a fee for medical services; and
- (c) the certificate expires on the earlier of the following days:
 - (i) the day the holder no longer holds an appointment in accordance with paragraph 5 of subsection (1), or
 - (ii) the day the period specified under paragraph 5 of subsection (1) ends, unless the Registration Committee extends the period by a period not exceeding three months. O. Reg. 865/93, s. 5.

Supervised Practice of Short Duration

6.—(1) The standards and qualifications for a certificate of registration authorizing supervised practice of a short duration are as follows:

1. The applicant must have a degree in medicine.
2. The applicant must hold an appointment by,
 - i. an accredited medical school in Ontario,
 - ii. a hospital approved under the *Public Hospitals Act* or an institution designated as a psychiatric facility by the regulations made under the *Mental Health Act*, or
 - iii. the Crown in right of Canada or of Ontario or an agency of the Crown.
3. The applicant's appointment must be solely for the purpose of providing,
 - i. assistance that would otherwise not be available promptly for an individual's medical problem in Ontario that requires remedy on an urgent basis,
 - ii. medical services for a short interval that would otherwise be unavailable because of a lack of persons to provide them, or
 - iii. a brief continuing medical education program primarily for the benefit of members holding a certificate of registration authorizing independent or academic practice.
4. A member holding a certificate of registration authorizing independent practice must give an undertaking to supervise the applicant and be responsible for providing continuing care for patients attended by the applicant in Ontario.

(2) The terms, conditions and limitations of a certificate of registration authorizing supervised practice of a short duration are that,

- (a) the holder practise medicine only to the extent required by the holder's appointment and under the supervision of the member who gave the undertaking; and
- (b) the certificate expires on the earliest of the following days:
 - (i) the day of the expiry of the holder's appointment,
 - (ii) the day when the holder leaves Ontario, or
 - (iii) the thirtieth day after the certificate is issued. O. Reg. 865/93, s. 6.

Public Service Practice

7.—(1) Subject to section 10 (restricted certificates), a person who, on December 31, 1993, holds or is deemed to hold a Public Service licence under a predecessor of the Act and is employed by the Crown in right of Canada or of Ontario, an agency of the Crown or a board of health within the meaning of the *Health Protection and Promotion Act*, is deemed to be the holder of a certificate of registration authorizing public service practice under the Act.

(2) The terms, conditions and limitations of a certificate of registration authorizing public service practice are that,

- (a) the holder practise medicine only to the extent required by the holder's employment by the Crown, agency or board of health that employed the holder on December 31, 1993; and
- (b) the certificate expires when the Crown, agency or board of health that employed the holder on December 31, 1993 ceases to employ the holder. O. Reg. 865/93, s. 7.

Practice in an Underserved Area

8.—(1) Subject to section 10 (restricted certificates), a person who, on December 31, 1993, is deemed to hold an Underserved Area licence under a predecessor of the Act is deemed to be the holder of a certificate of registration authorizing practice in an underserved area under the Act.

(2) The terms, conditions and limitations of a certificate of registration authorizing practice in an underserved area are that,

- (a) the holder practise medicine only in the underserved area for which the holder was licensed on December 31, 1993; and
- (b) the certificate expires when the holder ceases practising medicine in that underserved area. O. Reg. 865/93, s. 8.

Hospital Practice

9.—(1) Subject to section 10 (restricted certificates), a person who, on December 31, 1993, is deemed to hold a Hospital Practice licence under a predecessor of the Act is deemed to be the holder of a certificate of registration authorizing hospital practice under the Act.

(2) The terms, conditions and limitations of a certificate of registration authorizing hospital practice are that,

- (a) the holder practise medicine only in,
 - (i) the specialty in which he or she is certified by the Royal College of Physicians and Surgeons of Canada, and
 - (ii) the institution where he or she is practising medicine on December 31, 1993; and
- (b) the certificate expires if the holder ceases,
 - (i) being certified by the Royal College of Physicians and Surgeons of Canada, or
 - (ii) practising in the institution where he or she is practising medicine on December 31, 1993. O. Reg. 865/93, s. 9.

Restricted Certificate

10.—(1) A licence that is in effect on the day this Regulation comes into force and which is subject to terms, conditions or limitations imposed by a committee under a predecessor of the Act is deemed to be a restricted certificate of registration under the Act subject to the imposed terms, conditions and limitations.

(2) A certificate of registration of any class upon which a committee imposes terms, conditions or limitations is deemed to be a restricted certificate of registration under the Act subject to the imposed terms, conditions and limitations.

(3) A certificate of registration of any class issued by reason of an order of the Registration Committee directing the Registrar to impose terms, conditions or limitations on the certificate is deemed to be a restricted certificate of registration under the Act subject to the imposed terms, conditions and limitations.

(4) A holder of a restricted certificate of registration may practise medicine only in accordance with the terms, conditions and limitations of the certificate. O. Reg. 865/93, s. 10.

CERTIFICATES AUTHORIZING POSTGRADUATE EDUCATION

General

11.—(1) The standards and qualifications for a certificate of registration authorizing postgraduate education are that an applicant receive an appointment in a program of postgraduate medical education at an accredited medical school in Ontario after,

- (a) obtaining a degree in medicine described in clause (a) of the definition of "degree in medicine" in section 1; or
- (b) attaining all of the following:
 - (i) a degree in medicine described in clause (b) of the definition of "degree in medicine" in section 1,
 - (ii) successful completion of,
 - (A) the Medical Council of Canada Evaluating Examination, or
 - (B) Part 1 of the Medical Council of Canada Qualifying Examination or, if the qualifying examination was written before December 31, 1991, the Medical Council of Canada Qualifying Examination,
 - (iii) reasonable fluency in English or French, and
 - (iv) selection for appointment to the program of postgraduate medical education on the basis of performance in a pre-entry assessment program.

(2) For the purposes of subclause (1) (b) (iii), an applicant is reasonably fluent in English or French if the applicant,

- (a) obtains a score of 220 on the Test of Spoken English and a score of 580 on the Test of English as a Foreign Language of the Educational Testing Service;
- (b) obtains a score of 60 per cent on each part of the test of French as a second language used by the Office de la langue française of the Government of Quebec for applicants to the Corporation professionnelle des médecins du Québec;
- (c) undergoes both primary and secondary education in English or French or both;
- (d) obtains a degree in medicine from a medical school where the language of instruction, including the language used in patient care, was English or French or both;
- (e) completes, with performance acceptable to the College, four years of postgraduate education in clinical medicine in North America in which the language used is English or French or both; or
- (f) holds continuously, for the four years immediately preceding application, a senior teaching appointment at an accredited medical school in which the language of instruction, including the language used in patient care, is English or French or both.

(3) A member who applies for a certificate of registration authorizing postgraduate education is exempt from the requirement of being reasonably fluent in English or French under subclause (3) (b) (iii) if the member,

- (a) was issued a certificate of registration of any class by the College at a time when language tests were not required; or
- (b) was exempted from the requirement by the College before the day this Regulation comes into force.

(4) The pre-entry assessment program referred to in subclause (1) (b) (iv) is a program provided by an accredited medical school in Ontario, the duration, form and content of which is acceptable to the College and which,

- (a) assesses the applicant's clinical skills in, among other things, internal medicine, obstetrics and gynaecology, paediatrics, psychiatry and general surgery; and

- (b) evaluates the candidate with respect to the standards and qualifications mentioned in subsection 2 (1).

(5) It is a standard and qualification for a certificate of registration authorizing postgraduate education that the applicant not have previously held, or currently be the holder of, a certificate of registration authorizing postgraduate education as a clinical or research fellow under section 12 unless the applicant has received the express permission of the Registration Committee and complies with any terms, conditions or limitations imposed by the Registration Committee.

(6) An applicant who previously held a certificate of registration authorizing postgraduate education for a continuous period of at least one year and who applies for another certificate of registration authorizing postgraduate education shall be deemed to have the standards and qualifications in subsection (1) if,

- (a) the previous certificate terminated merely by reason of the applicant's satisfactory completion of a program of postgraduate medical education in Ontario to which the applicant was appointed; and
- (b) the applicant has either,
- (i) been continuously enrolled in postgraduate medical education outside Ontario since the termination of the certificate, or
 - (ii) submitted the application form required by clause 2 (2) (a) within six months after the termination of the certificate.

(7) A person who, on December 31, 1993, holds an educational licence issued under a predecessor of the Act is deemed to be the holder of a certificate of registration authorizing postgraduate education under the Act subject to any terms, conditions, limitations or restrictions to which the licence was subject.

(8) The following are terms, conditions and limitations of a certificate of registration authorizing postgraduate education:

1. The holder shall,
 - i. practise medicine only as required by the program in which the holder is enrolled,
 - ii. prescribe drugs only for in-patients or out-patients of a clinical teaching unit that is formally affiliated with the department where he or she is properly practising medicine and to which postgraduate trainees are regularly assigned by the department as part of its program of postgraduate medical education, and
 - iii. not charge a fee for medical services.
2. The certificate terminates on one of the following times:
 - i. The day the holder ceases to be enrolled in a program of postgraduate medical education provided by an accredited medical school in Ontario.
 - ii. For a holder who was exempted from a standard or qualification set out in subsection (1) in accordance with section 12, 13, 14 or 15 or by the Registration Committee under subsection 18 (3) of the Health Professions Procedural Code, on the earlier of the following times:
 - A. the day the holder ceases to be enrolled in a program of postgraduate medical education provided by an accredited medical school in Ontario,
 - B. the day the certificate terminates according to the terms, conditions and limitations of the certificate.

(9) Despite subparagraph iii of paragraph 1 of subsection (8), the holder of a certificate of registration authorizing postgraduate education may receive remuneration for medical services only in the form of a fixed salary. O. Reg. 865/93, s. 11.

Fellows

12.—(1) Subject to subsection (2), if an applicant's appointment to a program of postgraduate medical education is as a clinical or research fellow, the applicant for a certificate of registration authorizing postgraduate education is exempted from,

- (a) the Medical Council of Canada Evaluating Examination and Part 1 of the Medical Council of Canada Qualifying Examination required by subclause 11 (1) (b) (ii); and
- (b) the pre-entry assessment program required by subclause 11 (1) (b) (iv).

(2) An applicant referred to in subsection (1) must meet the following standards and qualifications:

1. The applicant must,

- i. satisfy the educational requirements for certification as a specialist by,
 - A. the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians of Canada, or
 - B. a board in the United States of America that is a regular member board of the American Board of Medical Specialties, or
- ii. be recognized as a medical specialist in the jurisdiction where the applicant practises medicine immediately before the appointment as a clinical or research fellow by an organization outside of North America that recognizes medical specialists.

2. The applicant must have an appointment to a program of postgraduate medical education as a clinical or research fellow to gain further education in the same discipline as, or a subdiscipline of, the discipline in which the applicant has satisfied the educational requirements for certification or is recognized as a medical specialist.

(3) For an applicant who has not satisfied the educational requirements for certification as a specialist under subparagraph i of paragraph 1 of subsection (2), the exemption only applies if the dean of the medical school where the applicant is appointed provides the College with information acceptable to the College indicating that,

- (a) the applicant has completed all the requirements for recognition as a medical specialist in the jurisdiction where the applicant practises medicine immediately before his or her appointment;
- (b) the organization which recognized the applicant as a medical specialist did so using standards that are substantially similar to the standards of the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians of Canada; and
- (c) the applicant's appointment to a program of postgraduate medical education is in a discipline which is the same discipline as, or a subdiscipline of, the discipline in which the applicant is recognized as a medical specialist.

(4) It is a term, condition and limitation of a certificate of registration issued under this section that the certificate terminates on the earlier of the following times:

1. The day the holder no longer holds the appointment as a clinical or research fellow for which the certificate was issued.

2. Two years after the certificate is issued. O. Reg. 865/93, s. 12.

Advanced Standing

13. An applicant for a certificate of registration authorizing postgraduate education who has successfully completed Parts 1 and 2 of the Medical Council of Canada Qualifying Examination is exempted from the pre-entry assessment program required in subclause 11 (1) (b) (iv) if,

- (a) the applicant has completed at an accredited medical school in Canada, within one year before application, with performance acceptable to the College, two years of a residency program accredited, and leading to certification, by the Royal College of Physicians and Surgeons of Canada and is entering a subsequent year of the residency program in the same discipline or a subspecialty as the completed residency; or
- (b) the applicant has satisfied the educational requirements for certification by the College of Family Physicians of Canada, within one year before application, and the applicant is entering a program to obtain recognition in a related discipline by that College. O. Reg. 865/93, s. 13.

Electives

14.—(1) Subject to subsection (2), an applicant for a certificate of registration authorizing postgraduate education who is enrolled in an accredited medical school outside Ontario and has applied to complete an elective of postgraduate medical education in an accredited medical school in Ontario is exempted from the standards and qualifications in,

- (a) subclause 11 (1) (b) (iii) (language fluency); and
- (b) subclause 11 (1) (b) (iv) (the pre-entry assessment program).

(2) An applicant under subsection (1) must satisfy the following standards and qualifications:

1. The applicant must be enrolled in a postgraduate program of medical education at an accredited medical school outside Ontario and have completed one year of the program with performance acceptable to the College.
2. The applicant must have the approval of the head of the program outside Ontario in which he or she is enrolled allowing the applicant to undertake a specified part of the program at a particular accredited medical school in Ontario.
3. The applicant must have the approval from the head of postgraduate medical education at the accredited medical school in Ontario at which the applicant will complete the specified part of the postgraduate program.
4. The applicant must undertake to spend no more than fifteen weeks at the accredited medical school in Ontario.

(3) It is a term, condition and limitation of a certificate issued to a holder exempted by this section that the certificate terminates fifteen weeks after it is issued or at the end of the specified part of the holder's program, whichever occurs first. O. Reg. 865/93, s. 14.

Exchange Resident

15.—(1) Subject to subsection (2), an applicant for a certificate of registration authorizing postgraduate education who is seeking admission to postgraduate training at an accredited medical school in Ontario as part of an exchange program in which the applicant is enrolled in a program of postgraduate medical education outside Ontario and is exchanging places with a member of the College is exempted from,

- (a) the Medical Council of Canada Evaluating Examination and Part 1 of the Medical Council of Canada Qualifying Examination required by subclause 11 (1) (b) (ii); and

- (b) the pre-entry assessment program required by subclause 11 (1) (b) (iv).

(2) The exemption under subsection (1) only applies if,

- (a) the member of the College with whom the applicant is exchanging places,
 - (i) is enrolled in a program of postgraduate medical education at the medical school in Ontario,
 - (ii) is in the second or a higher year of a residency program leading to certification by the Royal College of Physicians and Surgeons of Canada, and
 - (iii) will be obtaining elective education in the postgraduate training program in which the applicant is enrolled;
- (b) the Associate Dean for Postgraduate Medical Education of the medical school in Ontario,
 - (i) approves, and identifies to the College, the educational program which the applicant will undertake,
 - (ii) issues a certificate of appointment of the applicant as an "elective resident - exchange program", including the start and end dates of the appointment,
 - (iii) identifies to the College the member who will be directly responsible for the supervision of the applicant's educational experience in Ontario,
 - (iv) identifies to the College the member who is being exchanged with the applicant,
 - (v) indicates to the College his or her satisfaction that the exchange is appropriate, having regard to the prior education of the applicant and the similarity in educational standards of the programs involved in the exchange; and
- (c) the person responsible for postgraduate medical education at the medical school with which the exchange is being made,
 - (i) confirms to the College the school's approval for the applicant to undertake postgraduate medical education at the medical school in Ontario,
 - (ii) outlines to the College the educational experience that he or she expects the applicant to receive at the medical school in Ontario,
 - (iii) confirms to the College the expected start and end dates of the appointment,
 - (iv) confirms to the College the identity of the member who is being exchanged with the applicant, and
 - (v) undertakes to the College to provide to the Ontario medical school in-training evaluation reports on the performance of the member who is being exchanged with the applicant in the form supplied by the Ontario medical school.

(3) It is a term, condition and limitation of a certificate issued to a holder exempted by this section that the certificate terminates twenty-six weeks after it is issued or at the end of the holder's exchange program, whichever occurs first. O. Reg. 865/93, s. 15.

Expiry and Retirement

16.—(1) A certificate of registration expires upon,

- (a) the suspension of the certificate under section 24 of the Health Professions Procedural Code; or

(b) the resignation of the member.

(2) Subject to subsections 3 (6) and 11 (5) and to an exemption granted by the Registration Committee under subsection 18 (3) of the Health Professions Procedural Code, if a certificate of registration expires under subsection (1), and the person who held the certificate applies for another certificate of registration, the applicant is required to meet the standards and qualifications for the certificate in effect at the time of application. O. Reg. 865/93, s. 16.

Emeritus Status

17.—(1) The Registrar shall grant emeritus status to a former holder of a certificate of registration of any class who applies therefor and who,

- (a) has held a certificate of registration authorizing independent practice, a General licence under Part III of the *Health Disciplines Act* or the equivalent licence under a predecessor of that Act, or some combination of them, continuously for twenty-five years;
- (b) has not been the subject of a finding of professional misconduct or incompetence that has been entered in the register;
- (c) at the time of application, is not,
 - (i) in default of payment of any fee prescribed by this Regulation,
 - (ii) in default of providing to the College any information required by or under an Act or regulation, and
 - (iii) is not the subject of proceedings for professional misconduct or incompetence; and
- (d) is fully retired from the practice of medicine.

(2) The Registration Committee may grant emeritus status to a former holder of a certificate of registration of any class who applies therefor and complies with clauses (1) (c) and (d).

(3) A person with emeritus status may not practise medicine.

(4) A member who was designated as a life member under section 43 of Ontario Regulation 577/75 or a predecessor thereof shall be deemed to continue as a person with emeritus status; however, a life member who continues to meet the requirements of Ontario Regulation 577/75 may elect to maintain his or her life membership. O. Reg. 865/93, s. 17.

18.—(1) The Registrar shall mail an application for renewal to each person with emeritus status and each life member at the person's last known address before April 15 in each year, together with notification that the person's emeritus status or life membership will expire unless the completed application for renewal is received by the Registrar by the following May 31.

(2) An emeritus status and a life membership expire unless the member's completed application for renewal is received by May 31 of each year.

(3) The Registrar shall, and the Registration Committee may, renew the emeritus status of a person whose emeritus status has expired on the same basis as the Registrar or the Registration Committee may grant emeritus status under section 17.

(4) A life membership which expires may not be renewed, but a life member whose membership has expired is entitled to emeritus status. O. Reg. 865/93, s. 18.

Date of Certificate

19. No certificate of registration shall be dated earlier than the day it was issued. O. Reg. 865/93, s. 19.

20. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PHYSICIANS AND SURGEONS OF ONTARIO:

GARY G. JOHNSON
President

MICHAEL E. DIXON
Registrar

Dated at Toronto on December 7, 1993.

1/94

ONTARIO REGULATION 866/93 made under the MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

GENERAL

1.—(1) The following are prescribed as classes of certificates of registration:

1. Specialty.
2. Restricted - in vitro.
3. Employment specific - radiography.
4. Employment specific - nuclear medicine.

(2) A specialty certificate of registration shall authorize a member to practise one or more of the following specialties:

1. Radiography.
2. Radiation therapy.
3. Nuclear medicine. O. Reg. 866/93, s. 1.

2. A person may apply for a certificate of registration by submitting a completed application form to the Registrar together with the appropriate fee. O. Reg. 866/93, s. 2.

3.—(1) The following are registration requirements for a certificate of registration of any class:

1. The applicant must not have been convicted of a criminal offence or an offence related to the regulation of the practice of the profession.
2. The applicant must not have been the subject of a finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
3. The applicant must not currently be the subject of a proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
4. The applicant must be able to speak and write either English or French with reasonable fluency.

5. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.

(2) It is a condition of a certificate of registration of any class that a member provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. A conviction for a criminal offence or an offence related to the regulation of the practice of the profession.
2. A finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
3. A proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another health profession. O. Reg. 866/93, s. 3.

SPECIALTY CERTIFICATE OF REGISTRATION

4.—(1) The following are non-exemptible registration requirements for a specialty certificate of registration:

1. The applicant must have successfully completed a medical radiation technology program in one or more of the specialties which program is,
 - i. offered in Ontario and listed in Schedule 1 or offered in Ontario and considered by the Council to be equivalent to a program listed in Schedule 1,
 - ii. offered outside Ontario and considered by the Council to be equivalent to a program described in subparagraph i, or
 - iii. subject to paragraph 5, offered outside Ontario and not considered by the Council as equivalent to a program described in subparagraph i.
2. The applicant must have successfully completed the examination set or approved by the Council in one or more of the specialties.
3. The applicant must have engaged in clinical practice in one or more of the specialties within the five years immediately preceding the date of the application or must have successfully completed a program referred to in paragraph 1 within the five years preceding the date of the application.
4. The applicant must pay the prescribed annual fee and the examination fee.
5. An applicant who has successfully completed a program described in subparagraph iii of paragraph 1 must also provide the Registration Committee with satisfactory evidence as to his or her competence to practise in Ontario as a medical radiation technologist in one or more of the specialties.
6. An applicant for a specialty certificate of registration - radiography must comply with all of the requirements of paragraphs 1, 2, 3 and 5 in radiography.
7. An applicant for a specialty certificate of registration - radiation therapy must comply with all of the requirements of paragraphs 1, 2, 3 and 5 in radiation therapy.
8. An applicant for a specialty certificate of registration - nuclear medicine must comply with all of the requirements of paragraphs 1, 2, 3 and 5 in nuclear medicine.

(2) It is a condition of a specialty certificate of registration that the

member show the Council satisfactory evidence of having engaged in competent practice as a medical radiation technologist in Ontario in one or more of the specialties within the previous five years. O. Reg. 866/93, s. 4.

RESTRICTED CERTIFICATE OF REGISTRATION - IN VITRO

5.—(1) The following are non-exemptible registration requirements for a restricted certificate of registration - in vitro:

1. The applicant must have successfully completed a program in in vitro procedures offered in Ontario and included in Schedule 2 or another program inside or outside Ontario in in vitro procedures that is considered by the Council to be equivalent to a program listed in Schedule 2.
2. The applicant must have successfully completed an examination in in vitro procedures set or approved by the Council.
3. The applicant must have engaged in clinical practice in in vitro procedures within the five years immediately preceding the date of the application or must have successfully completed a program referred to in paragraph 1 within the five years preceding the date of the application.
4. The applicant must pay the prescribed annual fee and the examination fee.

(2) The following are the conditions of a restricted certificate of registration - in vitro:

1. Unless the member holds a specialty certificate in one or more of the specialties issued by the College or is a member of another College, the member shall only practise in vitro procedures.
2. The member must have shown satisfactory evidence to the Council of having engaged in competent practice in in vitro procedures within the previous five years. O. Reg. 866/93, s. 5.

EMPLOYMENT SPECIFIC CERTIFICATE - RADIOGRAPHY

6.—(1) A person who, on the day before the day this Regulation comes into force, is registered under the *Radiological Technicians Act* with a limited scope of practice in radiography and is employed in a facility listed in Schedule 3 shall be deemed to be the holder of an employment specific (radiography) certificate of registration.

(2) An employment specific (radiography) certificate of registration issued under the Act shall be subject to the same limitations that applied to the applicant's registration under the previous Act.

(3) The following are conditions of an employment specific (radiography) certificate of registration:

1. The member shall practise the profession only with a limited scope of practice in radiography and within the scope of his or her employment with the facility specified in the certificate.
2. The certificate of registration is automatically revoked on termination of his or her employment with the facility specified in the certificate. O. Reg. 866/93, s. 6.

EMPLOYMENT SPECIFIC CERTIFICATE - NUCLEAR MEDICINE

7.—(1) The following are non-exemptible registration requirements for an employment specific (nuclear medicine) certificate of registration:

1. The applicant, on the day before this Regulation comes into force, is employed by one of the facilities in Ontario listed in Schedule 4 to practise nuclear medicine procedures.
2. The applicant must apply for an employment specific (nuclear

medicine) certificate of registration within ninety days of the day this Regulation comes into force.

3. The applicant must sign an undertaking with the College in which the applicant agrees to have his or her registration limited to specific procedures and to other such terms and conditions as may be set by the Registration Committee under section 18 of the Health Professions Procedural Code.
4. The applicant must provide evidence satisfactory to the Registration Committee that,
 - i. at the time of application, the applicant is employed by a facility in Ontario referred to in Schedule 4 to practise nuclear medicine procedures, and
 - ii. additional training is not required since there is satisfactory evidence of competent practice in nuclear medicine procedures during the lesser of the past five years and the period of the applicant's employment.
5. The applicant must provide details to the Registration Committee of the specific nuclear medicine procedures carried out by the applicant in his or her employment.
6. The applicant must pay the annual fee.

(2) The following are conditions of an employment specific (nuclear medicine) certificate of registration:

1. The member shall practise the profession only within the scope of his or her employment with the facility specified in the certificate.
2. The certificate of registration is automatically revoked on the termination of his or her employment with the facility specified in the certificate. O. Reg. 866/93, s. 7.

MISCELLANEOUS

8.—(1) No person may use the term "Medical Radiation Technologist" or the abbreviation "M.R.T." unless such person is a member of the College.

(2) No person may use any of the following terms or abbreviations unless the person holds the corresponding specialty certificate of registration issued by the College:

1. Medical Radiation Technologist - Radiography or M.R.T. (R.).
2. Medical Radiation Technologist - Radiation Therapy (Radiation Therapist) or M.R.T. (T.).
3. Medical Radiation Technologist - Nuclear Medicine or M.R.T. (N.). O. Reg. 866/93, s. 8.

9. An applicant must advise the College of his or her intention to write the examination set or approved by the Council in one or more of the specialties, at least ninety days before the examination is to be held. O. Reg. 866/93, s. 9.

10.—(1) Where the Registrar suspends a member's certificate of registration for failure to pay the annual fee and any applicable penalty, the Registrar may lift the suspension if the former member,

- (a) submits proof, in a form that is satisfactory to the Registration Committee, of competence as a medical radiation technologist in the year in which such person wishes to resume practice in Ontario and if such person has not engaged in competent practice in Ontario for a period of five consecutive years, satisfies the Registration Committee by examination or otherwise as to competence to practice in Ontario as a medical radiation technologist; and
- (b) pays the applicable fees.

(2) Where a member ceases to practice in Ontario, the Registrar may re-register the member as a medical radiation technologist if the member,

- (a) had provided the Registrar with a resignation in writing during the registration year in which such member ceased to practise;
- (b) submits proof, in a form that is satisfactory to the Registration Committee, of competence as a medical radiation technologist in the year in which such person wishes to resume practice in Ontario and, if such person has not engaged in competent practice in Ontario for a period of five consecutive years, satisfies the Registration Committee by examination or otherwise as to competence to practise in Ontario as a medical radiation technologist; and
- (c) pays the applicable fees. O. Reg. 866/93, s. 10.

11. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule 1

APPROVED PROGRAMS UNDER SUBSECTION 4 (1)

RADIOGRAPHY

1. Cambrian College of Applied Arts and Technology, Sudbury, Ontario.
2. College Cambrian D'Arts Appliqués et de Technologie, Sudbury, Ontario.
3. Confederation College of Applied Arts and Technology, Thunder Bay, Ontario.
4. Eastern Ontario School of X-Ray Technology, Kingston, Ontario.
5. Fanshawe College of Applied Arts and Technology London, Ontario.
6. Mohawk College of Applied Arts and Technology Hamilton, Ontario.
7. National Defence Medical Centre, Ottawa, Ontario.
8. The Michener Institute For Applied Health Sciences, Toronto, Ontario.

NUCLEAR MEDICINE

9. The Michener Institute For Applied Health Sciences, Toronto, Ontario.

RADIATION THERAPY

10. Ontario School of Radiation Therapy/The Princess Margaret Hospital, Toronto, Ontario in co-operation with:
 - Kingston Regional Cancer Centre
 - Northeastern Ontario Regional Cancer Centre, Sudbury
 - Nova Scotia Cancer Centre, Halifax
 - Ottawa Regional Cancer Centre
 - Saint John Regional Hospital, New Brunswick
 - The Princess Margaret Hospital, Toronto
 - Thunder Bay Regional Cancer Centre
 - Windsor Regional Cancer Centre
11. Hamilton Regional Cancer Centre, Hamilton, Ontario

12. London Regional Cancer Centre, London, Ontario
 13. Toronto-Bayview Regional Cancer Centre, Toronto, Ontario.

O. Reg. 866/93, Sched. 1.

Schedule 2

APPROVED PROGRAMS UNDER SUBSECTION 5 (1)

1. A program in in vitro procedures offered by The Michener Institute For Applied Health Sciences, Toronto, Ontario.

O. Reg. 866/93, Sched. 2.

Schedule 3

FACILITIES FOR THE PURPOSE OF SUBSECTION 6 (1)

Post Secondary Educational Institutions

Boards under the *Education Act*Private Hospitals under the *Private Hospitals Act*Public Hospitals under the *Public Hospitals Act*Psychiatric Facilities under the *Mental Health Act*Designated Institutions under the *Mental Hospitals Act*Approved Charitable Homes for the Aged under the *Charitable Institutions Act*Nursing Homes under the *Nursing Homes Act*Homes for the Aged under the *Homes for the Aged and Rest Homes Act*Boards of Health under the *Health Protection and Promotion Act*

Agencies, Boards or Commissions under any Ontario statute

Independent Health Facilities under the *Independent Health Facilities Act*

Institutions funded by the Minister as community health centres, health service organizations or comprehensive health organizations

Institutions similar to any of the above funded by the Minister of Indian Affairs and Northern Development

O. Reg. 866/93, Sched. 3.

Schedule 4

FACILITIES FOR THE PURPOSE OF SUBSECTION 7 (1)

Post Secondary Educational Institutions

Boards under the *Education Act*Private Hospitals under the *Private Hospitals Act*Public Hospitals under the *Public Hospitals Act*Psychiatric Facilities under the *Mental Health Act*Designated institutions under the *Mental Hospitals Act*Approved Charitable Homes for the Aged under the *Charitable Institutions Act*Nursing Homes under the *Nursing Homes Act*Homes for the Aged under the *Homes for the Aged and Rest Homes Act*Boards of Health under the *Health Protection and Promotion Act*

Agencies, Boards or Commissions under any Ontario statute

Independent Health Facilities under the *Independent Health Facilities Act*Laboratories or specimen collection centres under the *Laboratory and Specimen Collection Centre Licensing Act*

Institutions funded by the Minister as community health centres, health service organizations or comprehensive health organizations

Institutions similar to any of the above funded by the Minister of Indian Affairs and Northern Development

O. Reg. 866/93, Sched. 4.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:ERNE EDMONDS
Vice ChairSHARON SABERTON
Registrar

Dated at Toronto on December 1, 1993.

1/94

ONTARIO REGULATION 867/93
made under the
MIDWIFERY ACT, 1991Made: December 7, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

DEFINITIONS

1. In this Regulation,

“active practice” means the provision of midwifery care to a woman throughout pregnancy, labour, birth and the postpartum period in accordance with section 5;

“continuity of care” means midwifery care provided in accordance with the standards of practice of the College and available during all trimesters of pregnancy on a twenty-four hour on-call basis from a group of no more than four primary caregivers;

“primary caregiver” means a health care practitioner, whether a midwife or practitioner from another profession, who acts as the first point of access to care for women seeking care during pregnancy and who functions without the supervision of a member or a member of another health care profession, making autonomous decisions with full responsibility for the care provided;

“primary midwife” means a midwife who, as a primary caregiver, assumes sole responsibility for the care of a woman in the intrapartum period, or, working with another midwife who is a primary caregiver or a small group of midwives, assumes primary responsibility for the care of a woman in the intrapartum period and includes a midwife who attends a birth as a supervisor approved by the College, or a clinical teacher in the baccalaureate program or the Midwifery Pre-registration Program of the Michener Institute of Applied Health Sciences;

“remote birth centre” means a birth centre located at a distance of at least thirty minutes journey from a hospital with surgical facilities, using a method of transportation ordinarily used for health care purposes in the area;

"remote clinic" means a clinic located at a distance of at least thirty minutes journey from a hospital with surgical facilities, using the method of transportation ordinarily used for health care purposes in the area. O. Reg. 867/93, s. 1.

GENERAL

2.—(1) The following are prescribed as classes of certificates of registration:

1. General.
2. Student.
3. Supervised practice.

(2) A person may apply for a certificate of registration by submitting a completed application to the Registrar together with the application fee.

(3) A certificate of registration shall be issued if the member,

- (a) pays the administration fee;
- (b) pays the annual fee; and
- (c) satisfies the registration requirements for a certificate of the applicable class. O. Reg. 867/93, s. 2.

3.—(1) The following are registration requirements for a certificate of registration of any class:

1. The applicant must disclose the following information that relates to the applicant and to the practice of midwifery or any other profession, whether in Ontario or any other jurisdiction:
 - i. A finding of professional misconduct, incompetence or incapacity, including a finding of professional misconduct or lack of fitness to practise by a professional association that has self-regulatory responsibility.
 - ii. A current proceeding in relation to professional misconduct, incompetence or incapacity, including a proceeding relating to professional misconduct or fitness to practise by a professional association that has self-regulatory responsibility.
 - iii. A denial of registration by a professional regulatory body or of membership by a professional association that has self-regulatory responsibility.
 - iv. A coroner's inquest proceeding or verdict.
 - v. A professional liability insurance claim.
 - vi. A settlement or judgment in any civil law suit.
2. The applicant must disclose every finding of guilt in relation to a criminal offence or any other offence relevant to suitability to practise midwifery.
3. The applicant must disclose any previous, present or pending suspension or cancellation of, or any attachment of conditions to, a registration or membership in a professional association that has self-regulatory responsibility relating to midwifery or to any other profession, whether in Ontario or in any other jurisdiction, where the suspension, cancellation or attachment of conditions arises out of the proceedings referred to in paragraph 1 or 2 or by reason of health or incapacity to practise.
4. The applicant must satisfy the College that any deficit in the applicant's ethics, clinical practice or preparation as revealed by the matters disclosed under paragraphs 1, 2 and 3 has been remedied, or that the cause for the suspension, cancellation or imposition of conditions no longer exists.

(2) The following are conditions of a certificate of registration of any class:

1. The member's certificate of registration shall be revoked if the member fails to disclose any of the following information that relates to the applicant and to the practice of midwifery or any other profession, whether in Ontario or any other jurisdiction, and that arises after the certificate of registration has been issued:
 - i. A finding of professional misconduct, incompetence or incapacity, including a finding of professional misconduct or lack of fitness to practise by a professional association that has self-regulatory responsibility.
 - ii. A current proceeding in relation to professional misconduct, incompetence or incapacity, including a proceeding relating to professional misconduct or fitness to practise by a professional association that has self-regulatory responsibility.
 - iii. A denial of registration by a professional regulatory body or of membership by a professional association that has self-regulatory responsibility.
 - iv. A coroner's inquest proceeding or verdict.
 - v. A professional liability insurance claim.
 - vi. A settlement or judgment in any civil law suit.

2. The member's certificate of registration shall be revoked if the member fails to disclose any finding of guilt in relation to a criminal offence or any other offence relevant to suitability to practise midwifery.
3. The member's certificate of registration shall be revoked if the member does not disclose any previous, present or pending suspension or cancellation of, or any attachment of conditions to, a registration or membership in a professional association that has self-regulatory responsibility relating to midwifery or to any other profession, whether in Ontario or in any other jurisdiction, where the suspension, cancellation or attachment of conditions arises out of the proceedings referred to in paragraph 1 or 2 or by reason of health or incapacity to practise.
4. The member's certificate of registration shall be revoked if the member does not satisfy the College that any deficit in the applicant's ethics, clinical practice or preparation revealed by the matters disclosed under paragraphs 1, 2 and 3 has been remedied, or that the cause for the suspension, cancellation or imposition of conditions no longer exists.
5. The member's certificate of registration shall be revoked for knowingly making a false or misleading statement in an application for a first certificate of registration or for an annual certificate of registration and registration card, or in responding to any query or communication from the College.

(3) A member whose registration is revoked under paragraph 1, 2, 3 or 4 of subsection (2) may resume the registration within a year after its revocation if the member,

- (a) satisfies the requirements of subsection (1) and the prescribed requirements for the applicable class of certificate of registration; and
- (b) pays the administration fee and the annual fee. O. Reg. 867/93, s. 3.

GENERAL CERTIFICATE OF REGISTRATION

4.—(1) The following are non-exemptible requirements for a general certificate of registration:

1. The applicant must have one of the following:
 - i. A baccalaureate degree in health sciences (midwifery) from a university in Ontario.
 - ii. A degree, diploma or certificate from a program listed in Schedule 1.
 - iii. Qualifications equivalent to the degree referred to in subparagraph i.
2. The applicant must have the following clinical experience:
 - i. Current clinical experience consisting of active practice for at least two years out of the four years immediately prior to the application.
 - ii. Attendance at least sixty births, of which,
 - A. at least forty shall have been as primary midwife,
 - B. thirty shall have been attended as part of the care provided to a woman in accordance with the principles of continuity of care,
 - C. ten shall have been in hospital, and
 - D. ten shall have been in a residence or remote clinic or remote birth centre, of which five will have been as primary midwife.
3. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in employment in Canada.
4. The applicant must provide the College with the following evidence of having obtained protection from professional liability:
 - i. evidence that the applicant is a member of the Association of Ontario Midwives, or
 - ii. if the applicant is not a member of the Association of Ontario Midwives and the Association charges fees to non-members to enable them to obtain professional liability insurance otherwise available only to members of the Association of Ontario Midwives, evidence that the applicant has paid such fees.

(2) For the purposes of subparagraph iii of paragraph 1 of subsection (1), an applicant's qualifications are equivalent to the baccalaureate degree in health sciences (midwifery) from a university in Ontario, if the College establishes by means of a prior learning assessment that such qualifications have afforded to the applicant sufficient preparation in the areas listed in Schedule 2 that the applicant will be able to practise safely and competently in accordance with the regulations and the standards of practice of the College and be able to work without supervision as a primary caregiver in a hospital, residence, remote clinic or remote birth centre.

(3) Paragraph 2 of subsection (1) does not apply to an applicant who, within the two years immediately preceding the date of application, satisfied the educational requirements in paragraph 1 of subsection (1) or successfully completed a supervised practice approved by the Council.

(4) The following are conditions of a general certificate of registration:

1. The member's certificate of registration is revoked if the member ceases to be a Canadian citizen or permanent resident of Canada or if the member's authorization under the *Immigration Act* (Canada) to engage in employment is revoked.
2. The member's certificate of registration is revoked if the

member fails to carry on an active practice in accordance with section 5.

3. The member's certificate of registration is revoked if the member ceases to provide evidence of having obtained protection from professional liability as required under paragraph 4 of subsection (1).

(5) On or after January 31, 1994, it is an additional condition of a general certificate of registration that the member's certificate of registration is revoked if the member fails to provide evidence satisfactory to the College of continuing competency in neonatal resuscitation and cardiopulmonary resuscitation. O. Reg. 867/93, s. 4.

5.—(1) A member shall satisfy the requirement for active practice if the member provides midwifery care,

- (a) over a one-year period, to at least twenty women, ten of whom the member attended as primary midwife with five of the births occurring in a hospital and five in a residence, remote clinic or remote birth centre; or
- (b) over a two-year period, to at least forty women, twenty of whom the member attended as primary midwife with ten of the births occurring in a hospital and ten in a residence, remote clinic or remote birth centre.

(2) A member who complies with subsection (1) in the first two consecutive years after registration in Ontario, may elect to satisfy the requirement for active practice by, in any subsequent five-year period, providing midwifery care throughout pregnancy, labour, birth and the postpartum period to at least 100 women, sixty of whom the member attended as primary midwife with twenty-five of the births occurring in a hospital and twenty-five in a residence, remote clinic or remote birth centre.

(3) Despite subsection (2), a member may satisfy the requirement for active practice over any five-year period after registration in accordance with subsection (2) if the member,

- (a) practised as a midwife,
 - (i) in a jurisdiction outside of Ontario before being issued a certificate of registration under the Act, or
 - (ii) in Ontario before the day this Regulation came into force; and

- (b) complied with clause (1) (a) or (b) in two of the four years immediately preceding registration in Ontario. O. Reg. 867/93, s. 5.

6. A member whose certificate of registration is revoked under paragraph 1, 2 or 3 of subsection 4 (4) or under subsection 4 (5) may be reinstated if the member,

- (a) satisfies the requirements for registration under subsection 4 (1);
- (b) pays the administration fee and, if applicable, the annual fee; and
- (c) provides evidence of having satisfied the condition with which the member had failed to comply. O. Reg. 867/93, s. 6.

7. A member whose certificate of registration is revoked under paragraph 2 of subsection 4 (4) may resume registration if, within two years of the date of the revocation, the member successfully completes a requalification program satisfactory to the College. O. Reg. 867/93, s. 7.

8. It is a requirement for a certificate of registration that the applicant demonstrate the ability to communicate with reasonable fluency in either English or French. O. Reg. 867/93, s. 8.

STUDENT CERTIFICATE OF REGISTRATION

9.—(1) Any person enrolled in a program leading to the baccalaureate degree in health sciences (midwifery) in a university in Ontario or the Midwifery Pre-registration Program of the Michener Institute of Applied Health Sciences may obtain a student certificate of registration.

(2) An applicant for a student certificate of registration must provide evidence of professional liability insurance satisfactory to the College.

(3) The following are the conditions of a student certificate of registration:

1. The member's certificate of registration is revoked if the member ceases to be enrolled in the educational program.
2. The member may only provide midwifery care within the baccalaureate program or the Midwifery Pre-registration Program of the Michener Institute of Applied Health Sciences and under the supervision of the midwifery faculty.
3. The member's certificate of registration is revoked if the member does not have professional liability insurance satisfactory to the College. O. Reg. 867/93, s. 9.

CERTIFICATE OF REGISTRATION REQUIRING SUPERVISED PRACTICE

10.—(1) An applicant for a general certificate of registration who fails to fully satisfy the educational requirement in subparagraph iii of paragraph 1 of subsection 4 (1) or the clinical experience requirements in paragraph 2 of subsection 4 (1), may be issued a certificate of registration requiring supervised practice if,

- (a) in the opinion of the Registration Committee the deficiencies in theoretical or clinical preparation disclosed on the application cannot be remedied by the imposition of conditions, but may be fully remedied by a period of no more than one year under the supervision of a holder of a general certificate of registration who is an approved supervisor; and
- (b) the applicant provides to the College a plan for supervised practice and evaluation which satisfactorily addresses the deficiencies disclosed on the application and which has been agreed to by an approved supervisor acceptable to the College.

(2) On or after January 31, 1994, an applicant for a general certificate of registration may only be issued a certificate of registration requiring supervised practice under subsection (1) if, in addition to meeting the conditions under subsection (1), the applicant provides evidence satisfactory to the College of competency in neonatal resuscitation and cardiopulmonary resuscitation.

(3) It is a non-exemptible requirement for a certificate of registration requiring supervised practice that the applicant give the College the following evidence of having obtained protection from professional liability:

1. Evidence that the applicant is a member of the Association of Ontario Midwives.
2. If the applicant is not a member of the Association of Ontario Midwives and the Association charges fees to non-members to enable them to obtain professional liability insurance otherwise available only to members of the Association of Ontario Midwives, evidence that the applicant has paid such fees.

(4) A certificate of registration requiring supervised practice may be granted for a period of up to one year.

(5) If a certificate of registration requiring supervised practice is granted for a period of less than a year, the certificate may be reissued so long as the reissuance will not result in the total period of supervised practice being longer than one year.

(6) A member holding a certificate of registration requiring supervised practice may apply for a general certificate of registration if the member submits to the College a report from his or her supervisor indicating successful completion of the period of supervision.

(7) In addition to any condition of supervision that may be outlined in the certificate of registration, the following are the conditions of a certificate of registration requiring supervised practice:

1. The certificate of registration is revoked if the member ceases to be a Canadian citizen or permanent resident of Canada or if the member's authorization under the *Immigration Act* (Canada) to engage in employment is revoked.
2. The member's certificate of registration is revoked if the member ceases to provide evidence of having obtained protection against professional liability as required under subsection (3). O. Reg. 867/93, s. 10.

MISCELLANEOUS

11.—(1) If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar may, within one year of the date of the suspension, lift the suspension on payment of,

- (a) the fee the member failed to pay;
- (b) the penalty for late payment of the fee; and
- (c) an additional administration fee of \$35.

(2) If the Registrar does not lift the suspension of a certificate of registration that was suspended for failure to pay a prescribed fee under subsection (1), the certificate is revoked one year after the day of the suspension.

(3) A member whose certificate of registration is revoked under subsection (2) may resume registration if, within one year of the date of the revocation, the member successfully completes a requalification program satisfactory to the College. O. Reg. 867/93, s. 11.

12.—(1) The member's name shown on the register shall be the name that appears on the member's application for registration.

(2) A member may request a change of the name that appears on the register and the registration documents issued by filing with the College proof of the change of name and paying the prescribed fee.

(3) For each member, the register shall contain a notation of both the original name of registration and of any change of name.

(4) A member shall clearly display the certificate of registration issued by the College when the member was first registered and the member's current annual certificate of registration issued by the College at the location of the member's principal place of practice, and shall have available for inspection the current registration card issued by the College. O. Reg. 867/93, s. 12.

13. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule 1

1. The Midwifery Pre-registration Program of the Michener Institute of Applied Health Sciences.

O. Reg. 867/93, Sched. 1.

Schedule 2

1. Midwifery.
2. Obstetrics.

3. The basic sciences (anatomy and physiology, pharmacology, genetics, microbiology and biochemistry).
4. Social sciences (sociology, anthropology, psychology, Aboriginal and cultural studies).
5. Women's studies.
6. Health sciences (health education, health promotion, the organization of the health care system).
7. Research.
8. Community-based clinical preparation in midwifery.

O. Reg. 867/93, Sched. 2.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MIDWIVES OF ONTARIO:

MARY EBERTS
Chair

BRENDA HYATALI
Vice-Chair

Dated at Toronto on December 7, 1993.

1/94

ONTARIO REGULATION 868/93
made under the
NURSING ACT, 1991

Made: December 3, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

1.—(1) The following are prescribed as classes of certificates of registration for registered nurses:

1. General.
2. Temporary.
3. Special Assignment.
4. Provisional.

(2) A registered nurse may not hold more than one class of certificate of registration as a registered nurse at one time. O. Reg. 868/93, s. 1.

2.—(1) The following are prescribed as classes of certificates of registration for registered practical nurses:

1. General.
2. Temporary.
3. Special Assignment.
4. Provisional.

(2) A registered practical nurse may not hold more than one class of certificate of registration as a registered practical nurse at one time. O. Reg. 868/93, s. 2.

3.—(1) A person may apply for a certificate of registration by submitting a completed application form supplied by the Executive Director and the appropriate fee.

(2) Upon receipt of the prescribed fee, the Executive Director shall

issue a certificate of registration for a person who meets all of the prescribed registration requirements. O. Reg. 868/93, s. 3.

4.—(1) A member may resign any class of certificate of registration by giving written notice of intention to resign.

(2) A member who resigns shall pay any fee outstanding at the date of resignation. O. Reg. 868/93, s. 4.

5.—(1) The following are the registration requirements for a certificate of registration of any class:

1. The applicant must not have been convicted of a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada).
2. The applicant must not have been the subject of a finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the nursing profession or another health profession.
3. The applicant must not currently be a subject of proceedings for professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the nursing profession or another health profession.
4. The applicant must not suffer from a physical or mental condition or disorder that makes it desirable in the public interest that he or she not practise.

(2) An applicant or member shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant or member knowingly made a false or misleading statement or representation in his or her application.

(3) It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. A conviction for a criminal offence or an offence under the *Narcotic Control Act* (Canada) or the *Food and Drugs Act* (Canada).
2. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the nursing profession or another health profession.
3. A current proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the nursing profession or another health profession. O. Reg. 868/93, s. 5.

6.—(1) The following are non-exemptible registration requirements for a general certificate of registration as a registered nurse:

1. The applicant must have graduated from one of the following:
 - i. a nursing program in Ontario,
 - A. approved by the Minister of Education and Training in the case of a program offered by a college of applied arts and technology, or
 - B. accredited by the Committee on Accreditation of the Council of Ontario University Programs in Nursing and approved by the university Senate or Governing Council in question in the case of a program offered by a university,
 - ii. a nursing program in another province or territory in Canada accepted by the regulatory body for nursing in that province or territory,

- iii. a nursing program outside Canada that the Registration Committee determines was equivalent at the time the applicant graduated to a currently approved Ontario program, or
 - iv. a nursing program outside of Canada that has not been determined equivalent to a currently approved Ontario nursing program by the Registration Committee so long as the applicant has attained such additional nursing education or experience as may be determined by the Registration Committee to be sufficient to provide the education equivalent to an approved nursing program in Ontario.
2. At the time of successfully completing all other requirements for registration in this class or at the time of application, whichever is later, the applicant must provide evidence satisfactory to the Registration Committee that,
 - i. the applicant has completed the requirements of paragraph 1 in the past five years,
 - ii. the applicant has successfully completed such further education as may be required by the Registration Committee, or
 - iii. the applicant has no need for additional education based on evidence of safe nursing practice during the past five years.
 3. The applicant must have passed the examination for registration as a nurse set by the Canadian Nurses Association Testing Services or an examination approved as equivalent by the Registration Committee.
- (2) The following are non-exemptible registration requirements for a general certificate of registration as a registered practical nurse:
1. The applicant must have graduated from one of the following:
 - i. a practical nurse or nursing assistant program in Ontario,
 - A. approved by the Minister of Education and Training in the case of a program offered by a college of applied arts and technology or a secondary school, or
 - B. approved by the Ministry of Health,
 - ii. a practical nursing or nursing assistant program in another province or territory in Canada accepted by the regulatory body for practical nursing or nursing assistants in that province or territory,
 - iii. a practical nursing or nursing assistant program outside Canada that the Registration Committee determines was equivalent at the time the applicant graduated to a currently approved Ontario program, or
 - iv. a practical nursing, nursing assistant or nursing program that has not been determined equivalent to a currently approved Ontario practical nursing or nursing assistant program by the Registration Committee, so long as the applicant has attained such additional practical nursing or nursing assistant education or experience as may be determined by the Registration Committee to be sufficient to provide the education equivalent to an approved practical nurse or nursing assistant program in Ontario.
 2. At the time of successfully completing all other requirements for registration in this class or at the time of application, whichever is later, the applicant must provide evidence satisfactory to the Registration Committee that,
 - i. the applicant has completed the requirements of paragraph 1 in the past five years,
 - ii. the applicant has successfully completed such further education as may be required by the Registration Committee, or
 - iii. that the applicant has no need for additional education based on evidence of safe practice as a practical nurse or nursing assistant during the past five years.
 3. The applicant has passed the examination for registration as a practical nurse or nursing assistant set by the Canadian Nurses Association Testing Services or an examination approved as equivalent by the Registration Committee.
- (3) The following are registration requirements for a general certificate of registration as a registered nurse or a registered practical nurse:
1. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 2. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the nursing profession.
 3. An applicant graduating from a program referred to in subparagraph ii, iii or iv of paragraph 1 of subsection (1) or (2) must show,
 - i. in the case of an applicant for a certificate of registration as a registered nurse, proof of registration or eligibility for registration as a registered nurse in the jurisdiction in which the nursing program was located, or
 - ii. in the case of an applicant for a certificate of registration as a registered practical nurse, proof of registration or eligibility for registration as a registered practical nurse in the jurisdiction in which the practical nurse or nursing assistant program was located.
 4. The applicant must not have been refused registration in the nursing profession in another jurisdiction. O. Reg. 868/93, s. 6.
 7. A member holding a temporary certificate of registration or a provisional certificate of registration who passes the examination for registration as a nurse or as a practical nurse or nursing assistant set by the Canadian Nurses Association Testing Services or an examination approved as equivalent by the Registration Committee is entitled to a general certificate of registration of the same membership class as the previous temporary or provisional certificate of registration if the member,
 - (a) applies for the general certificate of registration in accordance with subsection 3 (1);
 - (b) meets the requirements of paragraph 2 of subsection 6 (3); and
 - (c) meets the requirements of,
 - (i) paragraph 2 of subsection 6 (1) in the case of an applicant for a certificate of registration as a registered nurse, or
 - (ii) paragraph 2 of subsection 6 (2) in the case of an applicant for a certificate of registration as a registered practical nurse. O. Reg. 868/93, s. 7.
 8. A person who held a certificate of a particular membership class under Part IV of the *Health Disciplines Act* shall be deemed to meet the requirements set out in section 6 and shall be issued a general certificate of registration of the same membership class under the Act upon completion of the appropriate form and payment of the prescribed fees if,
 - (a) the person would have been entitled to renewal of the certificate under Part IV of the *Health Disciplines Act* on the day before proclamation of the Act; and

- (b) on or before the day the person ceased to be a member under the *Health Disciplines Act*, the person was not the subject of any disciplinary or incapacity proceeding. O. Reg. 868/93, s. 8.

9.—(1) The following are non-exemptible registration requirements for a temporary certificate of registration:

1. The applicant must not have previously held,
 - i. a temporary or provisional certificate of registration as a registered nurse, in the case of an applicant for a temporary certificate of registration as a registered nurse, or
 - ii. a temporary or provisional certificate of registration as a registered practical nurse, in the case of an applicant for a temporary certificate of registration as a registered practical nurse.
2. The applicant must meet the educational and training requirements for a general certificate of registration which are set out in,
 - i. paragraphs 1 and 2 of subsection 6 (1), in the case of an applicant for a temporary certificate of registration as a registered nurse, or
 - ii. paragraphs 1 and 2 of subsection 6 (2), in the case of an applicant for a temporary certificate of registration as a registered practical nurse.
3. The applicant must have a written offer of employment with an Ontario facility described in the Schedule or approval of the Registration Committee,
 - i. as a registered nurse in the case of an applicant for a certificate of registration as a registered nurse, or
 - ii. as a registered practical nurse in the case of an applicant for a certificate of registration as a registered practical nurse.
4. The applicant must sign an undertaking with the College whereby the applicant agrees to observe any term, condition or limitation that may be imposed by the Registration Committee.

(2) The following are registration requirements for a temporary certificate of registration:

1. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
2. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the nursing profession.
3. The applicant graduating from a program referred to in subparagraph ii, iii or iv of paragraph 1 of subsection 6 (1) or (2) must show,
 - i. in the case of an applicant for a certificate of registration as a registered nurse, proof of registration or eligibility for registration as a registered nurse in the jurisdiction in which the nursing program was located, or
 - ii. in the case of an applicant for a certificate of registration as a registered practical nurse, proof of registration or of eligibility for registration as a registered practical nurse in the jurisdiction in which the practical nurse or nursing assistant program was located.
4. The applicant must not have been refused registration in the nursing profession in another jurisdiction.

(3) A temporary certificate of registration shall only be issued if the application is made within one year of meeting the requirements set out in paragraph 2 of subsection (1).

(4) The following are conditions of a temporary certificate of registration:

1. The member shall practice the profession only within the scope of his or her employment with the facility set out in the certificate and in accordance with the terms, conditions and limitations set out in his or her certificate.
2. The member must be supervised by a member who holds a general certificate of registration.
3. The member shall not self-initiate or delegate controlled or authorized acts.
4. The member shall not perform a delegated controlled act.
5. The member shall not supervise another member in any class.

(5) A temporary certificate of registration terminates, on the earliest of the following:

1. One year after the day the applicant completed the requirements set out in,
 - i. paragraphs 1 and 2 of subsection 6 (1), in the case of a registered nurse, or
 - ii. paragraphs 1 and 2 of subsection 6 (2), in the case of a registered practical nurse.
2. The day the applicant is issued a general certificate of registration.

(6) The certificate shall be suspended in the event of termination of a member's employment in the facility set out in the certificate.

(7) A suspension under subsection (6) may be lifted upon the applicant receiving a written offer of employment in accordance with paragraph 3 of subsection (1). O. Reg. 868/93, s. 9.

10.—(1) The following are non-exemptible registration requirements for a special assignment certificate of registration as a registered nurse:

1. The applicant must satisfy the Registration Committee that,
 - i. the applicant has successfully completed a nursing program that was recognized or approved in the jurisdiction in which the program was offered as qualifying the applicant to practise in that jurisdiction,
 - ii. the applicant has practised safely in nursing within the five years immediately preceding the time of application,
 - iii. the applicant has not previously held a certificate of registration as a registered nurse issued by the College under the Act other than a special assignment certificate,
 - iv. the applicant has not previously held a special assignment certificate for the same assignment or appointment approved by the Registration Committee,
 - v. the applicant has an appointment or special assignment as a registered nurse with an Ontario facility listed in the Schedule or such other assignment as may be approved by the Registration Committee.
2. The applicant must sign an undertaking with the College whereby the applicant agrees to observe any term, condition or limitation as may be set out by the Registration Committee.

(2) The following are non-exemptible registration requirements for a special assignment certificate of registration as a registered practical nurse:

1. The applicant must satisfy the Registration Committee that,
 - i. the applicant has successfully completed a practical nursing or nursing assistant program that was recognized or approved in the jurisdiction in which the program was offered as qualifying the applicant to practise in that jurisdiction,
 - ii. the applicant has practised safely as a practical nurse or nursing assistant within the five years immediately preceding the time of application,
 - iii. the applicant has not previously held a certificate of registration as a registered practical nurse issued by the College under the Act other than a special assignment certificate,
 - iv. the applicant has not previously held a special assignment certificate for the same assignment or appointment approved by the Registration Committee,
 - v. the applicant has an appointment or special assignment as a registered practical nurse with an Ontario facility listed in the Schedule or such other assignment as may be approved by the Registration Committee.
2. The applicant must sign an undertaking with the College whereby the applicant agrees to observe any term, condition or limitation as may be set by the Registration Committee.

(3) The following are registration requirements for a special assignment certificate of registration:

1. The applicant must demonstrate the ability to speak and write either English or French with reasonable fluency.
2. An applicant graduating from a program referred to in subparagraph i of paragraph 1 of subsection (1) or (2) must show,
 - i. in the case of an applicant for a certificate of registration as a registered nurse, proof of registration or eligibility for registration as a registered nurse in the jurisdiction in which the nursing program was located, or
 - ii. in the case of an applicant for a certificate of registration as a registered practical nurse, proof of registration or eligibility for registration as a registered practical nurse in the jurisdiction in which the practical nurse or nursing assistant program was located.
3. The applicant must not have been refused registration in the nursing profession in another jurisdiction.

(4) It is a condition of a special assignment certificate of registration that the member practice the profession only within the scope of his or her appointment or special assignment with the facility set out in the certificate and within the terms, conditions and limitations set out in his or her certificate.

(5) The certificate terminates on the earlier of,

- (a) the date specified on the certificate;
- (b) the last day of the appointment or special assignment;
- (c) the first anniversary date of meeting all the requirements except the requirements of this class from which the member was exempt. O. Reg. 868/93, s. 10.

11.—(1) The following are non-exemptible registration requirements for a provisional certificate of registration as a registered nurse:

1. The applicant must satisfy the Registration Committee that,
 - i. the applicant has successfully completed a nursing program that was recognized or approved in the jurisdiction in which the program was offered as qualifying the applicant to practise in that jurisdiction,
 - ii. the applicant has been continuously employed in nursing in Ontario and has practised safely in a graduate nurse capacity for at least five years immediately preceding May 15, 1993.
2. The applicant must not have previously been registered with the College.
3. The applicant must apply for a provisional certificate of registration as a registered nurse within thirty days after proclamation of the Act.
4. The applicant must sign an undertaking with the College whereby the applicant agrees to observe any term, condition or limitation set by the Registration Committee.

(2) The following are registration requirements for a provisional certificate of registration as a registered nurse:

1. The applicant is employed in nursing in a graduate nurse capacity in Ontario on the date the application is submitted.
2. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the nursing profession.

(3) The following are non-exemptible registration requirements for a provisional certificate of registration as a registered practical nurse:

1. The applicant must satisfy the Registration Committee that,
 - i. the applicant has successfully completed a practical or nursing assistant program that was recognized or approved in the jurisdiction in which the program was offered as qualifying the applicant to practise in that jurisdiction,
 - ii. the applicant has been continuously employed in nursing in Ontario and has practised safely in a graduate nursing assistant capacity for at least five years immediately preceding May 15, 1993.
2. The applicant must not have previously been registered with the College.
3. The applicant must apply for a provisional certificate of registration as a registered practical nurse within thirty days after proclamation of the Act.
4. The applicant must sign an undertaking with the College whereby the applicant agrees to observe any term, condition or limitation set by the Registration Committee in accordance with section 18 of the Health Professions Procedural Code.

(4) The following are registration requirements for a provisional certificate of registration as a registered practical nurse:

1. The applicant is employed in nursing in a graduate nursing assistant capacity in Ontario on the date the application is submitted.
2. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the nursing profession.

(5) The following are conditions of a provisional certificate of registration:

1. The member shall practise the profession only within the terms, conditions and limitations set out in the certificate.
2. A member may not self-initiate or delegate controlled or authorized acts.
3. A member shall not perform a delegated controlled act.
4. A provisional certificate of registration terminates three years after the day it is issued or when the member successfully completes the requirements in paragraphs 2 and 3 of subsection 6 (1) or (2) and paragraph 2 of subsection 6 (3) and is issued a general certificate of registration in accordance with section 7. O. Reg. 868/93, s. 11.

12.—(1) The examination for registration shall be administered by the College at least once a year.

(2) An applicant shall apply to write the examination at least ninety days before the date of the examination by filing an application with the College together with the prescribed fee.

(3) An applicant shall not be eligible to take the examination for registration unless,

- (a) the applicant has satisfied the registration requirements described in paragraph 1 of subsection 6 (1) or (2); or
- (b) the applicant holds a provisional certificate of registration which has not expired.

(4) Subject to subsection (6), an applicant shall have, within the six-year period following eligibility to write the examination or being issued a provisional certificate of registration, up to six opportunities to write the examination and to achieve a passing score.

(5) Once an applicant achieves a passing score on the examination he or she shall be prohibited from rewriting the examination.

(6) If the applicant has not achieved a passing score in the examination within three years of becoming eligible to write the examination or being issued a provisional certificate of registration, or after three opportunities to write the examination, whichever occurs first, the applicant shall complete such further study as may be directed by the Registration Committee prior to being eligible to rewrite the examination. O. Reg. 868/93, s. 12.

13.—(1) If the Executive Director suspends a member's certificate of registration for failure to pay a prescribed fee, the Executive Director shall lift the suspension upon the payment of,

- (a) if the lifting of the suspension occurs in the year in which the suspension occurred,
 - (i) the prescribed penalty for failure to pay the fees, the same year in which the suspension occurred,
 - (ii) the annual fee for the year in which the suspension is lifted, and
 - (iii) the prescribed reinstatement fee; or
- (b) if the lifting of the suspension occurs in a year subsequent to the year in which the suspension occurred,
 - (i) the annual fee for the year in which the suspension is lifted, and
 - (ii) the prescribed reinstatement fee.

(2) A member whose certificate of registration was suspended for reasons other than non-payment and who has rectified the reasons for the suspension shall, upon reinstatement, pay,

- (a) the annual fee for the year of reinstatement; and

(b) the prescribed reinstatement fee.

(3) A member who applies for a certificate of registration after having had his or her certificate revoked shall, upon reinstatement, pay,

(a) the annual fee for the year of reinstatement; and

(b) the prescribed reinstatement fee. O. Reg. 868/93, s. 13.

14. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule

Post Secondary Educational Institutions

Boards under the *Education Act*

Public Hospitals under the *Public Hospitals Act*

Psychiatric Facilities under the *Mental Health Act*

Designated Institutions under the *Mental Hospitals Act*

Approved Charitable Homes for the Aged under the *Charitable Institutions Act*

Nursing Homes under the *Nursing Homes Act*

Homes for the Aged under the *Homes for the Aged and Rest Homes Act*

Boards of Health under the *Health Protection and Promotion Act*

Agencies, Boards and Commissions as defined by the Government of Ontario

Independent Health Facilities under the *Independent Health Facilities Act*

Institutions funded by the Minister of Health as Community Health Centres (CHCs)

Health Services Organizations (HSOs) Comprehensive Health Organizations (CHOs)

O. Reg. 868/93, Sched.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF NURSES OF ONTARIO:

ANNE L. COGHLAN
for the President

MARGARET RISK
Executive Director

Dated at Toronto on December 3, 1993.

1/94

ONTARIO REGULATION 869/93 made under the OPTICIANRY ACT, 1991

Made: December 3, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

CLASSES

1. The following are prescribed as classes of certificates of registration:

1. Registered opticians.
2. Registered student opticians.
3. Registered intern opticians. O. Reg. 869/93, s. 1.

GENERAL

2.—(1) A person may apply for the issue of a certificate of registration by submitting an application to the Registrar together with the application fee, two passport-sized colour photographs of the applicant, signed on the reverse and, in the case of an applicant for the issue of a certificate of registration as a registered optician, evidence of professional liability insurance.

(2) The application fees for the issue of a certificate of registration are as follows:

1. Registered optician — \$100.
2. Registered student optician — \$ 25.
3. Registered intern optician — \$ 25. O. Reg. 869/93, s. 2.

3.—(1) A certificate of registration shall be surrendered to the Registrar upon revocation.

(2) A duplicate copy of a certificate of registration shall be issued by the Registrar only upon the provision of written documentation that the original has been lost, stolen or destroyed, and upon payment of the production fee of \$50. O. Reg. 869/93, s. 3.

4.—(1) The following are registration requirements for a certificate of registration of any class:

1. The applicant must provide details of any of the following that relate to the applicant,
 - i. a conviction for a criminal offence or an offence related to the regulation of the practice of opticianry,
 - ii. a finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to opticianry or another health profession,
 - iii. a current proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to opticianry or another health profession.
2. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.
3. The applicant must be able to speak and write either English or French with reasonable fluency.
4. The applicant must pay the prescribed registration fee for the issue of a certificate of registration.

(2) The following are conditions of a certificate of registration of any class:

1. The member shall provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member,
 - i. a conviction for a criminal offence or an offence related to the regulation of the practice of opticianry,
 - ii. a finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to opticianry or another health profession,

- iii. a proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to opticianry or another health profession.

2. The member shall prominently display his or her certificate of registration, affixed with the current College renewal validation decal, at the principal location where he or she practises opticianry or, in the case of a registered student optician or a registered intern optician, shall carry on his or her person at all times when engaged in the practice of opticianry, his or her registration card supplied by the Registrar.
3. The member shall wear a current photographic identification badge, supplied by the Registrar, prominently displayed, affixed with the current College renewal validation decal, at all times when engaged in the practice of opticianry.
4. The certificate of registration of a member is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or ceases to be authorized under the *Immigration Act* (Canada) to engage in the practice of the profession. O. Reg. 869/93, s. 4.

CERTIFICATE OF REGISTRATION
AS A REGISTERED OPTICIAN

5.—(1) The following are non-exemptible registration requirements for a certificate of registration as a registered optician:

1. The applicant must have successfully completed and graduated from an Ontario opticianry program approved by the Ministry of Education and Training at an institution set out in the Schedule, or from a program which is deemed equivalent in accordance with the policy guidelines of the Registration Committee.
2. The applicant must have achieved a passing mark in each section of the College's examinations, or must have successfully completed examinations which are deemed equivalent to the College's examinations by the Registration Committee.
3. The applicant must have completed at least 1,000 hours of verified dispensing experience.

(2) The following are exemptible registration requirements for a certificate of registration as a registered optician:

1. The applicant must be registered at the time of application as a student optician or intern optician.
2. The applicant must have completed, and must present evidence of, at least 250 eyeglasses fittings, including 100 multifocal fittings and twenty-five high myopic or hyperopic fittings, under the supervision or direction of an optician, an optometrist or an ophthalmologist.
3. The applicant must have completed, and must present evidence of, at least twenty contact lens fittings, including at least five rigid gas permeable (RGP) contact lens fittings, under the supervision or direction of an optician who is certified in the fitting of contact lenses or an optometrist or an ophthalmologist.

(3) It is a condition of a certificate of registration as a registered optician that the member dispense subnormal vision devices, contact lenses or eyeglasses, only if he or she has met the requirements of the College's Quality Assurance Program. O. Reg. 869/93, s. 5.

CERTIFICATE OF REGISTRATION
AS A REGISTERED STUDENT OPTICIAN

6.—(1) It is a non-exemptible registration requirement for a certificate of registration as a registered student optician that the applicant be enrolled in an Ontario opticianry program approved by the Ministry of Education and Training at an institution set out in the Schedule.

(2) The following are conditions of a certificate of registration as a registered student optician:

1. The registered student optician shall dispense subnormal vision devices, contact lenses or eyeglasses, only under the supervision or direction of a registered optician who is physically present in the place in which the dispensing takes place at the time it takes place, and who checks and approves the dispensing and verifies such approval on the patient health record.
2. The certificate of registration of a registered student optician is revoked if he or she ceases to be enrolled in an Ontario opticianry program approved by the Ministry of Education and Training at an institution set out in the Schedule. O. Reg. 869/93, s. 6.

CERTIFICATE OF REGISTRATION AS A REGISTERED INTERN OPTICIAN

7.—(1) The following are non-exemptible registration requirements for a certificate of registration as a registered intern optician:

1. The applicant must have successfully completed and graduated from an Ontario opticianry program approved by the Ministry of Education and Training at an institution set out in the Schedule, or from a program which is deemed equivalent in accordance with the policy guidelines of the Registration Committee.
2. The applicant must provide a written declaration that he or she is engaged, or intends to be engaged, in the practice of opticianry in Ontario.

(2) It is a condition of a certificate of registration as a registered intern optician that the registered intern optician dispense subnormal vision devices, contact lenses or eyeglasses, only under the supervision or direction of a registered optician who is physically present in the place in which the dispensing takes place at the time it takes place. O. Reg. 869/93, s. 7.

LIABILITY INSURANCE

8.—(1) All registered opticians shall have professional liability insurance containing coverage of not less than \$1,000,000.

(2) It shall be a requirement for the issue, renewal or reinstatement of a certificate of registration of a registered optician, that the applicant provide documentary evidence, at the time the application form supplied by the Registrar is submitted, of,

- (a) current membership in a professional association that provides protection against professional liability; or
- (b) professional liability insurance obtained from some other source, containing coverage of not less than the limit set out in subsection (1). O. Reg. 869/93, s. 8.

ANNUAL RENEWAL

9.—(1) A certificate of registration shall be renewed on or before,

- (a) December 31 of each year in the case of registered opticians; and
- (b) September 1 of each year in the case of registered student opticians and registered intern opticians.

(2) The Registrar shall supply and send by mail to each member, at the member's last address as shown on the register, an application for renewal of the certificate of registration in a form to be supplied by the Registrar, on or before,

- (a) October 31 of each year in the case of registered opticians; and
- (b) July 1 of each year in the case of registered student opticians and registered intern opticians.

(3) A member may apply for the renewal of a certificate of registration by returning to the Registrar,

- (a) a completed application;
- (b) the prescribed annual fee; and
- (c) in the case of a registered optician, evidence of insurance.

(4) An application for renewal made five years after initial registration and every five years thereafter shall include two passport-sized colour photographs of the applicant, signed on the reverse.

(5) It shall be a condition of the renewal of the certificate of registration of a registered optician that he or she have participated in, and fulfilled the requirements of, the College's Quality Assurance Program.

(6) A registered student optician shall be entitled to a maximum of four renewals of a certificate of registration as a registered student optician, and a registered intern optician shall be entitled to a maximum of one renewal of a certificate of registration as a registered intern optician, after which the certificate of registration will be automatically revoked.

(7) Despite subsection (6), the Registrar may grant up to two additional renewals to,

- (a) a registered student optician for the purpose of completion of the educational program required for registration as a registered optician;
- (b) a registered intern optician for the purpose of completion of supplemental examinations; and
- (c) a registered student optician or registered intern optician in circumstances caused by accident, illness or other cause beyond his or her control.

(8) To be eligible for renewal of his or her certificate of registration, a registered student optician must continue to meet the non-exemptible registration requirements for a certificate of registration as a registered student optician, set out in subsection 6 (1).

(9) The Registrar shall issue renewal validation decals to a member whose certificate of registration is renewed under this section.

(10) Each member shall affix a renewal validation decal to his or her certificate of registration and photographic identification badge. O. Reg. 869/93, s. 9

LATE RENEWAL

10. If a member fails to apply to renew his or her certificate of registration or to pay the prescribed annual fee prior to the deadline for so doing, the member shall pay the prescribed fee for late renewal in addition to the annual fee. O. Reg. 869/93, s. 10.

SUSPENSION

11.—(1) The Registrar shall give a member notice of default and of intention to suspend a member's certificate of registration upon,

- (a) failure to apply to renew a certificate of registration;
- (b) failure to pay the prescribed annual fee or any other prescribed fee; or
- (c) failure to meet the requirements for renewal of the certificate of registration set out in subsections 9 (5), (6) and (7).

(2) The Registrar may suspend a member's certificate of registration two months after notice is given under subsection (1). O. Reg. 869/93, s. 11.

REINSTATEMENT

12.—(1) A member whose certificate of registration has been suspended by the Registrar under section 11 may apply to the Registrar to lift the suspension by,

- (a) submitting an application for reinstatement in a form supplied by the Registrar;
- (b) submitting two passport-sized colour photographs of the applicant, signed on the reverse;
- (c) in the case of registered opticians, submitting evidence of insurance;
- (d) submitting evidence of having completed the requirements of the College's Quality Assurance Program; and
- (e) paying,
 - (i) the fee the member failed to pay, if any, and
 - (ii) the prescribed reinstatement fee or, if the application for reinstatement is made within ten months from the date of the suspension, the prescribed fee for late renewal.

(2) For the purposes of subclause (1) (e) (i), if the member was suspended for failure to pay the annual fee, the member shall be reinstated if he or she pays the annual fee payable for the year in which the member is reinstated.

(3) To be eligible for reinstatement, the applicant must meet the requirements for renewal of the certificate of registration set out in subsections 9 (4), (5), (6), (7) and (8).

(4) If the application for reinstatement is made within three years from the date of suspension of the member's certificate of registration, and the applicant has met the requirements of this section, the Registrar shall lift the suspension.

(5) An application for reinstatement made more than three years from the date of suspension shall be referred to the Registration Committee, which shall evaluate the applicant's qualifications and determine whether the applicant must meet any examination and Quality Assurance Program requirements in order to be reinstated.

(6) The Registrar shall issue renewal validation decals to a member who is reinstated under this section.

(7) Each member shall affix a renewal validation decal to his or her certificate of registration and photographic identification badge. O. Reg. 869/93, s. 12.

13. A member whose certificate of registration has been suspended for professional misconduct or incapacity shall pay all outstanding fees and fines before resuming the practice of opticianry. O. Reg. 869/93, s. 13.

14. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule

Georgian College

Seneca College

O. Reg. 869/93, Sched.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF OPTICIANS OF ONTARIO:

MARLENE BLOOM
for Chair

C. F. COLVEN
Secretary-Treasurer

Dated at Toronto on December 3, 1993.

ONTARIO REGULATION 870/93

made under the
PHYSIOTHERAPY ACT, 1991

Made: December 6, 1993

Approved: December 15, 1993

Filed: December 16, 1993

REGISTRATION

DEFINITIONS

1. In this Regulation, "degree in physiotherapy" means,

- (a) a baccalaureate degree in physical therapy from a university in Canada; or
- (b) an academic qualification from outside Canada that is considered by the Alliance of Physiotherapy Regulatory Boards to be equivalent to the qualification in clause (a). O. Reg. 870/93, s. 1.

GENERAL

2. The following are prescribed as classes of certificates of registration:

1. Independent practice.
2. Supervised practice.
3. Academic practice.
4. Teaching practice. O. Reg. 870/93, s. 2.

3. A person may apply for the issue of a certificate of registration by submitting to the College a completed application for the class of certificate for which application is made together with any applicable fees. O. Reg. 870/93, s. 3.

4. A certificate of registration shall not be dated earlier than the day it was issued. O. Reg. 870/93, s. 4.

5. A member shall not hold more than one certificate of registration. O. Reg. 870/93, s. 5.

6.—(1) It is a non-exemptible registration requirement for all classes of certificates of registration that the applicant's past and present conduct affords reasonable grounds for belief that the applicant,

- (a) is mentally competent to practise physiotherapy;
- (b) will practise physiotherapy with decency, integrity and honesty and in accordance with the law; and
- (c) can communicate effectively with, and will display an appropriate attitude towards, patients and colleagues.

(2) The following are the standards and qualifications for a certificate of registration of any class except a certificate of registration authorizing teaching practice:

1. The applicant must have Canadian citizenship, permanent resident status or an authorization under the *Immigration Act* (Canada) consistent with the class of certificate for which application is made.
2. The applicant must be able to speak and write either French or English with reasonable fluency.

(3) It is a term, condition and limitation of a certificate of registration of any class that the certificate terminates when the holder no longer has Canadian citizenship, permanent resident status or an authorization under the *Immigration Act* (Canada) consistent with the class of certificate. O. Reg. 870/93, s. 6.

7. Despite any other provision in this Regulation, an applicant who by commission or omission makes false or misleading representation or declaration on or in connection with an application shall be deemed thereafter not to have, and not to have had, the qualifications for a certificate of any class. O. Reg. 870/93, s. 7.

INDEPENDENT PRACTICE

8.—(1) The standards and qualifications for a certificate of registration authorizing independent practice are as follows:

1. The applicant must have received a degree in physiotherapy.
2. The applicant must have successfully completed the Physiotherapy National Examination.

(2) An applicant for a certificate of registration authorizing independent practice who was, on the day this Regulation comes into force, qualified as a physiotherapist under a statute in a jurisdiction in Canada and outside Ontario and is included on a permanent register in that jurisdiction is exempted from the standards and qualifications under subsection (1).

(3) An applicant for a certificate of registration authorizing independent practice shall, as an additional qualification, satisfy the Registrar that he or she has practised physiotherapy for at least 1,550 hours in the five years immediately preceding the application if the applicant,

- (a) is not exempted from the standards and qualifications under subsection (1) and has not successfully completed the Physiotherapy National Examination within the five years immediately preceding the application; or
- (b) is exempted from the qualifications under subsection (1). O. Reg. 870/93, s. 8.

9.—(1) It is a term, condition and limitation of a certificate of registration authorizing independent practice that, five years after the date of its issue and every year after that, the member satisfy the Registrar that he or she has practised physiotherapy for at least 1,550 hours in the preceding five years.

(2) If a member fails to satisfy the condition mentioned in subsection (1), the certificate shall terminate. O. Reg. 870/93, s. 9.

10. A person who, on the date this Regulation comes into force, is registered as a physiotherapist in Ontario under the predecessor of the Act is deemed to be the holder of a certificate of registration authorizing independent practice. O. Reg. 870/93, s. 10.

SUPERVISED PRACTICE

11.—(1) The standards and qualifications for a certificate of registration authorizing supervised practice are as follows:

1. The applicant must have received a degree in physiotherapy.
2. The applicant must have registered to take the Physiotherapy National Examination at the next available opportunity after the application.

(2) It is a term, condition and limitation of a certificate of registration authorizing supervised practice that,

- (a) the holder practise physiotherapy only under the supervision of a holder of a certificate of registration authorizing independent practice who,
 - (i) monitors the performance of physiotherapy services by the certificate holder to determine that they are properly performed, and
 - (ii) is available for immediate personal intervention if required;
- (b) the holder holds himself or herself out only as a physiotherapy resident; and

- (c) the certificate expires eight weeks after the date of the Physiotherapy National Examination which the certificate holder is registered to take. O. Reg. 870/93, s. 11.

ACADEMIC PRACTICE

12.—(1) The standards and qualifications for a certificate of registration authorizing academic practice are as follows:

1. The applicant must have received a degree in physiotherapy.
2. The applicant must have an appointment to the academic staff of a university in Ontario in a program of physiotherapy or physical therapy.

(2) The terms, conditions and limitations of a certificate of registration authorizing academic practice are that,

- (a) the holder practise physiotherapy only in the department in which he or she holds the professorial appointment and to the extent required by the teaching, research and service requirements of that appointment; and
- (b) the certificate terminates when the holder no longer holds an appointment in accordance with paragraph 2 of subsection (1). O. Reg. 870/93, s. 12.

TEACHING PRACTICE

13.—(1) The standards and qualifications for a certificate of registration authorizing teaching practice of a short duration are as follows:

1. The applicant must have received a degree in physiotherapy.
2. The applicant is qualified to practise as a physiotherapist in a jurisdiction outside Ontario.
3. The applicant holds an appointment to teach a brief continuing education program in physiotherapy primarily for the benefit of members holding a certificate of registration authorizing independent practice.
4. A member holding a certificate of registration authorizing independent practice has given an undertaking to supervise the applicant and be responsible for ensuring the provision of appropriate care for patients attended by the applicant in Ontario.

(2) It is a term, condition and limitation of a certificate of registration authorizing teaching practice of a short duration that the holder practise physiotherapy only to the extent required for the purposes of the brief continuing education program taught by the holder and under the supervision of the member who gave the undertaking.

(3) A certificate of registration authorizing teaching practice of a short duration expires in the earliest of the following times:

1. At the end of the continuing education program.
2. The day the holder leaves Ontario.
3. Ten days after the certificate is issued. O. Reg. 870/93, s. 13.

14. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
PHYSIOTHERAPISTS OF ONTARIO:

BARBARA STOKES
Chair

CHRISTINE SMITH
Secretary-Treasurer

Dated at Toronto on December 6, 1993.

ONTARIO REGULATION 871/93
made under the
CHIROPRACTIC ACT, 1991

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 862/93
(Registration)

Note: There are no prior amendments to Ontario Regulation 862/93.

1. Subsection 3 (1) of Ontario Regulation 862/93 is amended by adding the following paragraph:

5. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

1/94

ONTARIO REGULATION 872/93
made under the
**AUDIOLOGY AND SPEECH-LANGUAGE
PATHOLOGY ACT, 1991**

Made: December 3, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

1. The following are prescribed as classes of certificates of registration:

CLASS	DESCRIPTION
Fully registered	The member has met all the requirements for registration and has successfully completed the provisional registration year.
Provisionally registered	The member has met the academic, clinical and language requirements for a fully registered certificate and is working under the supervision of a fully registered certificate holder.
Non-practising	The member is a fully registered certificate holder but is not practising in Ontario during a full year.
Academic practice	The member is registered to practise to the extent required by the teaching or research requirements of the professorial appointment in speech-language pathology and/or audiology in an Ontario university.
Teaching practice	The member practises speech-language pathology and/or audiology in another jurisdiction and is registered to practise in Ontario for up to one year under the authorization/supervision of a fully registered member.

O. Reg. 872/93, s. 1.

2.—(1) A person may apply for the issue of a certificate of registration by submitting an application to the Registrar together with the prescribed fee.

(2) When the applicant has met the requirements for registration and paid the registration fee and annual membership fee, the name of the

person shall be entered onto the register and a certificate issued. O. Reg. 872/93, s. 2.

3.—(1) The following are the registration requirements for a certificate of registration of any class:

1. The applicant must provide details of any of the following that relate to the applicant:
 - i. A conviction for a criminal offence or an offence related to the regulation of the practice of the profession.
 - ii. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
 - iii. A current proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
2. The applicant must provide proof of having professional liability insurance,
 - i. of at least \$1,000,000 per claim before April 1, 1994, and
 - ii. of at least \$2,000,000 per claim on or after April 1, 1994.

(2) The applicant is exempt from the requirement of paragraph 2 of subsection (1) if the applicant,

- (a) is applying for a non-practising certificate of registration; or
- (b) is applying for an academic practice or teaching practice certificate of registration and will not, within the scope of his or her practice, be directly responsible for providing or deciding to provide any clinical service.

(3) The following are the conditions of a certificate of registration of any class:

1. The member shall provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:
 - i. A conviction for a criminal offence or an offence related to the regulation of the practice of the profession.
 - ii. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
 - iii. A proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another health profession.
2. The member shall have adequate professional liability insurance in accordance with subsections (1) and (2). O. Reg. 872/93, s. 3.

4.—(1) The following are non-exemptible registration requirements for a fully registered certificate of registration:

1. The applicant must have a professional master's degree in speech-language pathology or audiology or both from a university in Ontario, or a degree or diploma granted by a university outside Ontario, that is determined to be equivalent to the Ontario degree by the Registration Committee in accordance with subsection (2).
2. The applicant must be a Canadian citizen or a permanent

resident of Canada or be authorized by the *Immigration Act* (Canada) to engage in the practice of the profession.

3. The applicant must be able to speak and write either English or French with reasonable fluency.

(2) For the purposes of paragraph 1 of subsection (1), a degree or diploma is an equivalent degree or diploma if the program contains the following:

1. 270 hours of coursework in basic communication processes which include,
 - i. the anatomic and physiologic basis for normal development and use of speech, language and hearing,
 - ii. physical bases and processes of the production and perception of speech, and
 - iii. perceptual processes and psycholinguistic variables related to normal development and use of speech, language and hearing.
2. 200 hours of coursework in related areas which include,
 - i. study of human behaviour, both normal and abnormal,
 - ii. statistics, and
 - iii. administrative organization of speech-language pathology and/or audiology programs.
3. 360 hours of coursework in the major professional area which provides in-depth study of disorders of speech and language or of hearing functioning and clinical evaluation and treatment of communication disorders.
4. Ninety hours of coursework in the minor professional area which provides study in audiology for speech-language pathology majors and study in speech-language pathology for audiology majors.
5. 300 hours of supervised university accredited clinical practicum with both children and adults representing a wide variety of communication disorders in the area in which registration is sought and consisting of,
 - i. at least 225 hours of experience which must be within the major professional area, and
 - ii. a minimum of thirty-five hours in the minor area.

(3) It is a requirement for a fully registered certificate of registration that the applicant have been a provisionally registered member for the length of time required under subsection 6 (4) or have satisfactorily completed two years of professional practice in another jurisdiction.

(4) It is a condition for a fully registered certificate of registration that a member shall,

- (a) provide 250 hours of patient care or related work in audiology or speech-language pathology annually or 500 hours over two years; or
- (b) complete a continuing education course approved by the College in accordance with the College's guidelines.

(5) A fully registered certificate of registration is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or is no longer authorized by the *Immigration Act* (Canada) to engage in the practice of the profession. O. Reg. 872/93, s. 4.

5. A person who, on the day this Regulation comes into force, is practising as an audiologist or speech-language pathologist in Ontario is exempt from the requirement under subsection 4 (3) and shall be issued

a fully registered certificate of registration if the person meets the following requirements:

1. The applicant must meet the non-exemptible requirements under subsection 4 (1).
2. The applicant applies for a fully registered certificate of registration within nine months of the day this Regulation comes into force.
3. The applicant must certify in writing that he or she has practised audiology or speech-language pathology for a minimum of 250 hours over the preceding year or 750 hours over the preceding three years.
4. The applicant must pay the prescribed fees.
5. The applicant must submit a duly completed registration form. O. Reg. 872/93, s. 5.

6.—(1) The following are non-exemptible registration requirements for a provisionally registered certificate of registration:

1. Subject to subsection (2), the applicant must satisfy the non-exemptible requirements for a fully registered certificate of registration.
2. The applicant must be employed as a speech-language pathologist or audiologist.

(2) The College may issue a provisionally registered certificate of registration to an applicant who has not completed the coursework in a minor area of study if the applicant undertakes to complete the coursework during the term of provisional registration.

(3) It is a condition of a provisionally registered certificate that the member shall practise under the supervision of a holder of a fully registered certificate of registration in accordance with the policies of the College.

(4) The member must complete the term of a provisionally registered certificate within a period of full-time employment of twelve months or within a period of no longer than twenty-four months from the initial application where the employment is part-time.

(5) The College may extend the term of a provisionally registered certificate of registration if, in the opinion of the College, the member does not have the skills or competency necessary to practise as a fully registered member. O. Reg. 872/93, s. 6.

7.—(1) The following are non-exemptible registration requirements for a non-practising certificate of registration:

1. The applicant must be a fully registered member in good standing or be eligible for registration as a fully registered member.
2. The applicant must have completed a minimum of two years of practice within the scope of the profession.

(2) The following are conditions of a non-practising certificate of registration:

1. The member shall make an annual application for non-practising registration status.
2. The member may fulfil any continuing education requirements expected of fully registered certificate holders during the period of non-practising registration but must do so before issuance of a fully registered certificate of registration.
3. The member shall not engage in professional practice in Ontario during this non-practising period. O. Reg. 872/93, s. 7.

8.—(1) The following are non-exemptible registration requirements for an academic certificate of registration:

1. The applicant must have a professional Master's degree in speech-language pathology or audiology or both from a university in Ontario, or a degree or diploma granted by a university outside Ontario that is determined to be equivalent to the Ontario degree by the Registration Committee.
2. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized by the *Immigration Act* (Canada) to engage in the practice of the profession.
3. The applicant must have an appointment to the academic staff of a university in Ontario to teach in speech-language pathology or audiology.

(2) For the purposes of paragraph 1 of subsection (1), a degree is an equivalent degree if the program contains the following:

1. 270 hours of coursework in basic communication processes which include,
 - i. the anatomic and physiologic basis for normal development and use of speech, language and hearing,
 - ii. physical bases and processes of the production and perception of speech, and
 - iii. perceptual processes and psycholinguistic variables related to normal development and use of speech, language and hearing.
2. 200 hours of coursework in related areas which include,
 - i. study of human behaviour, both normal and abnormal,
 - ii. statistics, and
 - iii. administrative organization of speech-language pathology and/or audiology programs.
3. 360 hours of coursework in the major professional area which provides in-depth study of disorders of speech and language or of hearing functioning and clinical evaluation and treatment of communication disorders.
4. Ninety hours of coursework in the minor professional area which provides study in audiology for speech-language pathology majors and study in speech-language pathology for audiology majors.
5. 300 hours of supervised university accredited clinical practicum with both children and adults representing a wide variety of communication disorders in the area in which registration is sought and consisting of,
 - i. at least 225 hours of experience which must be within the major professional area, and
 - ii. a minimum of thirty-five hours in the minor area.

(3) The following are conditions of an academic certificate of registration:

1. The member shall be involved in clinical practice in a setting related to the academic appointment.
2. The member continues to hold an appointment in an Ontario university in speech-language pathology and/or audiology.
O. Reg. 872/93, s. 8.

9.—(1) The following are non-exemptible registration requirements for a teaching practice certificate of registration of up to one year in duration:

1. The applicant must hold a graduate degree in speech-language pathology or audiology and is qualified to practise as a speech-language pathologist or audiologist in his or her resident jurisdiction.
2. The applicant must have been invited to teach for a limited duration by an institution referred to in the Schedule.
3. A fully registered certificate holder undertakes the supervision of the applicant and is responsible for providing continuing care for patients attended by the applicant in Ontario.

(2) The following are conditions of a teaching practice certificate:

1. The member shall practise in his or her area of expertise only to the extent required for the purposes of the continuing education program or other limited teaching contract.
2. The member shall practise only under the supervision of the member who gave the undertaking.

(3) A teaching certificate of registration shall expire on the date set out on the certificate which shall be no later than one year after the day it was issued. O. Reg. 872/93, s. 9.

10. This Regulation comes into force on the day section 2 of the Act comes into force.

Schedule

Post Secondary Educational Institutions

Boards under the *Education Act*

Public Hospitals under the *Public Hospitals Act*

Psychiatric Facilities under the *Mental Health Act*

Designated Institutions under the *Mental Hospitals Act*

Approved Charitable Homes for the Aged under the *Charitable Institutions Act*

Nursing Homes under the *Nursing Homes Act*

Homes for the Aged under the *Homes for the Aged and Rest Homes Act*

Long Term Care Facilities

Boards of Health under the *Health Protection and Promotion Act*

Agencies, Boards or Commissions

Independent Health Facilities under the *Independent Health Facilities Act*

Institutions funded by the Minister as community health centres, health service organizations or comprehensive health organizations

Institutions funded by the Minister of Community and Social Services

O. Reg. 872/93, Sched.

TRANSITIONAL COUNCIL OF THE COLLEGE OF AUDIOLOGISTS
AND SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO:

ALAN C. CHEVERIE
Chair

ISOBEL A. MANZER
Registrar

Dated at Toronto on December 3, 1993.

ONTARIO REGULATION 873/93
made under the
AUDIOLOGY AND SPEECH-LANGUAGE
PATHOLOGY ACT, 1991

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 872/93
(Registration)

Note: There are no prior amendments to Ontario Regulation 872/93.

1. Subsection 3 (1) of Ontario Regulation 872/93 is amended by adding the following paragraph:

3. The applicant must be able to speak and write either English or French with reasonable fluency.

2. Paragraph 3 of subsection 4 (1) of the Regulation is revoked.

3. This Regulation comes into force on the day section 2 of the Act comes into force.

1/94

ONTARIO REGULATION 874/93
made under the
DENTAL TECHNOLOGY ACT, 1991

Made: December 2, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

1. The following are prescribed as classes of certificates of registration:

1. General.

2. Inactive. O. Reg. 874/93, s. 1.

2. A person may apply for the issue of a certificate of registration in a class set out in section 1 by submitting an application to the Registrar, in the form that shall be supplied by the Registrar, together with the application fee. O. Reg. 874/93, s. 2.

3. It is a registration requirement for a certificate of registration of any class that the applicant provide details of any of the following that relate to the applicant:

1. Any charge for a criminal offence, or an offence related to the regulation of the practice of the profession, where the ensuing proceedings conclude without a verdict of not guilty or the registration of an acquittal.

2. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession, or in another jurisdiction in relation to the profession or another health profession.

3. A current proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another health profession, or in another jurisdiction in relation to the profession or another health profession.

4. An unsuccessful application for registration as a dental technologist in Ontario or another jurisdiction.

5. An attempt to pass a licensing examination in Ontario or another jurisdiction that has not, at the time of the application, resulted in a passing grade. O. Reg. 874/93, s. 3.

4. It is a condition of a certificate of registration of any class that the

member provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. Any charge for a criminal offence, or an offence related to the regulation of the practice of the profession, where the ensuing proceedings conclude without a verdict of not guilty or the registration of an acquittal.

2. A finding of professional misconduct, incompetency or incapacity in Ontario in relation to another health profession, or in another jurisdiction in relation to the profession or another health profession.

3. A proceeding for professional misconduct, incompetency or incapacity in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another health profession. O. Reg. 874/93, s. 4.

5.—(1) An applicant for issuance of a general certificate of registration must meet the following non-exemptible registration requirements:

1. The applicant must have,

i. in the case of an applicant other than an applicant under subparagraph ii,

A. successfully completed Grade 12 or its equivalent,

B. successfully completed an approved program in dental technology at a College of Applied Arts and Technology in Ontario, or at an educational institution outside of Ontario that the Registration Committee considers to be the equivalent to the educational program currently being taught in the Colleges of Applied Arts and Technology in Ontario, and

C. been employed as a dental technologist in an apprenticeship program, for a period of not less than 1,950 hours, under the supervision of a member of the College or its predecessor, or of a member of the Royal College of Dental Surgeons, or in such other supervised employment outside of the Province of Ontario as the Registration Committee may approve,

ii. in the case of an applicant who has previously held a certificate of registration under the Act or under a predecessor of the Act which certificate has lapsed, successfully completed a course of training as a dental technologist that, in the opinion of the Registration Committee, is substantially similar, but not equivalent, to the training described in sub-subparagraphs B and C of subparagraph i.

2. In the event that the applicant completed the apprenticeship program in sub-subparagraph C of subparagraph i of paragraph 1 more than three years prior to the date of the application for registration, the applicant must have within fifteen months of application successfully completed a refresher course approved by the Council in accordance with its policies.

3. The applicant must have successfully completed the certification examinations set or approved by the College, and complied with all requirements associated with those examinations, including payment of the examination fees.

4. The applicant must provide proof of eligibility to acquire professional liability insurance and prior to the issuance of a certificate, must show proof of actual coverage.

5. The applicant must be able to speak and write either English or French with reasonable fluency, except in the case of applicants

with a medically certified physical impairment, which candidates must be able to communicate with reasonable fluency.

(2) It is a term, condition or limitation of a certificate of registration issued to an applicant described in subparagraph ii of paragraph 1 of subsection (1) that the applicant obtain such additional education and experience as, in the opinion of the Registration Committee, is necessary to provide the applicant with education and experience equivalent to that which is obtained under sub-subparagraphs B and C of subparagraph i of paragraph 1 of subsection (1). O. Reg. 874/93, s. 5.

6.—(1) For the first five years after the day this Regulation comes into force, subparagraph i of paragraph 1 of subsection 5 (1) does not apply to an applicant for a general certificate of registration who had begun the educational and training requirements for a dental technologist under the predecessor of the Act.

(2) It is a requirement for a general certificate of registration that an applicant described in subsection (1),

- (a) have acquired such practical experience in the field of dental technology, after employment in the field for a period of not less than 7,800 hours, as the Registration Committee determines is the equivalent of the requirement in sub-subparagraph B of subparagraph i of paragraph 1 of subsection 5 (1); and
- (b) have successfully completed,
 - (i) no less than eighty hours of training in each of the disciplines on which the College examines applicants under the supervision of a member of the College or its predecessor or of a member of the Royal College of Dental Surgeons, or
 - (ii) the examination review courses offered or approved by the College. O. Reg. 874/93, s. 6.

7. The following are registration requirements for a general certificate of registration:

1. The applicant must satisfy the Registration Committee, where he or she has previously practised dental technology or another health profession in Ontario or any other jurisdiction, that there has been no finding of, and that there is no current proceeding involving an allegation of, professional misconduct, incompetence or incapacitation or any like finding or proceeding against the applicant that affects the fitness of the applicant to practice the profession.
2. The applicant must satisfy the Registration Committee that he or she has not been convicted or charged with, and not found "not guilty" or acquitted of, an offence that affects the fitness of the applicant to engage in the practice of the profession.
3. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration Act* (Canada) to engage in the practice of the profession. O. Reg. 874/93, s. 7.

8.—(1) The following are conditions of a general certificate of registration:

1. The member's certificate of registration is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or to be authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.
2. The member shall practise the profession only if the member,
 - i. provides at least 1,500 hours of service within the scope of practice of the profession every thirty-six months, or
 - ii. every twelve months, has successfully completed the courses set or approved by the College.

3. The member's certificate of registration is revoked if the member ceases to maintain the prescribed professional liability insurance.

4. The member shall maintain a principal place of practice in Ontario.

(2) Paragraph 2 of subsection (1) does not apply to a member who has been a member for less than two years. O. Reg. 874/93, s. 8.

9.—(1) It is a non-exemptible registration requirement for an inactive certificate of registration that the member have previously been the holder of a general certificate of registration.

(2) It is a condition of an inactive certificate of registration that the member not practice as a dental technologist in Ontario. O. Reg. 874/93, s. 9.

10. A member who holds an inactive certificate of registration shall, upon application, be issued a general certificate of registration if the member,

- (a) has been an inactive member for less than three years; or
- (b) has satisfactorily completed a refresher course and examinations set or approved by the College within the fifteen months prior to the application for reinstatement as a general member. O. Reg. 874/93, s. 10.

11.—(1) The Registrar shall, at least forty-five days before the deadline for annual renewal of the current certificate of registration, send to every member, at the address of the principal practice shown in the register, a notice respecting the required payment of annual fees, the filing of statistical information and the requirements to be satisfied to meet the terms and conditions of the class of certificate in question.

(2) Every member shall submit to the College on renewal of his or her certificate of registration, an information return containing the following information:

1. The member's principal place of practice.
2. The member's principal place of residence.
3. The addresses and telephone numbers of all locations in which the member practices the profession, and the business names of the practices, if any.
4. The address to which the member wishes correspondence from the College to be sent.
5. The statistical information required by regulation.
6. Proof of professional liability insurance, in the amount required by the College.
7. A declaration of compliance with the terms and conditions of the certificate.

(3) If a member fails to comply with subsection (2), the address to which the member wishes correspondence from the College to be sent and the member's principal place of practice or residence shall be deemed to be as shown on the information return last submitted under subsection (2). O. Reg. 874/93, s. 11.

12.—(1) If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar may lift the suspension on payment of,

- (a) the fee the member failed to pay;
- (b) the fees that would have been payable had the member's certificate not been suspended, but the amount of those fees shall not be more than the total annual fees paid in a two-year period;

(c) all outstanding fees or any penalties imposed by a committee of the College; and

(d) any applicable penalties, including the reinstatement fee.

(2) If the Registrar suspends a member's certificate of registration for failure to provide proof of professional liability insurance, the Registrar may lift the suspension on the receipt of proof of such insurance and the payment of the reinstatement fee set out in subsection (4).

(3) Where the Registrar suspends a member's certificate of registration under subsection (1) or (2) and the suspension remains in effect for a period exceeding two years, the certificate is automatically revoked.

(4) The fee for reinstatement of a member whose certificate of registration is suspended under subsection (1) or (2) or revoked for cause or for failing to satisfy the conditions or requirements of registration is \$100.

(5) A member may be reinstated if the member applies for reinstatement within two years of the suspension of the certificate of registration. O. Reg. 874/93, s. 12.

13. The obligation to pay the annual membership fee or renewal fee and to submit the annual information return continues even if the Registrar fails to mail a notice or the member fails to receive such notice. O. Reg. 874/93, s. 13.

14. A member must notify the Registrar in writing within seven days of any change of name, location of practice or principal practice, business name of practice, business telephone number, or principal residence by registered mail, including an original copy of proof of any change of name. O. Reg. 874/93, s. 14.

15. A certificate of registration, general or inactive, expires on September 1 of a year unless the renewal fee is paid on or before that day. O. Reg. 874/93, s. 15.

16. All members holding a general certificate are required to maintain a minimum of \$500,000 in professional liability insurance. O. Reg. 874/93, s. 16.

17. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DENTAL TECHNOLOGISTS OF ONTARIO:

JAMES R. DOEL
Chair

EMILY CHEUNG
Registrar

Dated at Toronto on December 2, 1993.

1/94

ONTARIO REGULATION 875/93
made under the
DENTAL TECHNOLOGY ACT, 1991

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 874/93
(Registration)

Note: There are no prior amendments to Ontario Regulation 874/93.

1. Paragraph 5 of subsection 5 (1) of Ontario Regulation 874/93 is revoked.

2. Section 7 of the Regulation is amended by adding the following paragraph:

4. The applicant must be able to speak and write either English or French with reasonable fluency.

3. **This Regulation comes into force on the day section 2 of the Act comes into force.**

1/94

ONTARIO REGULATION 876/93
made under the
DIETETICS ACT, 1991

Made: December 6, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

1. The non-exemptible requirements for a certificate of registration are as follows:

1. Graduation from,

- i. a Canadian university program in foods and nutrition accredited by the Canadian Dietetic Association,
- ii. a Canadian university and completion of the subject areas in foods or nutrition required by the Canadian Dietetic Association, or
- iii. a university program outside Canada that, in the opinion of the Council, is equivalent to subparagraph i or ii.

2. Attainment of the Canadian Dietetic Association's competency standards as demonstrated by,

- i. successful completion of an internship program in Canada accredited by the Canadian Dietetic Association, or an internship program outside Canada that the Council considers to be equivalent to the Canadian Dietetic Association accredited internship,
- ii. successful completion of a practicum in Canada accredited by the Canadian Dietetic Association, or a practicum outside Canada that the Council considers to be equivalent to the Canadian Dietetic Association accredited practicum,
- iii. successful completion of a graduate degree program acceptable to the Council, or
- iv. successful completion of a program of practical experience that in the opinion of the council is equivalent to a program or practicum mentioned in subparagraph i or ii.

3. Successful completion of any required examination that may be approved by Council.

4. Completion of the form provided by the Registrar.

5. Payment of the prescribed fees. O. Reg. 876/93, s. 1.

2. The exemptible requirements for a certificate of registration are as follows:

1. The applicant has not been found guilty of a criminal offence or offence under the *Food and Drugs Act* (Canada) or the *Narcotic Control Act* (Canada).

2. The applicant has not been found guilty of professional misconduct, incompetency or incapacity in Ontario or any other jurisdiction in relation to the practice of dietetics or any other profession.

3. The applicant is not the subject of any current proceedings for professional misconduct, incompetence or incapacity.
4. The applicant is able to communicate with reasonable fluency in English or French.
5. If the applicant completes the requirements in paragraphs 1 and 2 of section 1 more than two years before the date the application is made, the applicant must have successfully completed a refresher or upgrading program approved by the Registration Committee. O. Reg. 876/93, s. 2.

3. The following are conditions of a certificate of registration:

1. The member shall provide the College with details of any of the following that relate to the member and that occur or arise after registration of the member,
 - i. a finding of guilt of a criminal offence or offence under the *Food and Drugs Act* (Canada) or the *Narcotic Control Act* (Canada),
 - ii. a finding of professional misconduct, incompetency or incapacity in Ontario or any other jurisdiction in relation to the profession of dietetics or any other profession,
 - iii. a current proceeding for professional misconduct, incompetence or incapacity.
2. The member shall not practise without fulfilling the requirements of the quality assurance program of the College. O. Reg. 876/93, s. 3.

4.—(1) Despite section 1, the non-exemptible requirements for a certificate of registration required under that section do not apply to a person who applies for the certificate no later than one year after the day this Regulation comes into force.

(2) A person referred to in subsection (1) shall satisfy the following non-exemptible requirements for a certificate of registration:

1. On the day this Regulation comes into force, the applicant must have active membership in the Canadian Dietetic Association or Ontario Dietetic Association or the Ontario Society of Nutritionists in Public Health.
2. The applicant must have practised as a dietitian in Ontario within the three-year period immediately preceding the application.
3. The applicant must complete the form provided by the Registrar.
4. The applicant must pay the prescribed fees.

(3) The exemptible requirements for persons referred to in subsection (1) are as follows:

1. The person must have not been found guilty of a criminal offence or offence under the *Food and Drugs Act* (Canada) or the *Narcotic Control Act* (Canada).
2. The person must have not been found guilty of professional misconduct, incompetency or incapacity in Ontario or any other jurisdiction in relation to the practice of dietetics or any other profession.
3. The person must not be the subject of any current proceedings for professional misconduct, incompetence or incapacity. O. Reg. 876/93, s. 4.

5. An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 876/93, s. 5.

6.—(1) A certificate of registration that has been suspended for failure to pay a prescribed fee is automatically revoked after it has been suspended for twelve months.

(2) A member may apply for reinstatement by submitting a completed application and a non-refundable application fee of \$75. O. Reg. 876/93, s. 6.

7. Only members of the profession who are registered with the College may use the title "Registered Dietitian" and the abbreviation "RD", or the French equivalents, "diététiste professionnel (le)" and "Dt.P.". O. Reg. 876/93, s. 7.

8. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DIETITIANS OF ONTARIO:

JUDITH PRATT-JEFFERIES
Chair

DOREEN CHAULK
Vice-Chair

Dated at Toronto on December 6, 1993.

1/94

ONTARIO REGULATION 877/93
made under the
DIETETICS ACT, 1991

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 876/93
(Registration)

Note: There are no prior amendments to Ontario Regulation 876/93.

1. Section 2 of Ontario Regulation 876/93 is amended by adding the following paragraph:

6. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

1/94

ONTARIO REGULATION 878/93
made under the
PSYCHOLOGY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

REGISTRATION

1. The following are prescribed as classes of certificates of registration:

1. Certificate of registration for psychologists.
2. Certificate of registration for psychological associates. O. Reg. 878/93, s. 1.

2.—(1) A person may apply for the issue of a certificate of registration by submitting an application to the Registrar together with the application fee.

(2) The application fee is \$230. O. Reg. 878/93, s. 2.

3.—(1) The following are registration requirements for a certificate of registration:

1. The applicant must provide details of any of the following that relate to the applicant:
 - i. a conviction for a criminal offence or an offence related to the regulation of the practice of the profession,
 - ii. a finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession,
 - iii. a current proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
2. The applicant must be able with reasonable fluency to speak and write either English or French.

(2) It is a condition of a certificate of registration that the member provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. A conviction for a criminal offence or an offence related to the regulation of the practice of the profession.
2. A finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
3. A proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another health profession. O. Reg. 878/93, s. 3.

4.—(1) The following are non-exemptible registration requirements for a psychologist:

1. The applicant must present evidence of a doctoral degree from a program of study with content that is primarily psychological in nature as set out in the guidelines published by the College.
2. The applicant must present evidence of completing a period of postdoctoral supervised practice as set out in the guidelines published by the College.
3. The applicant must have passed such written and oral examinations as may be required by the College.
4. The applicant must have completed any further professional training or experience as may be required by the College in cases where the applicant's training and experience are insufficient, in the opinion of the College, to qualify the applicant for independent practice as a psychologist.

(2) Subject to subsection (3), the following are non-exemptible registration requirements for a psychological associate:

1. The applicant must present evidence of a masters degree from a program of study with content primarily psychological in nature as set out in the guidelines published by the College.
2. The applicant must present evidence of four or more years of experience as set out in the guidelines published by the College.
3. The applicant must have completed a period of supervised practice as set out in the guidelines published by the College.

4. The applicant must have passed such written and oral examinations as may be required by the College.

5. The applicant must have completed any further professional training or experience as may be required by the College in cases where the applicant's training and experience are insufficient, in the opinion of the College, to qualify the applicant for independent practice as a psychological associate.

(3) For the first five years after the day this Regulation comes into force, the non-exemptible registration requirements for a psychological associate are as follows:

1. The applicant must present evidence of a masters degree with content primarily psychological in nature or the completion of equivalent, relevant graduate training and education acceptable to the College.
2. The applicant must present evidence of five or more years of experience as set out in the guidelines published by the College.
3. The applicant must, if required by the College, complete a period of supervised practice as set out in the guidelines published by the College.

4. The applicant must have passed such written and oral examinations as may be required by the College.

5. The applicant must have completed any further professional training or experience as may be required by the College in cases where the applicant's training and experience are insufficient, in the opinion of the College, to qualify the applicant for independent practice as a psychological associate. O. Reg. 878/93, s. 4.

5. The following are conditions of certificates of registration of any class:

1. The member shall practise the profession only within those areas of the member's competency as are authorized by the College.

2. The member shall, at the time of registration renewal, present evidence of annual continuing education activities as set out in the guidelines published by the College. O. Reg. 878/93, s. 5.

6. If the Registrar suspends a member's certificate of registration for failure to pay a prescribed fee, the Registrar may lift the suspension within two years of the failure to pay on the payment of,

- (a) the fee the member failed to pay;
- (b) the fees that would have been payable had the member's certificate not been suspended; and
- (c) any applicable penalties. O. Reg. 878/93, s. 6.

7. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PSYCHOLOGISTS OF ONTARIO:

MAGGIE MAMEN
Chair

CATHARINE YARROW
Registrar

Dated at Toronto on December 1, 1993.

1/94

ONTARIO REGULATION 879/93
made under the
PSYCHOLOGY ACT, 1991

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 878/93
(Registration)

Note: There are no prior amendments to Ontario Regulation 878/93.

1. Subsection 3 (1) of Ontario Regulation 878/93 is amended by adding the following paragraph:

3. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration Act* (Canada) to engage in the practice of the profession.

2. This Regulation comes into force on the day section 2 of the Act comes into force.

1/94

ONTARIO REGULATION 880/93
made under the
HOMES FOR THE AGED AND REST HOMES ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 637 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 637 has been amended by Ontario Regulations 41/93, 220/93 and 371/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Subsection 34 (1) of Regulation 637 of the Revised Regulations of Ontario, 1990 is amended by striking out “worksheet” wherever it appears and substituting in each case “worksheet for the year”.

(2) Subsection 34 (2) of the Regulation is revoked and the following substituted:

(2) The subsidy calculation worksheet for a year is the subsidy calculation worksheet set out opposite the year in Table 4. O. Reg. 880/93, s. 1 (2).

2. Section 36 of the Regulation is amended by striking out “equal” in the third line.

3. Table 2 of the Regulation is amended by striking out “1993” in Column 1 and substituting “1993 and following years”.

4. The Regulation is amended by adding the following Table:

TABLE 4

COLUMN 1	COLUMN 2
Year	Subsidy Calculation Worksheet
1993 and following years	The form published by the Ministry of Health that is titled “Long-Term Care Facility Subsidy Calculation Worksheet – Municipal Homes for the Aged” and that is dated December 7, 1993.

O. Reg. 880/93, s. 4.

5.—(1) Sections 1, 2 and 4 shall be deemed to have come into force on July 1, 1993.

(2) Section 3 comes into force on the day this Regulation is filed.

1/94

ONTARIO REGULATION 881/93
made under the
NURSING HOMES ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 832 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 832 has been amended by Ontario Regulations 34/93, 204/93 and 378/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 56 (1) of Regulation 832 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) A licensee of a nursing home shall ensure that the home has sufficient registered nurses, registered nursing assistants and health care aides to provide at least two and one quarter hours of nursing care per resident per day.

(1.1) When working in his or her capacity as director of nurses, the director of nurses shall be deemed to be providing nursing care for the purpose of subsection (1).

(1.2) Subsections (1) and (1.1) do not apply after March 31, 1994. O. Reg. 881/93, s. 1.

2. Subsection 60 (6) of the Regulation is amended by striking out “and other personal care” in the second last line.

3.—(1) Subsection 107 (1) of the Regulation is amended by striking out “Subject to subsection (4)” in the first line.

(2) Section 107 of the Regulation is amended by adding the following subsections:

(3.1) If the facility case mix index of a nursing home for 1993, as calculated under subsection (1), falls within a range set out in Column 1 of the 1993 Nursing Home Case Mix Index Table published by the Ministry of Health, the facility case mix index of the nursing home for 1993 shall be deemed to be the amount set out in Column 2 of the 1993 Nursing Home Case Mix Index Table opposite the range.

(3.2) If the facility case mix index of a nursing home for a year after 1993, as calculated under subsection (1), is less than the amount set out in Column 2 of Table 5 opposite the year, the facility case mix index of the nursing home for the year shall be deemed to be the amount set out in Column 2 of Table 5 opposite the year.

(3.3) If the facility case mix index of a nursing home for a year, as calculated under subsection (1), is greater than the amount set out in Column 3 of Table 5 opposite the year, the facility case mix index of the nursing home for the year shall be deemed to be the amount set out in Column 3 of Table 5 opposite the year. O. Reg. 881/93, s. 3 (2).

(3) Subsection 107 (4) of the Regulation is amended by striking out “The facility case mix index of a nursing home for a year shall be deemed to the 100 if” in the first and second lines and substituting “Despite the preceding subsections, the facility case mix index of a nursing home for a year shall be deemed to be the amount set out in Column 2 of Table 5 opposite the year if”.

4.—(1) Subsection 108 (1) of the Regulation is amended by striking out “worksheet” wherever it appears and substituting in each case “worksheet for the year”.

(2) Subsection 108 (2) of the Regulation is revoked and the following substituted:

(2) The subsidy calculation worksheet for a year is the subsidy calculation worksheet set out opposite the year in Table 4. O. Reg. 881/93, s. 4 (2).

5. Section 110 of the Regulation is amended by striking out "equal" in the third line.

6. Table 2 of the Regulation is amended by striking out "1993" in Column 1 and substituting "1993 and following years".

7. The Regulation is amended by adding the following Tables:

TABLE 4

COLUMN 1	COLUMN 2
Year	Subsidy Calculation Worksheet
1993 and following years	The form published by the Ministry of Health that is titled "Long-Term Care Facility Subsidy Calculation Worksheet - Nursing Homes" and that is dated December 7, 1993.

O. Reg. 881/93, s. 7, part.

TABLE 5

COLUMN 1	COLUMN 2	COLUMN 3
Year	Minimum Facility Case Mix Index	Maximum Facility Case Mix Index
1993	103.97	116.37
1994 and following years	110.00	116.37

O. Reg. 881/93, s. 7, part.

8.—(1) Sections 3, 4, 5 and 7 shall be deemed to have come into force on July 1, 1993.

(2) Sections 1, 2 and 6 come into force on the day this Regulation is filed.

1/94

ONTARIO REGULATION 882/93
made under the
CHARITABLE INSTITUTIONS ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 69 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 69 has been amended by Ontario Regulations 45/93, 217/93 and 368/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Subsection 28.2 (1) of Regulation 69 of the Revised Regulations of Ontario, 1990 is amended by striking out "worksheet" wherever it appears and substituting in each case "worksheet for the year".

(2) Subsection 28.2 (2) of the Regulation is revoked and the following substituted:

(2) The subsidy calculation worksheet for a year is the subsidy calculation worksheet set out opposite the year in Table 5. O. Reg. 882/93, s. 1 (2).

2. Section 28.4 of the Regulation is amended by striking out "equal" in the fourth line.

3. Table 3 of the Regulation is amended by striking out "1993" in Column 1 and substituting "1993 and following years".

4. The Regulation is amended by adding the following Table:

TABLE 5

COLUMN 1	COLUMN 2
Year	Subsidy Calculation Worksheet
1993 and following years	The form published by the Ministry of Health that is titled "Long-Term Care Facility Subsidy Calculation Worksheet - Approved Charitable Homes for the Aged" and that is dated December 7, 1993.

O. Reg. 882/93, s. 4.

5.—(1) Sections 1, 2 and 4 shall be deemed to have come into force on July 1, 1993.

(2) Section 3 comes into force on the day this Regulation is filed.

1/94

ONTARIO REGULATION 883/93
made under the
HEALTH INSURANCE ACT

Made: December 15, 1993
Filed: December 16, 1993

ELIGIBLE PHYSICIANS

1. For the purposes of subsection 19.1 (4) of the Act, a physician who would be eligible only by reason of meeting the criteria set out in clause 19.1 (3) (c) of the Act, is not eligible if the physician was engaged in the practice of medicine in Ontario before August 1, 1993,

(a) solely as a *locum tenens* and, either,

(i) the physician had not been issued a provider number and, while practising as a *locum tenens*, used the provider number of another physician in connection with insured services rendered in Ontario, or

(ii) the physician received a per diem payment or stipend as part of the Underserved Area Program - *Locum Tenens* Program administered by the Ministry of Health;

(b) solely for a period of postgraduate medical training of less than one year,

(i) in an internship program accredited by the Committee on Accreditation of Pre-registration Physician Training Programs, or

(ii) in a residency program accredited by the College of Family Physicians of Canada or by the Royal College of Physicians and Surgeons of Canada;

(c) solely as a clinical or research fellow in a program of postgraduate medical education that was not a residency program accredited by the College of Family Physicians of Canada or by the Royal College of Physicians and Surgeons of Canada.
O. Reg. 883/93, s. 1.

2. For the purposes of clause 19.1 (3) (g) of the Act, physicians who were assigned provider numbers on or after August 1, 1993, and who are

not otherwise eligible under subsection 19.1 (3) of the Act are eligible under section 19.1 of the Act until January 1, 1994. O. Reg. 883/93, s. 2.

3. This Regulation shall be deemed to have come into force on December 14, 1993.

1/94

ONTARIO REGULATION 884/93
made under the
MIDWIFERY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

DESIGNATED DRUGS

1.—(1) For the purposes of paragraph 3 of section 4 of the Act, the following substances are designated as substances that a member may administer by injection on the member's own responsibility:

Dimenhydrinate
Diphenhydramine hydrochloride
Epinephrine hydrochloride
Hepatitis B immune globulin
Hepatitis B vaccine
Intramuscular ergonovine maleate
Intramuscular or intravenous oxytocin
Intravenous fluids
Lidocaine hydrochloride with or without epinephrine
Phytonadione
RhD immune globulin

(2) For the purposes of paragraph 3 of section 4 of the Act, the following substances are designated as substances that a member may administer by injection on order of a member of the College of Physicians and Surgeons of Ontario:

Antibiotics
Epidural analgesia (continuous infusion maintenance)
Narcotic antagonists
Narcotics
Oxytocics intravenous infusion

O. Reg. 884/93, s. 1.

2. For the purposes of paragraph 3 of section 4 of the Act, the following substances are designated as substances that a member may administer by inhalation on the member's own responsibility:

Nitrous oxide
Therapeutic oxygen

O. Reg. 884/93, s. 2.

3. For the purposes of paragraph 7 of section 4 of the Act, the following drugs are designated as drugs that may be prescribed by a member on the member's own responsibility:

Clotrimazole
Doxylamine succinate-pyridoxine hydrochloride
Erythromycin ophthalmic ointment
Hepatitis B immune globulin
Hepatitis B vaccine
Hydrocortisone anorectal therapy compound
Miconazole
Nystatin
Oral ergonovine maleate
Phytonadione
RhD immune globulin

O. Reg. 884/93, s. 3.

4. The following drugs may be used by a member in the course of

engaging in the practice of midwifery on order of a member of the College of Physicians and Surgeons of Ontario:

Acetaminophen with codeine
Antibiotics
Antiemetic/sedative agents with narcotic analgesics
Barbiturates
Cervical ripening agents
Sedatives

O. Reg. 884/93, s. 4.

5. A member may administer, prescribe or order any drug or substance that may lawfully be purchased or acquired without a prescription. O. Reg. 884/93, s. 5.

6. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE
COLLEGE OF MIDWIVES OF ONTARIO:

MARY EBERTS
Chair

BRENDA HYATALI
Vice-Chair

Dated at Toronto on December 1, 1993.

1/94

ONTARIO REGULATION 885/93
made under the
CHIROPRACTIC ACT, 1991

Made: December 4, 1993
Approved: December 15, 1993
Filed: December 16, 1993

EXAMINATIONS

1.—(1) The College shall conduct or cause to be conducted at least once a year examinations of applicants for registration.

(2) For an applicant who has failed an examination under subsection (1), the College shall conduct or cause to be conducted supplemental examinations within four months of the examinations conducted under subsection (1) or within such longer period as may reasonably be required in the circumstances.

(3) Supplemental examinations shall not be conducted if there is no applicant eligible to retry the examinations. O. Reg. 885/93, s. 1.

2.—(1) The examinations and supplemental examinations set by the Council shall assess applicants in various areas in respect of the knowledge and skills necessary to practise as a chiropractor.

(2) The College shall determine,

- (a) the requirements for passing the examinations and supplemental examinations; and
- (b) the requirements for eligibility to try supplemental examinations. O. Reg. 885/93, s. 2.

3.—(1) A person is eligible to try the examinations if he or she satisfies the registration requirements in subsection 3 (1) and paragraph 2 of section 4 of Ontario Regulation 862/93.

(2) If a person satisfied the requirement in subsection (1) more than two years before the person applies to take the examinations, the person must either successfully complete a refresher course approved by the Registration Committee or otherwise satisfy the Registration Committee that he or she is competent to practise. O. Reg. 885/93, s. 3.

4.—(1) An applicant shall submit to the College a completed application to try the examinations at least forty-five days before the date set for the examinations together with the examination fee.

(2) The fee for each examination in an area set by the Council is \$125.

(3) The fee for each supplemental examination is \$150. O. Reg. 885/93, s. 4.

5. At least fourteen days before the date set for the examinations, the Registrar shall notify each applicant of whether he or she has met the requirements to write the examinations and shall notify the applicant of the time and place fixed for the examinations. O. Reg. 885/93, s. 5.

6.—(1) If an applicant fails the examinations and is eligible to try the supplemental examinations, the Registrar shall, at least fourteen days before the date set for the supplemental examinations, notify the applicant that he or she has met the requirements to write the supplemental examinations and of the time and place fixed for the supplemental examinations.

(2) If an applicant fails the supplemental examinations, he or she shall not write another supplemental examination until the applicant has rewritten all the examinations the following year. O. Reg. 885/93, s. 6.

7.—(1) An applicant who fails an examination or supplemental examination set by the Council may, within sixty days after the College has mailed out the results, apply to the Registrar,

- (a) to have the examination reread by the examiners;
- (b) to examine the failed examination; and
- (c) to meet with the examiners to discuss the examination.

(2) The application fee to have an examination reread is \$50.

(3) The application fee to meet with an examiner to discuss an examination is \$200.

(4) The College may destroy an examination if it is not needed under subsection (1). O. Reg. 885/93, s. 7.

8. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE
OF CHIROPRACTORS OF ONTARIO:

EDWARD R. BURGE
Chair

S. J. PUSEY
Secretary-Treasurer

Dated at Toronto on December 4, 1993.

1/94

ONTARIO REGULATION 886/93
made under the
REGULATED HEALTH PROFESSIONS ACT, 1991

Made: December 13, 1993
Approved: December 15, 1993
Filed: December 16, 1993

FORMS OF ENERGY

1. The following forms of energy are prescribed for the purposes of paragraph 7 of subsection 27 (2) of the Act:

- 1. Cardiac pacemaker therapy.
- 2. Cardioversion.

3. Defibrillation.

4. Diagnostic ultrasound.

5. Electrocoagulation.

6. Electroconvulsive shock therapy.

7. Electromyography.

8. Fulguration.

9. Lithotripsy.

10. Magnetic resonance imaging.

11. Nerve conduction studies.

12. Transcutaneous cardiac pacing. O. Reg. 886/93, s. 1.

2. A member of the College of Chiropractors of Ontario is exempt from subsection 27 (1) of the Act for the purpose of applying electrocoagulation and fulguration. O. Reg. 886/93, s. 2.

3. A member of the Royal College of Dental Surgeons of Ontario is exempt from subsection 27 (1) of the Act for the purpose of,

- (a) applying, or ordering the application of, defibrillation and electrocoagulation; and
- (b) conducting research in the course of which the member may apply, or order the application of, electromyography and nerve conduction studies. O. Reg. 886/93, s. 3.

4. A member of the College of Midwives of Ontario is exempt from subsection 27 (1) of the Act for the purpose of ordering the application of pregnancy and pelvic diagnostic ultrasound. O. Reg. 886/93, s. 4.

5. A member of the College of Physicians and Surgeons of Ontario is exempt from subsection 27 (1) of the Act for the purpose of applying, or ordering the application of, a form of energy listed in section 1. O. Reg. 886/93, s. 5.

6. A person is exempt from section 27 (1) of the Act for the purpose of,

- (a) applying magnetic resonance imaging or diagnostic ultrasound if the application is ordered by a member of the College of Physicians and Surgeons of Ontario; and
- (b) applying pregnancy and pelvic diagnostic ultrasound if the application is ordered by a member of the College of Midwives of Ontario. O. Reg. 886/93, s. 6.

7. **This Regulation comes into force on the day subsection 43 (1) of the Act comes into force.**

RUTH GRIER
Minister of Health

Dated at Toronto on December 13, 1993.

1/94

ONTARIO REGULATION 887/93
made under the
REGULATED HEALTH PROFESSIONS ACT, 1991

Made: December 13, 1993
Approved: December 15, 1993
Filed: December 16, 1993

EXEMPTIONS

1. The following activities are exempt from subsection 27 (1) of the

Act for the purpose of performing a procedure on tissue below the dermis:

1. Acupuncture.
2. Ear piercing or body piercing for the purpose of accommodating a piece of jewellery.
3. Electrolysis.
4. Tattooing. O. Reg. 887/93, s. 1.

2. Male circumcision is an activity that is exempt from subsection 27 (1) of the Act if the circumcision is performed as part of a religious tradition or ceremony. O. Reg. 887/93, s. 2.

3. A naturopath is exempt from subsection 27 (1) of the Act for the purpose of carrying on activities that are within the scope of the practice of naturopathy and in accordance with the *Drugless Practitioners Act* and the regulations under that Act. O. Reg. 887/93, s. 3.

4. The taking of a blood sample from a vein or by skin pricking is an activity that is exempt from subsection 27 (1) of the Act if the person taking the blood sample is employed by a laboratory or specimen collection centre licensed under the *Laboratory and Specimen Collection Centre Licensing Act*. O. Reg. 887/93, s. 4.

5.—(1) A medical geneticist who holds a doctorate is exempt from subsection 27 (1) of the Act or the purpose of communicating a diagnosis of a genetic disease or disorder if,

- (a) the communication is a controlled act as described in paragraph 1 of subsection 27 (2) of the Act;
- (b) the disease or disorder identified is within the geneticist's area of expertise; and
- (c) the geneticist is employed by a university or a health care facility and the communication of the diagnosis is performed in accordance with the university's or facility's established guidelines or protocols.

(2) For the purposes of clause (1) (c), a "health care facility" means a facility governed or funded under any of the following Acts:

1. *Alcoholism and Drug Addiction Research Foundation Act*.
2. *Cancer Act*.
3. *Charitable Institutions Act*.
4. *Child and Family Services Act*.
5. *Community Psychiatric Hospitals Act*.
6. *Developmental Services Act*.
7. *General Welfare Assistance Act*.
8. *Homes for Retarded Persons Act*.
9. *Homes for Special Care Act*.
10. *Homes for the Aged and Rest Homes Act*.
11. *Independent Health Facilities Act*.

12. *Mental Health Act*.

13. *Mental Hospitals Act*.

14. *Ministry of Community and Social Services Act*.

15. *Ministry of Correctional Services Act*.

16. *Ministry of Health Act*.

17. *Nursing Homes Act*.

18. *Ontario Mental Health Foundation Act*.

19. *Private Hospitals Act*.

20. *Public Hospitals Act*. O. Reg. 887/93, s. 5.

6. **This Regulation comes into force on the day subsection 43 (1) of the Act comes into force.**

RUTH GRIER
Minister of Health

Dated at Toronto on December 13, 1993.

1/94

ONTARIO REGULATION 888/93
made under the
HEALTH INSURANCE ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 552 has been amended by Ontario Regulations 33/93, 86/93, 203/93, 214/93, 322/93, 375/93, 430/93, 596/93, 667/93, 736/93, 737/93 and 825/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. **Subsection 18 (2) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding "(2.1)," after "subsections" in the first line.**

2. **Section 18 of the Regulation is amended by adding the following subsections:**

(2.1) The amounts payable by the Plan under subsection (2) for insured services rendered by chiropractors on or after October 1, 1993 but before April 1, 1994 shall be reduced by 10 per cent. O. Reg. 888/93, s. 2, *part*.

(5) Despite subsection (2.1), the maximum amount payable under subsections (3) and (4) shall be calculated using the amounts set out in subsection (2). O. Reg. 888/93, s. 2, *part*.

3. **This Regulation shall be deemed to have come into force on October 1, 1993.**

1/94

ONTARIO REGULATION 889/93
made under the
DRUGLESS PRACTITIONERS ACT

Made: December 15, 1993
Filed: December 16, 1993

Revoking Reg. 277 of R.R.O. 1990
(Classifications)

1. Regulation 277 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 515/91 are revoked.

2. This Regulation comes into force on the day section 4 of the *Regulated Health Professions Act, 1991* comes into force.

1/94

RÈGLEMENT DE L'ONTARIO 889/93
pris en application de la
**LOI SUR LES PRATICIENS NE PRESCRIVANT
PAS DE MÉDICAMENTS**

pris le 15 décembre 1993
déposé le 16 décembre 1993

abrogeant le Règl. 277 des R.R.O. de 1990
(Classifications)

1 Le Règlement 277 des Règlements refondus de l'Ontario de 1990 et le Règlement de l'Ontario 515/91 sont abrogés.

2 Le présent règlement entre en vigueur le jour où l'article 4 de la *Loi de 1991 sur les professions de la santé réglementées* entre en vigueur.

ONTARIO REGULATION 890/93
made under the
DRUGLESS PRACTITIONERS ACT

Made: December 9, 1993
Approved: December 15, 1993
Filed: December 16, 1993

Revoking Reg. 276 of R.R.O. 1990
(Chiropractors)

1. Regulation 276 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 516/91 and 56/92 are revoked.

2. This Regulation comes into force on the day section 2 of the *Chiropractic Act, 1991* comes into force.

BOARD OF DIRECTORS OF CHIROPRACTIC:

EDWARD R. BURGE
Chair

S. J. PUSEY
Secretary-Treasurer

Dated at Toronto on December 9, 1993.

1/94

RÈGLEMENT DE L'ONTARIO 890/93
pris en application de la
**LOI SUR LES PRATICIENS NE PRESCRIVANT
PAS DE MÉDICAMENTS**

pris le 9 décembre 1993
approuvé le 15 décembre 1993
déposé le 16 décembre 1993

abrogeant le Règl. 276 des R.R.O. de 1990
(Chiropraticiens)

1 Le Règlement 276 des Règlements refondus de l'Ontario de 1990 et les Règlements de l'Ontario 516/91 et 56/92 sont abrogés.

2 Le présent règlement entre en vigueur le jour où l'article 2 de la *Loi de 1991 sur les chiropraticiens* entre en vigueur.

CONSEIL D'ADMINISTRATION DES CHIROPRACTIENS:

EDWARD R. BURGE
Président

S. J. PUSEY
Secrétaire-trésorière

Fait à Toronto le 9 décembre 1993.

ONTARIO REGULATION 891/93
made under the
DRUGLESS PRACTITIONERS ACT

Made: December 7, 1993
Approved: December 15, 1993
Filed: December 16, 1993

Revoking Reg. 279 of R.R.O. 1990
(Masseurs)

1. Regulation 279 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 706/91 and 612/93 are revoked.

2. This Regulation comes into force on the day section 2 of the *Massage Therapy Act, 1991* comes into force.

THE BOARD OF DIRECTORS OF MASSEURS:

E. E. S. COWALL
Chair

NEIL ANDERSON
Secretary-Treasurer

Dated at Toronto on December 7, 1993.

1/94

ONTARIO REGULATION 892/93
made under the
DRUGLESS PRACTITIONERS ACT

Made: December 7, 1993
Approved: December 15, 1993
Filed: December 16, 1993

Revoking Reg. 281 of R.R.O. 1990
(Physiotherapists)

1. Regulation 281 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 667/92 and 650/93 are revoked.

2. This Regulation comes into force on the day section 2 of the *Physiotherapy Act, 1991* comes into force.

BOARD OF DIRECTORS OF PHYSIOTHERAPY:

SANDRA TAYLOR
for Chair

DIANNE MILLETTE
Registrar

Dated at Toronto on December 7, 1993.

1/94

ONTARIO REGULATION 893/93
made under the
GAMING SERVICES ACT, 1992

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 22/93
(Registration of Suppliers
and Gaming Assistants)

Note: Since January 1, 1993, Ontario Regulation 22/93 has been amended by Ontario Regulation 132/93.

1. Subsection 5 (2) of Ontario Regulation 22/93 is revoked and the following substituted:

(2) The application shall be accompanied by the fee payable in accordance with section 21 and that is sufficient to cover,

- (a) the term of registration that the Registrar indicates to the applicant will apply, in the case of an application for the first renewal of a registration that was originally granted before December 16, 1993; or
- (b) the term of the registration that the applicant is applying for, in all other cases. O. Reg. 893/93, s. 1.

2. Subsection 7 (3) of the Regulation is revoked and the following substituted:

(3) The conditional registration expires on the earlier of,

- (a) the day on which the Registrar grants or refuses the registrant's application under subsection 8 (1);
- (b) January 31, 1994, if it is not renewed under subsection (3.1); and
- (c) January 31, 1995, if it is renewed under subsection (3.1).

(3.1) The Registrar shall renew a conditional registration that has not expired if, before January 31, 1994, the registrant submits an application for renewal to the Registrar.

(3.2) The application for renewal shall be in a form provided by the Registrar and shall be accompanied by the fee set out in the Schedule that is sufficient to cover a registration that would expire on January 31, 1995. O. Reg. 893/93, s. 2.

3. Section 8 of the Regulation is revoked and the following substituted:

RÈGLEMENT DE L'ONTARIO 893/93
pris en application de la
LOI DE 1992 SUR LES SERVICES RELATIFS AU JEU

pris le 15 décembre 1993
déposé le 16 décembre 1993

modifiant le Règl. de l'Ont. 22/93
(Inscription des fournisseurs
et des préposés au jeu)

Remarque : Depuis le 1^{er} janvier 1993, le Règlement de l'Ontario 22/93 a été modifié par le Règlement de l'Ontario 132/93.

1 Le paragraphe 5 (2) du Règlement de l'Ontario 22/93 est abrogé et remplacé par ce qui suit :

(2) La demande est accompagnée des droits qui sont payables conformément à l'article 21 et qui sont suffisants pour couvrir, selon le cas :

- a) la durée de l'inscription applicable que le registrateur indique à l'auteur de la demande, dans le cas d'une première demande de renouvellement d'une inscription qui a été accordée la première fois avant le 16 décembre 1993;
- b) la durée de l'inscription que demande l'auteur de la demande, dans tous les autres cas. Règl. de l'Ont. 893/93, art. 1.

2 Le paragraphe 7 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) L'inscription conditionnelle prend fin celui des jours suivants qui arrive en premier :

- a) le jour de l'approbation ou du rejet de la demande de la personne inscrite par le registrateur aux termes du paragraphe 8 (1);
- b) le 31 janvier 1994, si elle n'est pas renouvelée aux termes du paragraphe (3.1);
- c) le 31 janvier 1995, si elle est renouvelée aux termes du paragraphe (3.1).

(3.1) Le registrateur renouvelle une inscription conditionnelle qui n'a pas encore pris fin si la personne inscrite lui présente une demande de renouvellement avant le 31 janvier 1994.

(3.2) La demande de renouvellement est rédigée selon la formule fournie par le registrateur et est accompagnée des droits qui sont fixés dans l'annexe et qui sont suffisants pour couvrir une inscription qui prendrait fin le 31 janvier 1995. Règl. de l'Ont. 893/93, art. 2.

3 L'article 8 du Règlement est abrogé et remplacé par ce qui suit :

8.—(1) Upon receiving a completed application for registration or renewal of registration as a supplier, the Registrar shall consider the application and either grant it or refuse it.

(2) Upon granting an application, the Registrar shall issue a certificate of registration to the applicant stating the expiry date of the registration.

(3) A registration that is granted expires,

- (a) on January 31, 1994 if the registrant holds a conditional registration that has not been renewed before the registration is granted;
- (b) on January 31, 1995 if the registrant holds a conditional registration that has been renewed before the registration is granted;
- (c) one year from the day on which it is granted if it is granted before December 16, 1993 but not in a case described in clause (a) or (b);
- (d) two years from the day on which it is granted, in all other cases.

(4) A registration that is renewed expires,

- (a) at a time that the Registrar determines but that is not later than two years from the day on which it is renewed, if the registration was originally granted before December 16, 1993 and is being renewed for the first time; and
- (b) two years from the day on which it is renewed, in all other cases. O. Reg. 893/93, s. 3.

4. Subsection 10 (3) of the Regulation is revoked and the following substituted:

(3) The conditional registration expires on the earlier of,

- (a) the day on which the Registrar grants or refuses the registrant's application under subsection 11 (1);
- (b) July 31, 1994, if it is not renewed under subsection (3.1); and
- (c) July 31, 1995, if it is renewed under subsection (3.1).

(3.1) The Registrar shall renew a conditional registration that has not expired if, before July 31, 1994, the registrant submits an application for renewal to the Registrar.

(3.2) The application for renewal shall be in a form provided by the Registrar and shall be accompanied by the fee set out in the Schedule that is sufficient to cover a registration that would expire on July 31, 1995. O. Reg. 893/93, s. 4.

5. Section 11 of the Regulation is revoked and the following substituted:

11.—(1) Upon receiving a completed application for registration or renewal of registration as a gaming assistant, the Registrar shall consider the application and either grant it or refuse it.

(2) Upon granting an application, the Registrar shall issue a certificate of registration to the applicant stating the expiry date of the registration.

(3) A registration that is granted expires,

- (a) on July 31, 1994 if the registrant holds a conditional registration that has not been renewed before the registration is granted;

8 (1) Lorsque le registrateur reçoit une demande, dûment remplie, d'inscription ou de renouvellement d'inscription comme fournisseur, il l'étudie et soit l'approuve, soit la rejette.

(2) Lorsque le registrateur approuve la demande, il délivre à son auteur un certificat d'inscription mentionnant la date à laquelle l'inscription prend fin.

(3) L'inscription qui est accordée prend fin :

- a) le 31 janvier 1994, si la personne inscrite est titulaire d'une inscription conditionnelle qui n'a pas été renouvelée avant que l'inscription ne lui soit accordée;
- b) le 31 janvier 1995, si la personne inscrite est titulaire d'une inscription conditionnelle qui a été renouvelée avant que l'inscription ne lui soit accordée;
- c) un an après le jour où elle est accordée si elle l'est avant le 16 décembre 1993, sauf dans les cas prévus à l'alinéa a) ou b);
- d) deux ans après le jour où elle est accordée, dans tous les autres cas.

(4) L'inscription qui est renouvelée prend fin :

- a) au moment que le registrateur détermine, mais au plus tard deux ans après le jour de son renouvellement, si elle a été accordée la première fois avant le 16 décembre 1993 et est renouvelée pour la première fois;
- b) deux ans après le jour de son renouvellement, dans tous les autres cas. Règl. de l'Ont. 893/93, art. 3.

4 Le paragraphe 10 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) L'inscription conditionnelle prend fin celui des jours suivants qui arrive en premier :

- a) le jour de l'approbation ou du rejet de la demande de la personne inscrite par le registrateur aux termes du paragraphe 11 (1);
- b) le 31 juillet 1994, si elle n'est pas renouvelée aux termes du paragraphe (3.1);
- c) le 31 juillet 1995, si elle est renouvelée aux termes du paragraphe (3.1).

(3.1) Le registrateur renouvelle une inscription conditionnelle qui n'a pas encore pris fin si la personne inscrite lui présente une demande de renouvellement avant le 31 juillet 1994.

(3.2) La demande de renouvellement est rédigée selon la formule fournie par le registrateur et est accompagnée des droits qui sont fixés dans l'annexe et qui sont suffisants pour couvrir une inscription qui prendrait fin le 31 juillet 1995. Règl. de l'Ont. 893/93, art. 4.

5 L'article 11 du Règlement est abrogé et remplacé par ce qui suit :

11 (1) Lorsque le registrateur reçoit une demande, dûment remplie, d'inscription ou de renouvellement d'inscription comme préposé au jeu, il l'étudie et soit l'approuve, soit la rejette.

(2) Lorsque le registrateur approuve la demande, il délivre à son auteur un certificat d'inscription mentionnant la date à laquelle l'inscription prend fin.

(3) L'inscription qui est accordée prend fin :

- a) le 31 juillet 1994, si la personne inscrite est titulaire d'une inscription conditionnelle qui n'a pas été renouvelée avant que l'inscription ne lui soit accordée;

- (b) on July 31, 1995 if the registrant holds a conditional registration that has been renewed before the registration is granted;
- (c) one year from the day on which it is granted if it is granted before December 16, 1993 but not in a case described in clause (a) or (b);
- (d) two years from the day on which it is granted, in all other cases.

(4) A registration that is renewed expires,

- (a) at a time that the Registrar determines but that is not later than two years from the day on which it is renewed, if the registration was originally granted before December 16, 1993 and is being renewed for the first time; and
- (b) two years from the day on which it is renewed, in all other cases. O. Reg. 893/93, s. 5.

6. Subsections 13 (1) and (2) of the Regulation are revoked and the following substituted:

(1) To have a registration of a supplier or gaming assistant under the Act amended before its expiry, the registrant shall submit an application to the Registrar in a form provided by the Registrar stating the amendment for which the registrant is applying.

(2) If the registration, when amended, authorizes the registrant to provide goods or services that the registrant is not authorized to provide when making an application under subsection (1), the registrant shall pay to the Registrar, when making the application,

- (a) the amount of the fee set out in the Schedule that is prorated for the number of months then remaining before the expiry of the registration, if the application is made by a supplier; or
- (b) the fee set out in the Schedule, if the application is made by a gaming assistant.

(2.1) For the purposes of clause (2) (a) a part of a month shall count as a full month. O. Reg. 893/93, s. 6.

7. Section 21 of the Regulation is revoked and the following substituted:

21.—(1) The fees set out in the Schedule are payable for each year during the term of a registration and shall be paid to the Registrar at the time an application is made, unless the Registrar authorizes their payment in equal yearly instalments, in the case of a registration having a term of two years.

(2) The registration of a registrant expires if the registrant does not pay a yearly instalment of fees on the day specified by the Registrar.

(3) Section 13 of the Act does not apply to the expiration. O. Reg. 893/93, s. 7.

b) le 31 juillet 1995, si la personne inscrite est titulaire d'une inscription conditionnelle qui a été renouvelée avant que l'inscription ne lui soit accordée;

c) un an après le jour où elle est accordée si elle l'est avant le 16 décembre 1993, sauf dans les cas prévus à l'alinéa a) ou b);

d) deux ans après le jour où elle est accordée, dans tous les autres cas.

(4) L'inscription qui est renouvelée prend fin :

a) au moment que le registrateur détermine, mais au plus tard deux ans après le jour de son renouvellement, si elle a été accordée la première fois avant le 16 décembre 1993 et est renouvelée pour la première fois;

b) deux ans après le jour de son renouvellement, dans tous les autres cas. Règl. de l'Ont. 893/93, art. 5.

6 Les paragraphes 13 (1) et (2) du Règlement sont abrogés et remplacés par ce qui suit :

13 (1) Pour faire modifier une inscription comme fournisseur ou comme préposé au jeu aux termes de la Loi avant la fin de cette inscription, la personne inscrite présente au registrateur une demande rédigée selon la formule fournie par ce dernier, où elle énonce la modification qu'elle demande.

(2) Si, après modification, l'inscription de la personne inscrite l'autorise à fournir des biens ou des services qu'elle n'est pas autorisée à fournir lorsqu'elle présente une demande aux termes du paragraphe (1), elle verse au registrateur, lorsqu'elle présente la demande :

- a) le montant des droits fixés dans l'annexe, calculé en proportion du nombre de mois qui restent à courir jusqu'à la fin de l'inscription, si la demande est présentée par un fournisseur;
- b) les droits fixés dans l'annexe, si la demande est présentée par un préposé au jeu.

(2.1) Pour l'application de l'alinéa (2) a), une fraction de mois compte comme un mois complet. Règl. de l'Ont. 893/93, art. 6.

7 L'article 21 du Règlement est abrogé et remplacé par ce qui suit :

21 (1) Les droits fixés dans l'annexe sont payables pour chaque année de la durée de l'inscription et sont versés au registrateur au moment de la présentation de la demande, sauf si ce dernier autorise leur versement en paiements annuels égaux dans le cas d'une inscription qui dure deux ans.

(2) L'inscription de la personne inscrite prend fin si cette dernière ne verse pas un paiement annuel des droits à la date précisée par le registrateur.

(3) L'article 13 de la Loi ne s'applique pas dans le cas de la fin d'une inscription. Règl. de l'Ont. 893/93, art. 7.

ONTARIO REGULATION 894/93
made under the
SMALL BUSINESS DEVELOPMENT
CORPORATIONS ACT

Made: December 15, 1993
Filed: December 16, 1993

MONEY FOR GRANTS AND TAX CREDITS

1. For the fiscal year beginning on April 1, 1993, the amount of money available to be paid by way of grant under the Act is \$1,945,550 and the amount of money available for tax credits under the Act is \$80,580. O. Reg. 894/93, s. 1.

2. This Regulation shall be deemed to have come into force on April 1, 1993.

1/94

ONTARIO REGULATION 895/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since January 1, 1993, Regulation 619 has been amended by Ontario Regulations 20/93, 63/93, 136/93, 206/93, 277/93, 306/93, 474/93, 488/93, 520/93, 661/93 and 725/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Paragraph 2 of Part 3 of Schedule 11 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Part 3 of Schedule 11 to the Regulation is amended by adding the following paragraphs:

13. That part of the King's Highway known as No. 9 lying between a point situate at its intersection with the westerly limit of the west junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 in the townships of East Luther and East Garafraxa in the County of Dufferin and a point situate 460 metres measured easterly from its intersection with the centre line of the King's Highway known as No. 6 in the townships of West Luther and West Garafraxa in the County of Wellington.

14. That part of the King's Highway known as Nos. 9 and 25 in the County of Dufferin lying between a point situate at its intersection with the easterly limit of the easterly junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 in the townships of Amaranth and East Garafraxa and a point situate at its intersection with the westerly limit of the west junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 in the townships of East Luther and East Garafraxa.

15. That part of the King's Highway known as No. 9 in the County of Dufferin lying between a point situate 480 metres measured westerly from its intersection with the centre line of the roadway known as Diane Drive in the Town of Orangeville and a point situate at its intersection with the easterly limit of the east junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 in the townships of Amaranth and East Garafraxa.

2.—(1) Part 3 of Schedule 24 to the Regulation is amended by adding the following paragraphs:

- Essex—
Township of Malden
3. That part of the King's Highway known as No. 18 in the Township of Malden in the County of Essex lying between a point situate 280 metres measured easterly from its intersection with the centre line of the roadway known as Front Street South and a point situate 805 metres measured westerly from its intersection with the centre line of the roadway known as Essex County Road 50.

- Essex—
Twps. of Malden and Colchester South
4. That part of the King's Highway known as No. 18 in the County of Essex lying between a point situate 450 metres measured easterly from its intersection with the centre line of the roadway known as Essex County Road 50 in the Township of Malden and a point situate 700 metres measured westerly from its intersection with the easterly limit of the roadway known as Rosenborough Road in the Township of Colchester South.

- Essex—
Town of Harrow
Twps. of Colchester South and Gosfield South
5. That part of the King's Highway known as No. 18 in the County of Essex lying between a point situate 230 metres measured easterly from its intersection with the centre line of the roadway known as Herdman Road in the Town of Harrow in the Township of Colchester South and a point situate 910 metres measured easterly from its intersection with the west rail of the Chesapeake and Ohio Railway in the Township of Gosfield South.

(2) Paragraph 3 of Part 4 of Schedule 24 to the Regulation is revoked and the following substituted:

- Essex—
Twp. of Malden
Town of Amherstburg
3. That part of the King's Highway known as No. 18 in the Township of Malden in the County of Essex lying between a point situate at its intersection with the southerly limit of the roadway known as Lowes Sideroad in the Town of Amherstburg and a point situate 280 metres measured easterly from its intersection with the centre line of the roadway known as Front Street South.

(3) Part 5 of Schedule 24 to the Regulation is amended by adding the following paragraph:

- Essex—
Twp. of Colchester South
3. That part of the King's Highway known as No. 18 in the Township of Colchester South in the County of Essex beginning at a point situate at its intersection with the easterly limit of the roadway known as Rosenborough Road and extending westerly for a distance of 700 metres.

3. Paragraph 1 of Part 3 of Schedule 28 to the Regulation is revoked and the following substituted:

- Middlesex—
Twps. of Lobo and London
1. That part of the King's Highway known as No. 22 in the County of Middlesex lying between a point situate 230 metres measured easterly from its intersection with the centre line of the roadway known as Middlesex County Road 17 in the Township of Lobo and a point situate 610 metres measured easterly from its intersection with the centre line of the roadway known as Denfield Sideroad in the Township of London.

4.—(1) Part 3 of Schedule 29 to the Regulation is amended by adding the following paragraph:

- Wellington—
Twp. of Erin
10. That part of the King's Highway known as Nos. 24 and 25 in the Township of Erin in the County of Wellington lying between a point situate 215 metres measured easterly from its intersection with the westerly limit of the west junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and a point situate 330 metres

measured westerly from its intersection with the easterly limit of the east junction of the King's Highway known as No. 24 and the King's Highway known as No. 25.

(2) Paragraphs 2 and 6 of Part 4 of Schedule 29 to the Regulation are revoked.

(3) Part 5 of Schedule 29 to the Regulation is amended by adding the following paragraphs:

10. That part of the King's Highway known as No. 24 in the Township of Erin in the County of Wellington beginning at a point situate at its intersection with the westerly limit of the west junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and extending westerly for a distance of 445 metres.
11. That part of the King's Highway known as Nos. 24 and 25 in the Township of Erin in the County of Wellington beginning at a point situate at its intersection with the westerly limit of the west junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and extending easterly for a distance of 215 metres.
12. That part of the King's Highway known as Nos. 24 and 25 in the Township of Erin in the County of Wellington beginning at a point situate at its intersection with the easterly limit of the east junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and extending westerly for a distance of 330 metres.
13. That part of the King's Highway known as Nos. 24 and 25 in the Township of Erin in the County of Wellington beginning at a point situate at its intersection with the easterly limit of the east junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and extending easterly for a distance of 585 metres.

5.—(1) Paragraph 3 of Part 3 of Schedule 31 to the Regulation is revoked and the following substituted:

3. That part of the King's Highway known as Nos. 9 and 25 in the County of Dufferin lying between a point situate at its intersection with the easterly limit of the east junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 in the townships of Amaranth and East Garafraxa and a point situate at its intersection with the westerly limit of the west junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 in the townships of East Luther and East Garafraxa.

(2) Part 3 of Schedule 31 to the Regulation is amended by adding the following paragraphs:

5. That part of the King's Highway known as No. 25 lying between a point situate 340 metres measured northerly from its intersection with the centre line of the roadway known as Wallace Street in the Town of Halton Hills in The Regional Municipality of Halton and a point situate at its intersection with the southerly limit of the west junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 in the Township of Erin in the County of Wellington.
6. That part of the King's Highway known as Nos. 24 and 25 in the Township of Erin in the County of Wellington lying between a point situate 215 metres measured easterly from its intersection with the westerly limit of the west junction of the King's

Highway known as No. 24 and the King's Highway known as No. 25 and a point situate 330 metres measured westerly from its intersection with the easterly limit of the east junction of the King's Highway known as No. 24 and the King's Highway known as No. 25.

7. That part of the King's Highway known as No. 25 in the Township of Erin in the County of Wellington lying between a point situate at its intersection with the northerly limit of the east junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and a point situate 80 metres measured southerly from its intersection with the centre line of the roadway known as Wellington County Road No. 22.
8. That part of the King's Highway known as No. 25 lying between a point situate 10 metres measured northerly from its intersection with the centre line of the roadway known as Howe Street in the Township of Erin in the County of Wellington and a point situate at its intersection with the southerly limit of the east junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 in the Township of East Garafraxa in the County of Dufferin.
9. That part of the King's Highway known as No. 25 in the townships of East Luther and East Garafraxa in the County of Dufferin lying between a point situate at its intersection with the northerly limit of the west junction of the King's Highway known as No. 9 and the King's Highway known as No. 25 and a point situate 180 metres measured southerly from its intersection with the centre line of the roadway known as Melody Lane in the Village of Grand Valley.

(3) Paragraphs 1, 2 and 3 of Part 4 of Schedule 31 to the Regulation are revoked.

(4) Part 5 of Schedule 31 to the Regulation is amended by adding the following paragraphs:

3. That part of the King's Highway known as Nos. 24 and 25 in the Township of Erin in the County of Wellington beginning at a point situate at its intersection with the westerly limit of the west junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and extending easterly for a distance of 215 metres.
4. That part of the King's Highway known as Nos. 24 and 25 in the Township of Erin in the County of Wellington beginning at a point situate at its intersection with the easterly limit of the east junction of the King's Highway known as No. 24 and the King's Highway known as No. 25 and extending westerly for a distance of 330 metres.

(5) Part 6 of Schedule 31 to the Regulation is amended by adding the following paragraph:

3. That part of the King's Highway known as No. 25 in the Township of Erin in the County of Wellington lying between a point situate 80 metres measured southerly from its intersection with the centre line of the roadway known as Wellington County Road No. 22 and a point situate 10 metres measured northerly from its intersection with the centre line of the roadway known as Howe Street.

6.—(1) Paragraph 1 of Part 3 of Schedule 116 to the Regulation is revoked.

(2) Paragraph 1 of Part 5 of Schedule 116 to the Regulation is revoked.

GILLES POULIOT
Minister of Transportation

Dated at Toronto on December 15, 1993.

1/94

ONTARIO REGULATION 896/93
made under the
GAME AND FISH ACT

Made: December 15, 1993
Filed: December 16, 1993

COMMERCIAL FISHING ROYALTY

1. A person required to hold a commercial fishing licence shall, in accordance with this Regulation, pay to the Minister of Finance a royalty equal to 2 per cent of the value of each species of fish harvested by or for the person in a calendar year. O. Reg. 896/93, s. 1.

2. Royalty payments shall be made as follows:

1. For fish harvested on or after January 1 and before May 1 in any year, an interim payment is due on July 31 of that year.
2. For fish harvested on or after May 1 and before September 1 in any year, an interim payment is due on November 30 of that year.
3. For fish harvested at any time in any year, final payment is due on April 30 of the next year. O. Reg. 896/93, s. 2.

3.—(1) For an interim royalty payment, the value of a species of fish shall be calculated by multiplying the unprocessed weight of the fish of that species harvested during the relevant period by 80 per cent of the average annual price for the species as set out in the Schedule.

(2) For the final payment, the value of the species of fish shall be calculated by multiplying the unprocessed weight of the fish of that species harvested each month during the entire year by the average monthly price for the species as set out in the Schedule and then subtracting the amount of any previous royalty payments made for the year.

(3) Where a calculation under this section shows that there has been an overpayment of a royalty, the Minister of Finance shall issue a refund. O. Reg. 896/93, s. 3.

4.—(1) This Regulation does not apply to those parts of Ontario for which the Freshwater Fish Marketing Corporation has been designated as the body to control the buying and selling of fish under Regulation 463 of the Revised Regulations of Ontario, 1990.

(2) This Regulation does not apply to aboriginal commercial fishers. O. Reg. 896/93, s. 4.

5. This Regulation comes into force on January 1, 1994.

Schedule

Species of Fish	Average Annual Price	Average Monthly Price
Sturgeon	\$3.00	Not available
Bowfin	0.00	Not available
Alewife	0.00	Not available
Gizzard Shad	0.00	Not available
Salmon	0.00	Not available
Lake Trout	0.86	Not available
Lake Whitefish	0.75	Not available
Menominee	0.28	Not available
Lake Herring	0.27	Not available
Chubs	1.00	Not available
Rainbow Smelt	0.21	Not available
Northern Pike	0.50	Not available
Mooneye	0.00	Not available
Suckers	0.00	Not available
Carp	0.34	Not available
Bullhead	0.36	Not available
Catfish	0.42	Not available
Eel	1.10	Not available
Burbot	0.00	Not available
White Perch	0.37	Not available
White Bass	0.75	Not available
Sunfish	0.00	Not available
Rock Bass	0.00	Not available
Crappie	1.60	Not available
Yellow Perch	1.50	Not available
Sauger	0.90	Not available
Walleye	1.25	Not available
Freshwater Drum	0.13	Not available

O. Reg. 896/93, Sched.

1/94

ONTARIO REGULATION 897/93
made under the
GAME AND FISH ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 740/92
(Fishing Licences)

Note: Since January 1, 1993, Ontario Regulation 740/92 has been amended by Ontario Regulations 462/93 and 670/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Items 7, 8, 9, 10 and 11 of the Schedule to Ontario Regulation 740/92 are revoked and the following substituted:

	Regular Fee
7. Commercial fishing licence,	
i. to take 15,000 pounds or less of quota fish round weight	\$ 25.00
ii. to take over 15,000 pounds of quota fish round weight	100.00

2. This Regulation comes into force on January 1, 1994.

1/94

Publications under the Regulations Act

Publications en vertu de la Loi sur les règlements

1994—01—08

ONTARIO REGULATION 898/93 made under the WORKERS' COMPENSATION ACT

Made: December 6, 1993
Approved: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 753/91
(Pension Benefits for Board Members and Employees)

Note: There are no prior amendments to Ontario Regulation 753/91.

1. The definition of "spouse" in section 1 of Ontario Regulation 753/91 is revoked and the following substituted:

"spouse" means either of a man and woman who,

- (a) are married to each other, or
- (b) are not married to each other and are living together in a conjugal relationship,
 - (i) continuously for a period of not less than three years, or
 - (ii) in a relationship of some permanence, if they are the natural or adoptive parents of a child, both as defined in the *Family Law Act*;

2. Subsection 2 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) A child is considered to be a dependent child of a former member who is deceased if the child was dependent on him or her for support immediately before the former member's death and if the child,

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3. Subsection 3 (3) of the Regulation is revoked and the following substituted:

(3) A period of continuous employment, membership or service is measured without regard to a temporary absence that results solely from a lay-off, strike or lockout at the Board and without regard to a leave of absence. O. Reg. 898/93, s. 3.

4.—(1) Subsection 4 (3) of the Regulation is amended by striking out "Part VI" in the last line and substituting "Part VII".

(2) Section 4 of the Regulation is amended by adding the following subsection:

(4) If the earnings of a member exceed the maximum amount under the *Income Tax Act* (Canada) in respect of which pension contributions may be made, the member's earnings shall be deemed, for the purpose of this Regulation, to be that maximum amount. O. Reg. 898/93, s. 4 (2).

5. Section 5 of the Regulation is amended by inserting after "rate" in the third line "as is reasonable and".

6. Subsections 6 (1) and (2) of the Regulation are revoked and the following substituted:

(1) Every permanent or probationary employee is a member of the pension plan beginning on the later of,

- (a) his or her date of employment; or
- (b) the date, if any, on which the employee ceases to be ineligible to be a member under subsection (2).

(2) On an employee's date of employment, the employee is not eligible to become a member of the plan if, over a period of one year at his or her normal working hours, the employee would earn less than 35 per cent of the Year's Maximum Pensionable Earnings and would work fewer than 700 hours. O. Reg. 898/93, s. 6.

7. The Regulation is amended by adding the following section:

10.1—(1) The Board shall contribute to the pension fund such amounts as are necessary to pay the cost of pension benefits and ancillary benefits under the pension plan.

(2) The amount of the Board's contributions shall be determined on the basis of valuations made by the actuary and approved by the Board.

(3) Subject to subsection 16 (3), the Board's contribution in a month shall not be less than the greater of,

- (a) the minimum amount required under the *Pension Benefits Act* to pay the normal cost of the pension plan and liquidate any going concern unfunded liabilities or solvency deficiencies; and
- (b) 113 per cent of the employee contributions in the month. O. Reg. 898/93, s. 7.

8. Subsections 12 (2), (4) and (5) of the Regulation are revoked and the following substituted:

(2) For the purposes of the pension plan, the person is deemed to be an employee of the Board while receiving benefits under the long term disability plan if,

- (a) the person is suffering from a physical or mental disability which prevents him or her from engaging in employment for which the person is reasonably suited by reason of education, training or experience and which can reasonably be expected to last for the remainder of his or her lifetime; and
- (b) a certificate of a medical doctor licensed to practise in Ontario has been given to the Board certifying that the person has such a disability. O. Reg. 898/93, s. 8, *part*.

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(4) The amount of the benefits under the pension plan is determined with reference to the person's earnings when he or she qualified for benefits under the long-term disability plan.

(5) For the purposes of subsection (4), the person's earnings shall be deemed to be increased each year in accordance with the following rules:

- 1. The earnings are increased as of the 1st day of January each year, beginning when the Board receives the certificate described in clause (2) (b) and ending when payment of the person's pension under the plan begins. However, no increase shall be made in respect of a period before January 1, 1992.
- 2. The earnings are increased in accordance with the indexing factor described in paragraphs 4, 5 and 6 for the year.

3. Despite paragraph 2, the increased earnings for a year cannot exceed the maximum amount determined under paragraph 7.
4. The indexing factor for a year is 75 per cent of the percentage change in the Consumer Price Index for Canada for all items, for the twelve-month period ending the 31st day of October of the previous year, as published by Statistics Canada.
5. If the indexing factor for a year is greater than 8 per cent, it is deemed to be 8 per cent.
6. If the indexing factor for a year is greater than 8 per cent, the amount by which it exceeds 8 per cent is carried forward and added to the indexing factor for one or more subsequent years until the subsequent indexing factor is increased to 8 per cent.
7. The maximum amount of increased earnings for a year is calculated using the formula "A × B/C" in which,

"A" equals the person's earnings when he or she qualified for benefits under the long-term disability plan,

"B" equals the average wage as defined in subsection 147.1 (1) of the *Income Tax Act* (Canada) for the year, and

"C" equals the average wage for the year in which the person qualified for benefits under the long-term disability plan. O. Reg. 898/93, s. 8, *part*.

9. Subsection 15 (2) of the Regulation is revoked and the following substituted:

(2) In determining the commuted value of the pension or deferred pension under subsection (1), money or credits transferred from the pension plan to another pension plan are excluded. O. Reg. 898/93, s. 9.

10. Subsections 16 (2) and (3) of the Regulation are revoked and the following substituted:

(2) The surplus may be applied to enhance the benefits provided to members and former members to the extent permitted under the *Income Tax Act* (Canada).

(3) The surplus may be applied to reduce the contributions of the Board under the pension plan in a month to an amount not less than the lesser of,

- (a) 113 per cent of the members' contributions in the month; or
- (b) the maximum contribution that is an eligible contribution under subsection 147.2 (2) of the *Income Tax Act* (Canada). O. Reg. 898/93, s. 10.

11. Subsection 17 (1) of the Regulation is revoked and the following substituted:

(1) A person who ceases to be a member of the pension plan after a continuous period of twenty-four months of membership but before completing ten years of membership is entitled to the pension and the payment described in this section. O. Reg. 898/93, s. 11.

12.—(1) Clause 25 (5) (a) of the Regulation is revoked and the following substituted:

- (a) 2 per cent of the person's indexed final average salary as determined under subsection (6) multiplied by the person's years of pensionable service, excluding service before January 1, 1991 in excess of thirty-five years; or

(2) Subsections 25 (6) and (7) of the Regulation are revoked and the following substituted:

(6) The person's indexed final average salary is the average of the person's salary, while he or she was a member of the pension plan, for

the three highest non-overlapping periods of twelve consecutive months, multiplied, for each period, by the ratio "A/B" in which,

"A" equals the average industrial wage for the year in which the person retires, and

"B" equals,

- (a) the average industrial wage for the calendar year in which most of the person's earnings for the twelve-month period were earned, if that year is 1987 or later, or
- (b) the average industrial wage for 1986, otherwise.

(7) The ratio referred to in clause (5) (b) is,

- (a) 1.0, if the year in which the pension begins is 1995 or earlier; and
- (b) the ratio of the average industrial wage for the year in which the pension begins to the average industrial wage for 1995, if the pension begins in 1996 or later. O. Reg. 898/93, s. 12 (2).

13. Section 26 of the Regulation is amended by adding the following subsections:

(6) A person whose age, when added to the number of years of his or her continuous membership in the pension plan, totals at least eighty may elect to receive an early retirement pension. The election must be made after December 31, 1993 and before April 1, 1994.

(7) A person may elect before April 1, 1994 to receive an early retirement pension if,

- (a) the person begins a paid leave of absence before March 31, 1994; and
- (b) the person's age, at the end of the paid leave, when added to the number of years of his or her continuous membership in the pension plan at the end of the paid leave, totals at least eighty.

(8) A person who elects to receive an early retirement pension under subsection (6) cannot revoke the election. O. Reg. 898/93, s. 13.

14. Subsections 28 (2) and (3) of the Regulation are revoked and the following substituted:

(2) The amount of the pension is actuarially reduced in accordance with the person's age at the date the pension begins to be paid as follows:

1. The commuted value of the pension must be equal to the commuted value of the person's normal retirement pension, based upon the person's pensionable service up to the date of retirement.
2. However, the reduction in the pension must not be less than 0.25 per cent multiplied by the number of months from the date of the first pension payment to the first day of the month following the month in which the person reaches sixty years of age.

(3) The following rules apply if the person has at least ten years of continuous membership in the pension plan at the date of retirement:

1. The amount of the pension, before any actuarial reduction is made under this section, is calculated in the same manner as a normal retirement pension under section 25. However, "C" in the formula does not apply until the person's normal retirement date.
2. Despite paragraph 1 of subsection (2), the actuarial reduction in the pension must not be more than 5 per cent of the normal retirement pension multiplied by the number of full years and any fraction of a year from the date of retirement to the normal retirement date. O. Reg. 898/93, s. 14.

15. Subsection 29 (1) of the Regulation is revoked and the following substituted:

(1) The amount of an early retirement pension under the following subsections is determined in accordance with this section:

1. Subsection 26 (2) (age plus years of membership equals ninety).
2. Subsection 26 (3) (sixty years old with twenty years' membership).
3. Subsection 26 (6) (age plus years of membership equals eighty).
4. Subsection 26 (7) (age plus years of membership equals eighty, paid leave situation). O. Reg. 898/93, s. 15.

16.—(1) Clause 30 (1) (a) of the Regulation is amended by striking out "impairment" in the first line and substituting "disability".

(2) Subsection 30 (2) of the Regulation is amended by striking out "medical practitioner licensed to practise medicine in Ontario" in the second and third lines and substituting "medical doctor licensed to practise in Ontario".

17. Sub-subclause 32 (5) (b) (ii) (B) of the Regulation is revoked and the following substituted:

- (B) the excess, if any, of the amount described in subclause (b) (i) over 50 per cent of the amount described in sub-subclause (b) (ii) (A).

18. Sub-subclause 33 (3) (b) (ii) (B) of the Regulation is revoked and the following substituted:

- (B) the excess, if any, of the amount described in subclause (b) (i) over 50 per cent of the amount described in sub-subclause (b) (ii) (A).

19. Subsection 37 (2) of the Regulation is revoked and the following substituted:

- (2) The amount of the pension benefit, as varied,
- (a) must be the actuarial equivalent, as determined by the actuary, of the joint and survivor pension benefit otherwise payable to the person upon retirement; and
 - (b) must not exceed the pension benefit otherwise payable to the person upon retirement. O. Reg. 898/93, s. 19.

20. Subsections 38 (2) and (3) of the Regulation are revoked and the following substituted:

(2) Despite subsection (1), a person who acquires a spouse after beginning to receive a pension may elect to have his or her retirement pension paid as a joint and survivor pension if,

- (a) the person did not have a spouse on his or her retirement date; or
- (b) the person had a spouse on his or her retirement date and that spouse has died and there are no dependent children entitled to benefits under section 40.

(3) An election must be made in writing within the six-month period beginning one year after the person acquires the spouse. O. Reg. 898/93, s. 20.

21. Subsection 45 (1) of the Regulation is revoked and the following substituted:

(1) A pension being calculated under subsection 25 (3) is increased as of the 1st day of January each year in accordance with section 46. O. Reg. 898/93, s. 21.

22. Subsection 46 (1) of the Regulation is revoked and the following substituted:

(1) A pension being calculated under subsection 25 (3) or deferred pension is increased each year as of the 1st day of January in accordance with the indexing factor for the year determined under this section.

(1.1) The indexing factor for a year is 75 per cent of the percentage change in the Consumer Price Index for Canada for all items, for the twelve-month period ending the 31st day of October of the previous year, as published by Statistics Canada. O. Reg. 898/93, s. 22.

23. Subsection 47 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) A pension being calculated under subsection 25 (3) or deferred pension is increased as if sections 45 and 46 had been in force since,

24. Subsection 51 (1) of the Regulation is revoked and the following substituted:

(1) A member who takes a leave of absence without salary because of illness or disability may elect to purchase pensionable service under the pension plan for the period of the leave if,

- (a) during the leave, the member suffers from a physical or mental illness or disability that prevents the member from performing the duties of the employment in which the member was engaged before the commencement of the illness or disability; and
- (b) a medical doctor licensed to practise in Ontario certifies to the administrator of the pension plan that the person has such an illness or disability.

(1.1) A person is not eligible to purchase under this section a period of pensionable service greater than five years less the sum of all periods of pensionable service previously purchased by him or her under this section and section 52. O. Reg. 898/93, s. 24.

25. Section 52 of the Regulation is amended by adding the following subsection:

(1.1) A person is not eligible to purchase under this section a period of pensionable service greater than five years less the sum of all periods of pensionable service previously purchased by him or her under this section and section 51. O. Reg. 898/93, s. 25.

26. Subsections 53 (1) and (3) of the Regulation are revoked and the following substituted:

(1) A member who takes a leave of absence without pay for pregnancy or parental purposes may elect to purchase pensionable service under the pension plan for the period of the leave.

(1.1) A person is not eligible to purchase under this section a period of pensionable service greater than the lesser of,

- (a) twelve months; and
- (b) thirty-six months less the sum of all periods of pensionable service purchased by him or her under this section. O. Reg. 898/93, s. 26, *part*.

(3) The member shall make the contributions after the end of the leave within a period of the same duration as the leave of absence or, if the leave was less than six months, within six months.

(4) Despite subsections (2) and (3), the person may elect to purchase the pensionable credit after the end of the period described in subsection (3) and shall make contributions in the amount determined by the actuary

in accordance with generally accepted actuarial principles. O. Reg. 898/93, s. 26, *part*.

27. The Regulation is amended by adding the following sections:

53.1 A person is not eligible to purchase pensionable service under subsection 51 (1), 52 (1) or 53 (1) in respect of a period for which,

- (a) defined benefits are provided to him or her under another registered pension plan; or
- (b) contributions are made by or on behalf of him or her under a money purchase provision of a registered pension plan or to a deferred profit sharing plan. O. Reg. 898/93, s. 27, *part*.

53.2—(1) An election to purchase pensionable service under subsection 51 (1), 52 (1) or 53 (1) must be made no later than April 30 in the year after the calendar year in which the period of pensionable service ends.

(2) For the purpose of calculating the person's required contributions under section 51, 52 or 53, the person is deemed to have been receiving a salary that is the same as he or she was receiving immediately before the period of pensionable service.

(3) For the purpose of subsection 52 (2) or 53 (2), the amount that the Board would have been credited as having contributed is 113 per cent of the amount the person would have contributed to the pension plan if he or she had not taken the leave of absence.

(4) If payment of the contributions required under section 51, 52 or 53 is not completed, the person's pensionable service for the period of the leave of absence is reduced proportionately to the shortfall in the contributions. O. Reg. 898/93, s. 27, *part*.

28. Section 54 of the Regulation is revoked.

29. Subsection 55 (1) of the Regulation is revoked and the following substituted:

(1) A member who wishes to receive an early retirement pension under subsection 26 (1) (age fifty-five with a right to a deferred pension) may elect to reduce the discount described in section 28 to his or her pension.

(1.1) The discount cannot be reduced to an amount less than 0.25 per cent multiplied by the number of months from the date of the person's first pension payment to the first day of the month following the month in which the person reaches sixty years of age. O. Reg. 898/93, s. 29.

30. Subsection 56 (2) of the Regulation is revoked and the following substituted:

(2) The person shall make contributions in the amount determined by the actuary based upon the person's current salary and a contribution rate equal to twice the contribution rate for members, plus interest. O. Reg. 898/93, s. 30.

31. Subsection 57 (1) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(1) This section applies with respect to a person who becomes employed by the Board within eighteen months after ceasing to be employed by one of the following:

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32. The Regulation is amended by adding the following Part:

**PART IX.1
MISCELLANEOUS**

58.1—(1) No right of a person under the pension plan is capable of being assigned, charged, anticipated, given as security or surrendered except by an order under the *Family Law Act* or by a domestic contract as defined in Part IV of that Act.

(2) Despite subsection (1), a right of a person under the pension plan may be surrendered for the purpose of reducing benefits in order to avoid

the revocation of the registration of the pension plan under the *Income Tax Act* (Canada). O. Reg. 898/93, s. 32.

WORKERS' COMPENSATION BOARD:

ODOARDO DI SANTO
Chair

LINDA ANGOVE
Secretary

Dated at Toronto on December 6, 1993.

2/94

**ONTARIO REGULATION 899/93
made under the
WORKERS' COMPENSATION ACT**

Made: December 6, 1993
Approved: December 15, 1993
Filed: December 16, 1993

Amending Reg. 1102 of R.R.O. 1990
(General)

Note: Regulation 1102 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsections 14 (3) and (4) of Regulation 1102 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

(3) If the employer did not employ a journeyman in the same trade as that in which the worker was working when injured, the average earnings of the worker shall be determined with reference to the average earnings of a journeyman employed in the employer's locality in the same trade.

(4) For the purpose of calculating compensation for temporary disability under section 37 of the Act, the average earnings of a worker who is a leamer shall be determined as follows:

1. Where the worker was, at the time of the injury, receiving any income, including training allowances, social assistance benefits, insurance benefits and unemployment insurance benefits, that would terminate on the worker's receipt of workers' compensation benefits, the worker's average earnings shall be determined with reference to the total amount of that income.
2. Where the worker was not, at the time of the injury, receiving any income described in paragraph 1, the worker's average earnings shall be determined with reference to the minimum wage in effect in Ontario at the time of the injury.
3. In making a determination as to average earnings under paragraph 1 or 2, where the worker was employed under a contract of service concurrent with the probationary work program or training program, the Board shall also take into account earnings from the employment.
4. Despite paragraphs 1 and 2, where the worker has accepted an offer of employment that is to begin at the completion of the probationary work program, the training program or a session of such a program, the worker's average earnings shall be determined with reference to the average earnings the worker would earn in that employment.

(4.1) For the purposes of calculating compensation for future loss of earnings under section 43 of the Act, the average earnings of a worker who is a leamer shall be determined with reference to,

- (a) the average earnings of a worker employed by the employer in the same trade as that in which the worker was working when injured; or

- (b) if the employer did not employ a worker in the same trade as that in which the worker was working when injured, the average earnings of a worker employed in the employer's locality in the same trade; or
- (c) if there is no worker employed in the employer's locality in the same trade, the average earnings of a worker employed in the closest analogous employment with the employer or others in the locality.

(4.2) In making a determination under clause (4.1) (c), the Board shall consider what the worker's level of education, aptitude and skills would likely have been at the completion of the training program. O. Reg. 899/93, s. 1.

WORKERS' COMPENSATION BOARD:

ODOARDO DI SANTO
Chair

LINDA ANGOVE
Secretary

Dated at Toronto on December 6, 1993.

2/94

ONTARIO REGULATION 900/93
made under the
WORKERS' COMPENSATION ACT

Made: December 7, 1993
Approved: December 15, 1993
Filed: December 16, 1993

Amending Reg. 1102 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 1102 has been amended by Ontario Regulation 899/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Schedule 3 to Regulation 1102 of the Revised Regulations of Ontario, 1990 is amended by adding the following items:

- | | |
|--|--|
| 16. Primary cancer of the nasal cavities or of paranasal sinuses | Concentrating, smelting or refining in the nickel producing industry |
|--|--|

2. Schedule 4 to the Regulation is amended by adding the following items:

- | | |
|---|--|
| 3. Primary cancer of the nasal cavities or of paranasal sinuses | Any process at the Copper Cliff sinter plant of Inco Limited. |
| 4. Primary cancer of the nasal cavities or of paranasal sinuses | Any process in the Port Colborne leaching, calcining and sintering department of Inco Limited that was practised before January 1, 1966. |

WORKERS' COMPENSATION BOARD:

ODOARDO DI SANTO
Chair

LINDA ANGOVE
Secretary

Dated at Toronto on December 7, 1993.

2/94

ONTARIO REGULATION 901/93
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 847 of R.R.O. 1990
(Designations Under Clause 16 (1) (n)
of the Act)

Note: Regulation 847 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Paragraph 3 of section 2 of Regulation 847 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Paragraph 6 of section 2 of the Regulation is revoked and the following substituted:

6. Ontario Natural Resources Safety Association/
Association ontarienne de sécurité au travail –
ressources naturelles.

(3) Paragraph 7 of section 2 of the Regulation is revoked.

2. This Regulation comes into force on January 1, 1994.

2/94

ONTARIO REGULATION 902/93
made under the
FARM PRODUCTS MARKETING ACT

Made: December 8, 1993
Filed: December 16, 1993

Amending Reg. 387 of R.R.O. 1990
(Apples—Marketing)

Note: Since January 1, 1993, Regulation 387 has been amended by Ontario Regulation 546/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 6 (2) of Regulation 387 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) A licence expires on the date set out in the licence as the expiry date.

(2.1) If an expiry date is not set out in a licence, the licence expires when the licensee ceases to engage in the processing of apples. O. Reg. 902/93, s. 1.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on December 8, 1993.

2/94

ONTARIO REGULATION 903/93
made under the
FARM PRODUCTS MARKETING ACT

Made: December 8, 1993
Filed: December 16, 1993

Amending Reg. 390 of R.R.O. 1990
(Asparagus—Marketing)

Note: Regulation 390 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 4 (2) of Regulation 390 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) A licence expires on the date set out in the licence as the expiry date.

(2.1) If an expiry date is not set out in a licence, the licence expires when the licensee ceases to engage in the processing of asparagus. O. Reg. 903/93, s. 1.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on December 8, 1993.

2/94

ONTARIO REGULATION 904/93
made under the
FARM PRODUCTS MARKETING ACT

Made: December 8, 1993
Filed: December 16, 1993

Amending Reg. 414 of R.R.O. 1990
(Grapes for Processing—Marketing)

Note: Regulation 414 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 3 (2) of Regulation 414 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) A licence expires on the date set out in the licence as the expiry date.

(2.1) If any expiry date is not set out in a licence, the licence expires when the licensee ceases to engage in the processing of grapes. O. Reg. 904/93, s. 1.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on December 8, 1993.

2/94

ONTARIO REGULATION 905/93
made under the
FARM PRODUCTS MARKETING ACT

Made: December 8, 1993
Filed: December 16, 1993

Amending Reg. 422 of R.R.O. 1990
(Potatoes—Marketing)

Note: Since January 1, 1993, Regulation 440 has been amended by Ontario Regulation 409/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The definition of "Fund" in section 1 of Regulation 422 of the Revised Regulations of Ontario, 1990 is revoked.

2.—(1) Subsection 4 (1) of the Regulation is amended by striking out "Director" in the third line and substituting "Commission".

(2) Subsection 4 (2) of the Regulation is revoked and the following substituted:

(2) A licence expires on the date set out in the licence as the expiry date.

(2.1) If an expiry date is not set out in a licence, the licence expires when the licensee ceases to engage in the processing of potatoes. O. Reg. 905/93, s. 2 (2).

(3) Subsection 4 (3) of the Regulation is revoked and the following substituted:

(3) Where the Commission issues a licence to a processor, the Commission shall not charge a licence fee to the processor. O. Reg. 905/93, s. 2 (3).

3. Section 5 of the Regulation is revoked.

4. Section 6 of the Regulation is amended by striking out "Director" wherever it appears and substituting in each case "Commission".

5. Section 7 of the Regulation is amended by striking out "Director" wherever it appears and substituting in each case "Commission".

6. Section 8 of the Regulation is amended by striking out "Director" wherever it appears and substituting in each case "Commission".

7. Subsections 9 (1) and (2) of the Regulation are amended by striking out "Director" wherever it appears and substituting in each case "Commission".

8. Subsections 10 (1) and (2) of the Regulation are amended by striking out "Director" wherever it appears and substituting in each case "Commission".

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on December 8, 1993.

2/94

ONTARIO REGULATION 906/93
made under the
FARM PRODUCTS MARKETING ACT

Made: December 8, 1993
Filed: December 16, 1993

Amending Reg. 427 of R.R.O. 1990
(Seed-Corn—Marketing)

Note: Since January 1, 1993, Regulation 440 has been amended by Ontario Regulation 2/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 4 (2) of Regulation 427 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) A licence referred to in subsection (1) expires on the date set out in the licence as the expiry date.

(2.1) If an expiry date is not set out in a licence, the licence expires when the licensee ceases to engage in the selling of seed-corn to persons other than licensed dealers. O. Reg. 906/93, s. 1.

2. Subsection 5 (2) of the Regulation is revoked and the following substituted:

(2) A licence referred to in subsection (1) expires on the date set out in the licence as the expiry date.

(2.1) If an expiry date is not set out in a licence, the licence expires when the licensee ceases to deal in seed-corn. O. Reg. 906/93, s. 2.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on December 8, 1993.

2/94

ONTARIO REGULATION 907/93
made under the
FARM PRODUCTS MARKETING ACT

Made: December 8, 1993
Filed: December 16, 1993

Amending Reg. 433 of R.R.O. 1990
(Tender Fruit—Marketing)

Note: Regulation 433 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 4 of Regulation 433 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4.—(1) No person shall start or continue to engage in the processing of tender fruit except under the authority of a licence from the Commission.

(2) A licence expires on the date set out in the licence as the expiry date.

(3) If an expiry date is not set out in a licence, the licence expires when the licensee ceases to engage in the processing of tender fruit.

(4) A licence shall be issued without fee. O. Reg. 907/93, s. 1.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

RUSSELL DUCKWORTH
Chair

GLORIA MARCO BORYS
Secretary

Dated at Toronto on December 8, 1993.

2/94

ONTARIO REGULATION 908/93
made under the
HIGHWAY TRAFFIC ACT

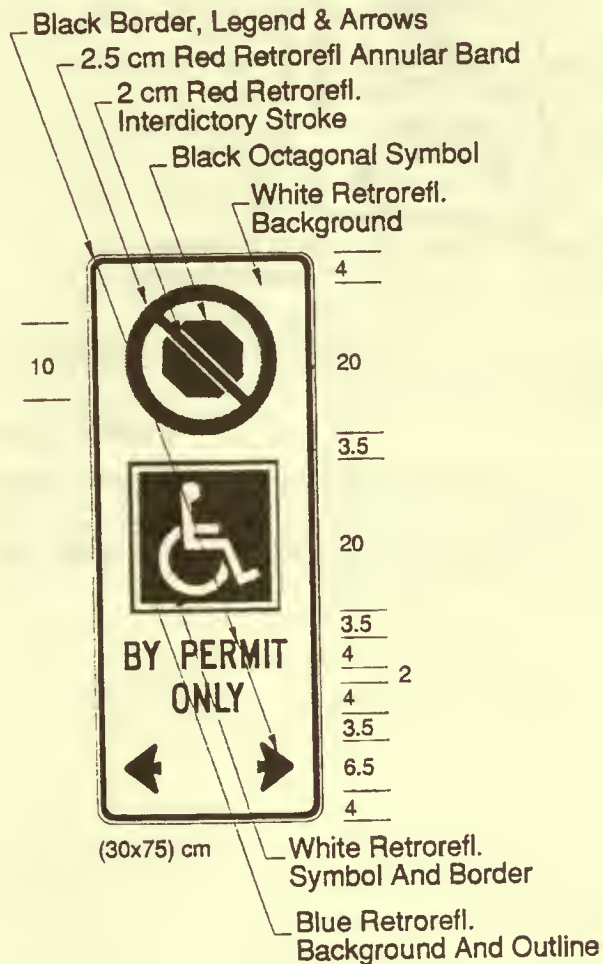
Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 581 of R.R.O. 1990
(Disabled Person Parking Permits)

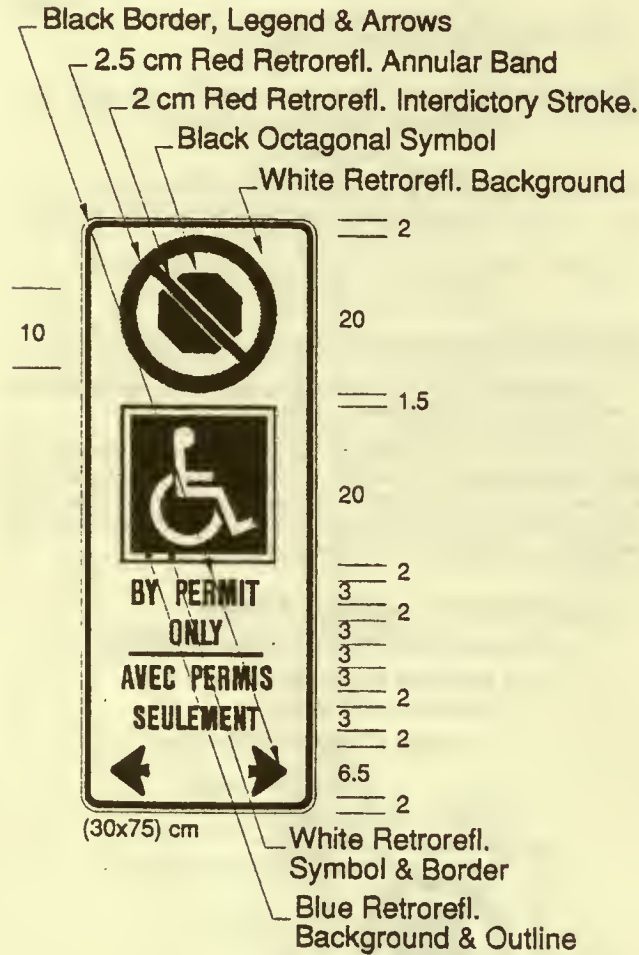
Note: There are no prior amendments to Regulation 581.

1. Regulation 581 of the Revised Regulations of Ontario, 1990 is amended by adding the following sections:

13.—(1) A sign that prohibits stopping except the stopping of vehicles displaying a valid disabled person parking permit shall be not less than seventy-five centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the following Figure:



(2) Despite subsection (1), in an area designated by the *French Language Services Act*, a sign that prohibits stopping except the stopping of vehicles displaying a valid disabled person parking permit shall be not less than seventy-five centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the following Figure:



O. Reg. 908/93, s. 1, part.

14.—(1) A sign that prohibits standing except the standing of vehicles displaying a valid disabled person parking permit shall be not less than sixty centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the following Figure:



(2) Despite subsection (1), in an area designated by the *French Language Services Act*, a sign that prohibits standing except the standing of vehicles displaying a valid disabled person parking permit shall be not less than seventy-five centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the following Figure:

Ontario, 1990 is amended by striking out "(45 x 90) cm" at the bottom of the illustration and substituting "(45 x 60) cm".

2/94

ONTARIO REGULATION 910/93
made under the
CHIROPRACTIC ACT, 1991

Made: November 27, 1993
Approved: December 15, 1993
Filed: December 16, 1993

ELECTION OF COUNCIL MEMBERS

1.—(1) The following electoral districts are established for the purpose of the election of members of the Council:

1. Electoral district 1 - Northern, comprised of the territorial districts of Kenora, Rainy River, Thunder Bay, Algoma, Cochrane, Manitoulin, Sudbury, Muskoka, Parry Sound, Nipissing and Timiskaming and The District Municipality of Muskoka.
2. Electoral district 2 - Eastern, comprised of the counties of Frontenac, Hastings, Lanark, Prince Edward and Renfrew and the united counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, and Stormont, Dundas and Glengarry and The Regional Municipality of Ottawa-Carleton.
3. Electoral district 3 - Central East, comprised of the counties of Haliburton, Northumberland, Peterborough, Simcoe and Victoria and The Regional Municipality of Durham.
4. Electoral district 4 - Central, comprised of The Municipality of Metropolitan Toronto and The Regional Municipality of York.
5. Electoral district 5 - Central West, comprised of the counties of Brant, Dufferin and Wellington and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Peel and Waterloo.
6. Electoral district 6 - Western, comprised of the counties of Essex, Bruce, Grey, Kent, Lambton, Elgin, Middlesex, Huron, Perth and Oxford.

(2) The electoral district in which a member is eligible to vote is the district in which, on January 1 of the year in which the election is to take place, the member principally practises, or if the member is not engaged in the practice of chiropractic, in which, on that day, the member principally resides. O. Reg. 910/93, s. 1.

NUMBER OF MEMBERS ELECTED

2. For each electoral district referred to in Column 1 of the following table, there shall be elected to Council the number of members set out opposite in Column 2.

COLUMN 1	COLUMN 2
Electoral District	Number of Members
1	1
2	1
3	1
4	3
5	2
6	1

O. Reg. 910/93, s. 2.

TERM OF OFFICE

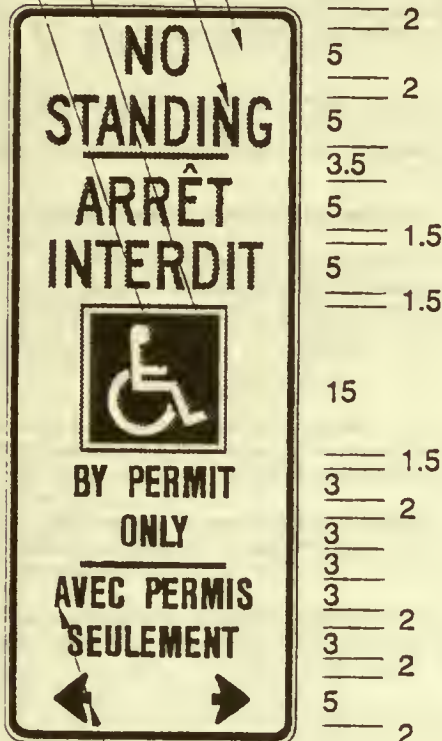
3.—(1) The term of office of a member elected to the Council is three years.

White Retrorefl. Symbol
And Border

Blue Retrorefl.
Background And Border

Red Retrorefl.
Legend

White Retrorefl.
Background



(30x75) cm

Black Legend,
Arrows And Border

O. Reg. 908/93, s. 1, part.

2/94

ONTARIO REGULATION 909/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 15, 1993
Filed: December 16, 1993

Amending Reg. 615 of R.R.O. 1990
(Signs)

Note: Since January 1, 1993, Regulation 615 has been amended by Ontario Regulations 444/93 and 519/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The illustration of the "Left lane/Voie de gauche" tab sign in subsection 34 (6) of Regulation 615 of the Revised Regulations of

(2) The term of office of a member elected to the Council commences with the first regular meeting of the Council immediately following the election and the member shall continue to serve in office until his or her successor takes office in accordance with this Regulation. O. Reg. 910/93, s. 3.

ELECTION DATES

4.—(1) An election of members to the first Council shall be held in the month of March, 1994.

(2) Despite section 3, the terms of office for the first Council members elected under subsection (1) are as follows:

1. One year for the members from electoral districts 2 and 3 and for one member from electoral district 4.
2. Two years for the member from electoral district 6 and for one member from electoral district 4 and one member from electoral district 5.
3. Three years for the member from electoral district 1 and for one member from electoral district 4 and one member from electoral district 5. O. Reg. 910/93, s. 4.

5. Upon expiry of the terms of office prescribed in subsection 4 (2), an election of the members to the Council shall be held,

- (a) in the month of March, 1995 and in every third year after that for the members referred to in paragraph 1 of subsection 4 (2);
- (b) in the month of March, 1996 and in every third year after that for the members referred to in paragraph 2 of subsection 4 (2); and
- (c) in the month of March, 1997 and in every third year after that for the members referred to in paragraph 3 of subsection 4 (2). O. Reg. 910/93, s. 5.

6. The Council shall set the date for each election of members to the Council. O. Reg. 910/93, s. 6

ELIGIBILITY TO VOTE

7. A member is ineligible to vote in a Council election if he or she is in default of payment of any fees prescribed by Regulation or any fine imposed by the Discipline Committee or is in default in completing and returning any prescribed form. O. Reg. 910/93, s. 7.

ELIGIBILITY FOR ELECTION

8. A member is eligible for election to the Council in an electoral district if on the date of the election,

- (a) the member is engaged in the practice of chiropractic in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of chiropractic, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any fees prescribed by Regulation or any fine imposed by the Discipline Committee;
- (c) the member is not in default in completing and returning any prescribed form;
- (d) the member is not the subject of any disciplinary or incapacity proceeding;
- (e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the three years preceding the date of the appointment;
- (f) the member is not an officer or director of any professional

chiropractic association, including the Ontario Chiropractic Association, Canadian Chiropractic Association, Canadian Memorial Chiropractic College, Canadian Chiropractic Protective Association or the Council on Chiropractic Education, such that a real or apparent conflict of interest may arise;

- (g) the member is not a member of the Council, or of a committee, of the College of any other health profession. O. Reg. 910/93, s. 8.

9.—(1) A member is not eligible to be a candidate in an election if serving the term for which the election is being held would cause him or her to be an elected member of Council for more than nine consecutive years.

(2) A member who is not eligible under subsection (1) regains eligibility for election to the Council after three years. O. Reg. 910/93, s. 9.

REGISTRAR TO SUPERVISE NOMINATIONS

10. The Registrar shall supervise the nomination of candidates. O. Reg. 910/93, s. 10.

NOTICE OF ELECTION AND NOMINATIONS

11. No later than sixty days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure. O. Reg. 910/93, s. 11.

NOMINATION PROCEDURE

12.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least forty-five days before the date of the election.

(2) The nomination shall be signed by the candidate and by at least ten members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) The candidate shall provide biographical information in a manner acceptable to the Registrar for the purpose of distribution to members in accordance with subsection 14 (2).

(4) The candidate may withdraw his or her nomination for election to the Council no later than twenty-one days before the date of the election. O. Reg. 910/93, s. 12.

ACCLAMATION

13. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 910/93, s. 13.

REGISTRAR'S ELECTORAL DUTIES

14.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Registrar may, subject to this Regulation and the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) provide for the notification of all candidates and members of the results of the election; and
- (d) provide for the destruction of ballots following an election.

(2) No later than thirty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place, a list of the candidates, biographical information concerning the candidates, a ballot, a blank envelope, an outer envelope and an explanation of the voting procedure.

(3) Voting for elections of members to the Council shall be by mail ballot.

(4) A ballot shall be clearly marked in the appropriate space, shall be sealed in the blank envelope and shall be inserted and sealed in an outer envelope bearing the voting member's name, signature and address.

(5) A ballot that does not comply with subsection (4) is null and void.

(6) On the date of the election, the outer envelopes shall be opened and the sealed envelopes containing the ballots removed. The ballots shall then be removed from the sealed envelopes and counted by the Registrar or by his or her agent.

(7) Candidates or their representatives may be present when the ballots are opened and counted. O. Reg. 910/93, s. 14.

NUMBER OF VOTES TO BE CAST

15.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 910/93, s. 15.

TIE VOTES

16. If there is a tie in an election of members to the Council, the Registrar shall break the tie, by lot. O. Reg. 910/93, s. 16.

RECOUNTS

17.—(1) A candidate may require a recount by giving a written request and depositing the sum of \$150 with the Registrar no more than fifteen days after the date of an election.

(2) The Registrar shall hold the recount no more than ten days after receiving the request.

(3) The portion of the deposit remaining after paying the actual cost of the recount shall be refunded to the candidate but if the recount changes the election result the full amount of the deposit shall be refunded to the candidate. O. Reg. 910/93, s. 17.

INTERRUPTIONS OF MAIL SERVICE

18. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of nominations and election for such minimum period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 910/93, s. 18.

DISQUALIFICATION OF ELECTED MEMBERS

19.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is the subject of any disciplinary or incapacity proceeding;
- (b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (c) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (d) fails, without reasonable cause, to attend two consecutive meetings of the committee or of a subcommittee of which he or she is a member;
- (e) fails, without reasonable cause, to attend a hearing or review of a panel for which he or she has been selected;
- (f) ceases to either practise or reside in the electoral district for which the member was elected;

(g) becomes an officer or director of any professional chiropractic association, including the Ontario Chiropractic Association, Canadian Chiropractic Association, Canadian Memorial Chiropractic College, Canadian Chiropractic Protective Association or the Council on Chiropractic Education, such that a real or apparent conflict of interest may arise;

(h) becomes a member of the Council or a committee of the College of any other health profession; or

(i) breaches the Conflict of Interest guidelines for members of Council and committees.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 910/93, s. 19.

FILLING OF VACANCIES

20.—(1) The seat of an elected Council member shall be deemed to be vacant upon the death, resignation or disqualification of the Council member.

(2) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(4) The term of a member appointed under clause (2) (b) or elected in an election under clause (2) (c) or subsection (3) shall continue until the time the former Council member's term would have expired. O. Reg. 910/93, s. 20.

21. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF CHIROPRACTORS OF ONTARIO:

EDWARD R. BURGE
Chair

S. J. PUSEY
Secretary-Treasurer

Dated at Toronto on November 27, 1993.

2/94

ONTARIO REGULATION 911/93 made under the MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

ELECTIONS

DEFINITIONS

1. In this Regulation,

"educational institution" includes a health care institution whose training program is accredited by the College;

"faculty member" means a person who is a faculty member of an educational institution in Ontario that grants a diploma in medical radiation technology;

"specialty" includes radiography, radiation therapy and nuclear medicine. O. Reg. 911/93, s. 1.

ELECTORAL DISTRICTS

2.—(1) The following electoral districts are established for the purposes of the election of those members to the Council representing the discipline of radiography:

1. Electoral district 1, being the northern district, composed of the territorial districts of Kenora, Rainy River, Thunder Bay, Algoma, Cochrane, Manitoulin and Sudbury.
2. Electoral district 2, being the eastern district, composed of The District Municipality of Muskoka, the territorial districts of Parry Sound and Nipissing, the united counties of Prescott and Russell, Stormont, Dundas and Glengarry, Leeds and Grenville, Lennox and Addington and the counties of Hastings, Prince Edward, Frontenac, Renfrew, Lanark and The Regional Municipality of Ottawa-Carleton.
3. Electoral district 3, being the central district, composed of the regional municipalities of Durham, Peel and York, the counties of Haliburton, Northumberland, Peterborough, Simcoe and Victoria, and The Municipality of Metropolitan Toronto.
4. Electoral district 4, being the western district, composed of the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara, Waterloo, and the counties of Brant, Dufferin, Wellington, Essex, Bruce, Grey, Kent, Lambton, Elgin, Middlesex and Oxford.

(2) Electoral district 5, which includes all of the Province of Ontario, is established for the purposes of the election of those members to the Council representing the specialty of radiation therapy.

(3) Electoral district 6, which includes all of the Province of Ontario, is established for the purposes of the election of those members of the Council representing the specialty of nuclear medicine.

(4) Electoral district 7, which includes all of the Province of Ontario, is established for the purposes of the election of those members of the Council representing faculty members. O. Reg. 911/93, s. 2.

NUMBERS OF MEMBERS ELECTED

3. One member shall be elected to the Council from each electoral district. O. Reg. 911/93, s. 3.

TERM OF OFFICE

4. Subject to section 6, the term of office of a member elected to the Council is three years commencing at the first regular meeting of the Council following the member's election to the Council. O. Reg. 911/93, s. 4.

5.—(1) Subject to sections 7, 8 and 9 and to subsection (2), a member of Council is eligible for re-election.

(2) No member shall serve on the Council for more than three consecutive terms.

(3) The balance of an unexpired term served by a person who becomes a Council member under section 26 shall not be included as a term for the purposes of subsection (2). O. Reg. 911/93, s. 5.

ELECTION DATE

6.—(1) A first election of all members to the Council shall be held in the month of October, 1994 for all members of Council.

(2) Elections after the first election under subsection (1) shall be held as follows:

1. An election of members to the Council representing districts 1 and 7 shall be held in the month of June, 1995 and in June in every third year after that.
2. An election of members to the Council representing districts 3 and 4 shall be held in the month of June, 1996 and in June in every third year after that.
3. An election of members to the Council representing districts 2, 5 and 6 shall be held in the month of June, 1997 and in June in every third year after that.

(3) The Council shall set the date for each election of members to the Council. O. Reg. 911/93, s. 6.

ELIGIBILITY FOR ELECTION

7. A member is eligible for election to the Council in an electoral district if, on the date of nomination,

- (a) the member is engaged in practice as a medical radiation technologist in the electoral district for which the member is nominated, or, if the member is not engaged in practice as a medical radiation technologist, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any fees prescribed by regulation or any fine imposed by the Act or the *Regulated Health Professions Act, 1991*;
- (c) the member is not the subject of any disciplinary, incompetency or incapacity proceeding;
- (d) there has not been a finding of professional misconduct, incompetence, or incapacity with respect to the member in the three years preceding the date of the election;
- (e) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of election;
- (f) the member holds a specialty certificate of registration in one or more specialties and the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation; and
- (g) the member is not,
 - (i) a member of the provincial governing board of a professional association of medical radiation technologists,
 - (ii) an executive officer of a bargaining unit of a union representing medical radiation technologists, or
 - (iii) an executive officer of an association of managers of medical radiation technologists. O. Reg. 911/93, s. 7.

8.—(1) A member is eligible for election to the Council to represent electoral district 7 if, on the date of nomination, the member has satisfied,

- (a) the requirements of section 7; and
- (b) the requirements set by the Council in accordance with Council policy to determine that such member is a faculty member.

(2) If a member has satisfied the requirements under clause (1) (b), then such member shall be deemed to be engaged in practice as a medical radiation technologist. O. Reg. 911/93, s. 8.

9. Even though a member practises in more than one electoral district, is registered in more than one specialty or is registered as a faculty member and in one or more specialties, no member is eligible for election to the Council,

- (a) to represent at the same time more than one electoral district;
- (b) to represent more than one specialty; or
- (c) to represent faculty members and one or more specialties. O. Reg. 911/93, s. 9.

REGISTRAR TO SUPERVISE NOMINATIONS

10. The Registrar shall supervise the nomination of candidates. O. Reg. 911/93, s. 10.

NOTICE OF ELECTION AND NOMINATIONS

11.—(1) No later than 120 days before the date of an election or by-election, the Registrar shall notify every member who is eligible to vote in writing of,

- (a) the date, time and place of the election or by-election;
- (b) the nomination procedure; and
- (c) the deadline for submitting nominations to the College.

(2) The Registrar shall provide each member eligible to vote with a nomination form. O. Reg. 911/93, s. 11.

NOMINATION PROCEDURES

12.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least ninety days before the date of election.

(2) The nomination for members of Council representing radiography shall be signed by the candidate and by at least two members who,

- (a) are registered to practise radiography;
- (b) support the nomination; and
- (c) are eligible to vote in the electoral district in which the election is to be held.

(3) The nomination for members of Council representing radiation therapy shall be signed by the candidate and by at least two members who,

- (a) are registered to practise radiation therapy;
- (b) support the nomination; and
- (c) are eligible to vote in the electoral district in which the election is to be held.

(4) The nomination for members of Council representing nuclear medicine shall be signed by the candidate and by at least two members who,

- (a) are registered to practise nuclear medicine;
- (b) support the nomination; and
- (c) are eligible to vote in the electoral district in which the election is to be held.

(5) The nomination for members of Council representing faculty members shall be signed by the candidate and by at least two members who,

- (a) are registered as faculty members;
- (b) support the nomination; and
- (c) are eligible to vote in the electoral district in which the election is to be held. O. Reg. 911/93, s. 12.

13.—(1) On receipt of a valid nomination, the Registrar shall send each candidate a biographical summary form.

(2) A candidate shall return a completed biographical summary form by the deadline set by the Election Committee so that the candidate's biography can be included with the ballot. O. Reg. 911/93, s. 13.

14. A candidate may withdraw from nomination for election to the Council by notice in writing delivered to the Registrar no later than thirty days prior to the election date. O. Reg. 911/93, s. 14.

ACCLAMATION

15.—(1) If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in such electoral district, the Election Committee as composed in the by-laws shall declare the candidates to be elected by acclamation.

(2) If the number of candidates acclaimed for an electoral district under subsection (1) is less than the number of members to be elected to Council in the electoral district, the Council shall at the first regular meeting of the Council following a determination by the Election Committee of any remaining vacancies appoint members who are eligible for election in the electoral district to fill any such vacancies.

(3) The term of a member appointed under subsection (2) shall continue until the time the Council member's term would have expired had the member been elected. O. Reg. 911/93, s. 15.

REGISTRAR'S ELECTORAL DUTIES

16.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Registrar shall,

- (a) appoint scrutineers and returning officers;
- (b) establish procedures for the opening and counting of ballots;
- (c) provide for the notification of all candidates and members of the results of the election;
- (d) provide for the destruction of ballots following an election; and
- (e) if appropriate, approve the engagement of an independent service to count the ballots.

(2) If there is an interruption of mail service during nominations or an election, the Registrar may extend the date for submitting nominations and/or holding the election for such period of time as the Registrar considers necessary to compensate for the interruption.

(3) No later than thirty days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot, an explanation of the voting procedure including the deadline for receipt of ballots, a return addressed envelope and biographical information about the candidates. O. Reg. 911/93, s. 16.

ELIGIBILITY TO VOTE

17.—(1) Every member who is registered to practise medical radiation technology in Ontario and who is not in default of payment of the prescribed annual fee is entitled to vote in an election of members of the Council.

(2) A member is eligible to vote for a candidate who is nominated in the electoral district in which such member is engaged in the practice of medical radiation technology to represent the specialty in which the member is registered to practise.

(3) A member shall not vote in more than one electoral district or for more than one specialty, whether or not such member is engaged in the practice of medical radiation technology in more than one electoral

district or is registered in more than one specialty or is registered as faculty and in one or more specialties.

(4) If the member practises in more than one electoral district or is registered in more than one specialty or is registered as a faculty member and in one or more specialties, such member shall select one electoral district in which he or she shall be entitled to vote and determine whether he or she intends to vote as a member registered in a specialty or as a faculty member at the time the member pays his or her annual fee.

(5) If the member intends to vote as a faculty member, such member must satisfy the requirements set by the Council in accordance with Council policy to determine that such member is a faculty member.

(6) A member who holds an employment specific certificate - radiography is eligible to vote for a candidate to represent radiography if the candidate is nominated in the electoral district in which the member is engaged in the practice of medical radiation technology.

(7) A member who holds a restricted certificate - in vitro or an employment specific certificate - nuclear medicine is eligible to vote for a candidate to represent nuclear medicine if the candidate is nominated in the electoral district in which the member is engaged in the practice of medical radiation technology. O. Reg. 911/93, s. 17.

VOTING

18.—(1) A member who is registered to practise radiography may cast as many votes on a ballot in an election of members to the Council as there are members representing radiography to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member who is registered to practise radiation therapy may cast as many votes on a ballot in an election of members to the Council as there are members representing radiation therapy to be elected to the Council from the electoral district in which the member is eligible to vote.

(3) A member who is registered to practise nuclear medicine may cast as many votes on a ballot in an election of members to the Council as there are members representing nuclear medicine to be elected to the Council from the electoral district in which the member is eligible to vote.

(4) A member who is registered as a faculty member may cast as many votes on a ballot in an election of members to the Council as there are members representing faculty members to be elected to the Council from the electoral district in which the member is eligible to vote.

(5) A member shall not cast more than one vote for any one candidate.

(6) A member who holds an employment specific certificate - radiography may cast as many votes on a ballot in an election of members to the Council as there are members representing radiography to be elected to the Council from the electoral district in which the member is eligible to vote.

(7) A member who holds a restricted certificate - in vitro or an employment specific certificate - nuclear medicine may cast as many votes on a ballot in an election of members to the Council as there are members representing nuclear medicine to be elected to the Council from the electoral district in which the member is eligible to vote. O. Reg. 911/93, s. 18.

19. Voting for candidates for election to Council shall be by secret ballot using the ballot forms supplied by the Registrar. O. Reg. 911/93, s. 19.

20. The vote shall be secret and so conducted that no person shall know for whom any member has voted. O. Reg. 911/93, s. 20.

21.—(1) Ballots shall be opened and counted at a site or sites selected by the Registrar.

(2) Scrutineers and returning officers shall be appointed by the Registrar.

(3) The scrutineers shall undertake that each ballot will be tabulated twice. O. Reg. 911/93, s. 21.

TIE VOTES

22. If there is a tie in an election of members to the Council, the Election Committee shall break the tie by lot. O. Reg. 911/93, s. 22.

RECOUNTS

23.—(1) A candidate may by written request, together with a fee equal to the annual fee received by the Registrar no more than twenty-one days after the date of an election, require a recount.

(2) The Registrar shall hold the recount no more than fifteen days after receiving the request.

(3) The recount shall be conducted substantially in the same manner as the original counting of the ballots except that the candidates or representatives named by all the candidates and a representative of the College named by the Election Committee may be present at the recount.

(4) The fee required under subsection (1) shall be returned in full to the candidate who requested a recount if the recount changes the result and such candidate is elected. O. Reg. 911/93, s. 23.

DISQUALIFICATION OF ELECTED MEMBERS

24.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or is found to be incompetent;
- (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee unless in the opinion of Council such member should continue to sit on Council;
- (c) fails, without cause, to attend two consecutive meetings of Council;
- (d) fails, without cause, to attend two consecutive meetings of a committee of which such member is a member;
- (e) ceases to practise in Ontario and commences to practise outside of Ontario;
- (f) fails, without cause, to attend a hearing or proceeding of a panel for which such member has been selected;
- (g) becomes the subject of a proceeding with respect to professional misconduct, incompetency or incapacity; or
- (h) ceases to be a member.

(2) Subject to the provisions of clause (1) (b) and subsection (3), an elected member who is disqualified from sitting on the Council ceases to be a member of the Council.

(3) If an elected member is disqualified from sitting on the Council pursuant to clause (1) (g), the member shall not be entitled to attend Council meetings but shall not cease to be a member of Council.

(4) If there is a finding of professional misconduct, incompetency or incapacity, subject to the provisions of clause (1) (b), the member referred to in subsection (3) shall cease to be a member of Council.

(5) If there is no finding of professional misconduct, incompetency or incapacity, entitlement of the member referred to in subsection (3) to attend and vote shall be reinstated. O. Reg. 911/93, s. 24.

25. No member of Council is eligible to serve on a committee as a non-Council member. O. Reg. 911/93, s. 25.

FILLING OF VACANCIES

26.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than eighteen months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who was the runner-up in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election for that electoral district in accordance with the regulations.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than eighteen months and less than thirty months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election for that electoral district.

(3) If the seat of an elected Council member becomes vacant in an electoral district within six months of the original election, the Council shall appoint the runner-up and, if there is no eligible runner-up, the Council shall direct the Registrar to hold an election for that electoral district.

(4) The term of a member appointed or elected under subsection (1), (2) or (3) shall continue until the time the former Council member's term would have expired. O. Reg. 911/93, s. 26.

27. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

ERNIE EDMONDS
Vice-Chair

SHARON SABERTON
Registrar

Dated at Toronto on December 1, 1993.

2/94

ONTARIO REGULATION 912/93 made under the MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: November 29, 1993
Approved: December 15, 1993
Filed: December 16, 1993

FEES

1. The following fees are payable to the College:

1. Examination fee for those who have trained outside of Ontario and who are required to satisfy the Council as to their competency to practise,
 - i. written examination – \$350,
 - ii. practical examination – \$350.
2. Annual fee – \$250.
3. Continuing education fee (per day) – as set by the Registrar. O. Reg. 912/93, s. 1.

2.—(1) Every member shall pay the annual fee on or before the member's birthday in the year.

(2) No later than thirty days before an annual fee is due, the Registrar shall notify the member of the amount of the fee and the day on which the fee is due. O. Reg. 912/93, s. 2.

3.—(1) If a member fails to pay an annual fee on or before the day on which the fee is due but does pay the fee within three months after the due date, the member shall pay a penalty equal to 25 per cent of the annual fee in addition to the annual fee.

(2) If a member fails to pay the annual fee and penalty within three months after the due date, the Registrar shall suspend the member's certificate of registration and notify the person by mail, at his or her address shown on the register, that the certificate of registration has been suspended. O. Reg. 912/93, s. 3.

4.—(1) The Registrar may lift a suspension under subsection 3 (2) if the member,

- (a) meets the registration requirements outlined in Ontario Regulation 866/93; and
- (b) pays a re-registration fee equal to the annual fee prorated by the percentage of the year remaining until the member's birthday but in any event no less than 50 per cent of the annual fee, together with a penalty of 100 per cent of the annual fee.

(2) The Registrar may re-register a person who has submitted a written resignation during the registration year in which the person ceased to practise as a medical radiation technologist if the person,

- (a) meets the registration requirements outlined in Ontario Regulation 866/93; and
- (b) pays a registration fee equal to the annual fee for the year in which the person wishes to resume practising the profession in Ontario. O. Reg. 912/93, s. 4.

5. Any person who requests the Registrar to provide information or provide any other service shall pay to the Registrar such fees as the Registrar may set. O. Reg. 912/93, s. 5.

6. **This Regulation comes into force on the day section 2 of the Act comes into force.**

TRANSITIONAL COUNCIL OF THE COLLEGE OF MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
Chair

SHARON SABERTON
Registrar

Dated at Toronto on November 29, 1993.

2/94

ONTARIO REGULATION 913/93 made under the MEDICINE ACT, 1991

Made: November 30, 1993
Approved: December 15, 1993
Filed: December 16, 1993

ELECTIONS

PART I ELECTION OF MEMBERS OF THE COUNCIL

DEFINITION

1. In this Part, "election" means an election of members to the Council and includes a regular election and a by-election. O. Reg. 913/93, s. 1.

ELECTORAL DISTRICTS

2.—(1) The following electoral districts are established for the purpose of elections:

1. Electoral district 1, composed of the counties of Essex, Kent and Lambton.
2. Electoral district 2, composed of the counties of Elgin, Huron, Middlesex, Oxford and Perth.
3. Electoral district 3, composed of the counties of Bruce, Dufferin, Grey, Wellington and The Regional Municipality of Waterloo.
4. Electoral district 4, composed of the County of Brant and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth and Niagara.
5. Electoral district 5, composed of the County of Simcoe, The District Municipality of Muskoka and the regional municipalities of Durham, Peel and York.
6. Electoral district 6, composed of the counties of Frontenac, Haliburton, Hastings, Leeds and Grenville, Lennox and Addington, Northumberland, Peterborough, Prince Edward and Victoria.
7. Electoral district 7, composed of the counties of Dundas, Glengarry, Lanark, Prescott, Renfrew, Russell and Stormont, and The Regional Municipality of Ottawa-Carleton.
8. Electoral district 8, composed of the territorial districts of Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury and Timiskaming.
9. Electoral district 9, composed of the territorial districts of Kenora, Rainy River and Thunder Bay.
10. Electoral district 10, composed of The Municipality of Metropolitan Toronto.

(2) The electoral district in which a member is eligible to vote is the district in which, on the thirtieth day prior to the date fixed for the election, the member principally practises or, if the member is not engaged in the practice of medicine, in the district in which the member principally resides. O. Reg. 913/93, s. 2.

NUMBER OF MEMBERS TO BE ELECTED

3.—(1) Except for electoral districts 4, 5, 7 and 10, one member is to be elected for each electoral district.

(2) Two members are to be elected for each of electoral districts 4, 5 and 7 and four members are to be elected for electoral district 10. O. Reg. 913/93, s. 3.

TERM OF OFFICE

4. The term of office of a member elected in a regular election is three years, starting at the first regular meeting of the Council held in November after the election and expiring at the first regular meeting of the Council held in November after the election three years later. O. Reg. 913/93, s. 4.

ELECTION DATE

5.—(1) A regular election shall be held in,

- (a) October, 1995, and in every third year after that for Districts 1, 2, 3 and 4;
- (b) October, 1996, and in every third year after that for Districts 5 and 10; and

(c) October, 1997, and in every third year after that for Districts 6, 7, 8 and 9.

(2) Subject to subsection (1), the Council shall set the date for each election of members to the Council. O. Reg. 913/93, s. 5.

ELIGIBILITY FOR ELECTION

6. A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is engaged in the practice of medicine in the electoral district for which he or she is nominated or, if the member is not engaged in the practice of medicine, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any fees prescribed in any regulation made under the *Regulated Health Professions Act, 1991* or the *Medicine Act, 1991*;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election; and
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed in any regulation made under the *Regulated Health Professions Act, 1991* or the *Medicine Act, 1991*. O. Reg. 913/93, s. 6.

REGISTRAR TO SUPERVISE NOMINATIONS

7. The Registrar shall supervise the nomination of candidates. O. Reg. 913/93, s. 7.

NOTICE OF ELECTION AND NOMINATIONS

8. No later than sixty days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure. O. Reg. 913/93, s. 8.

NOMINATION PROCEDURE

9. The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least forty-nine days before the date of the election. O. Reg. 913/93, s. 9.

MAIL DISRUPTION

10. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of nominations and the election for such minimum period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 913/93, s. 10.

ACCLAMATION

11. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 913/93, s. 11.

REGISTRAR'S ELECTORAL DUTIES

12.—(1) The Registrar shall supervise and administer elections and may, for the purpose of carrying out that duty, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;

- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than twenty-one days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 913/93, s. 12.

NUMBER OF VOTES TO BE CAST

13.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 913/93, s. 13.

TIE VOTES

14. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 913/93, s. 14.

RECOUNTS

15.—(1) A candidate may require a recount by giving a written request to the Registrar no more than fourteen days after the date of an election and paying a fee of \$200.

(2) The Registrar shall hold the recount no more than thirty days after receiving the request. O. Reg. 913/93, s. 15.

DISQUALIFICATION OF ELECTED MEMBERS

16.—(1) An elected member is disqualified from sitting on the Council if the member,

- (a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (c) fails, without cause, to attend three consecutive meetings of the Council;
- (d) fails, without cause, to attend three consecutive meetings of a committee of which he or she is a member; or
- (e) ceases to either practise or reside in the electoral district for which the member was elected.

(2) If an elected member is disqualified from sitting on the Council, his or her seat becomes vacant. O. Reg. 913/93, s. 16.

FILLING OF VACANCIES

17.—(1) If the seat of an elected Council member becomes vacant not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold a by-election for that electoral district in accordance with this Regulation.

(2) If the seat of an elected Council member becomes vacant more

than twelve months before the expiry of the member's term of office, the Registrar shall hold a by-election for that electoral district in accordance with this Regulation.

(3) The term of office of a member appointed under clause (1) (b) or elected in a by-election expires when the former Council member's term would have expired. O. Reg. 913/93, s. 17.

PART II ACADEMIC REPRESENTATIVES

18. For the purpose of clause 6 (1) (c) of the Act, members shall be selected in the manner described in this Part. O. Reg. 913/93, s. 18.

19.—(1) An Academic Advisory Committee shall be established and shall be composed of members appointed under this section.

(2) Between one and two months before the meeting of the Council when the term of office of newly elected members of the Council starts, the dean of each faculty of medicine of a university in Ontario shall appoint one member to the Academic Advisory Committee.

(3) A member is eligible for appointment to the Academic Advisory Committee if, on the date of the appointment,

- (a) the member is on the academic staff of the faculty of medicine;
- (b) the member is not in default of payment of any fees prescribed in this Regulation;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the appointment; and
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed in this Regulation. O. Reg. 913/93, s. 19.

20.—(1) A member shall be appointed to the Academic Advisory Committee for a term of about a year, from the first meeting of the Council after his or her appointment when elected members of the Council take office until the next such meeting.

(2) Three of the Committee members shall be elected to the Council in accordance with section 21. O. Reg. 913/93, s. 20.

21.—(1) At the last meeting of the Council before the meeting when the term of office of newly elected members of the Council starts, a vote shall be held at which each member of the Council may cast three ballots for members of the Academic Advisory Committee to be members of the Council for the following year.

(2) The three members of the Academic Advisory Committee for whom the most ballots are cast are selected as members of the Council for the following year. O. Reg. 913/93, s. 21.

22.—(1) A person selected as a member of the Council under this Part is disqualified from sitting on the Council if the member,

- (a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (c) fails, without cause, to attend three consecutive meetings of the Council;
- (d) fails, without cause, to attend three consecutive meetings of a committee of which he or she is a member; or
- (e) ceases to be on the academic staff of the faculty of medicine from which the member was selected.

(2) If a member is disqualified from sitting on the Council under subsection (1), his or her seat becomes vacant and the dean of the faculty at which the disqualified member was a professor shall appoint another member directly to the Council to complete the term of office of the member whose seat became vacant. O. Reg. 913/93, s. 22.

23. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF
PHYSICIANS AND SURGEONS OF ONTARIO:

GARY G. JOHNSON
President

MICHAEL E. DIXON
Registrar

Dated at Toronto on November 30, 1993.

2/94

ONTARIO REGULATION 914/93
made under the
MEDICINE ACT, 1991

Made: December 6, 1993
Approved: December 15, 1993
Filed: December 16, 1993

FEEES

1.—(1) The application fee is,

- (a) for a certificate of registration authorizing postgraduate education \$ 50.00
- (b) for a certificate of registration authorizing supervised practice of a short duration 200.00
- (c) for a certificate of registration to which subsection 3 (5) applies 700.00
- (d) for any other certificate of registration 500.00

(2) The application fee is due at the time the application is submitted and is not refundable. O. Reg. 914/93, s. 1.

2.—(1) The annual membership fee is,

- (a) for the holder of a certificate of registration authorizing supervised practice of a short duration nil
- (b) for the holder of a certificate of registration authorizing postgraduate education \$ 50.00
- (c) for the holder of any other certificate of registration 575.00

(2) The annual membership fee is due,

- (a) in the case of issuing a certificate of registration, before the issuing of the certificate;
- (b) in the case of renewing a certificate of registration, other than a certificate of registration authorizing postgraduate education, on June 1 in each year; and
- (c) in the case of renewing a certificate of registration authorizing postgraduate education, before the termination of the previous certificate.

O. Reg. 914/93, s. 2.

3. The penalty payable by a member for late payment of an annual fee is,

- (a) if the annual membership fee is paid by July 31 of the year it is due \$100.00
- (b) if the annual membership fee is paid between July 31 of the year it is due and the date the certificate is suspended 200.00

O. Reg. 914/93, s. 3.

4. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PHYSICIANS AND SURGEONS OF ONTARIO:

GARY G. JOHNSON
President

MICHAEL E. DIXON
Registrar

Dated at Toronto on December 6, 1993.

2/94

ONTARIO REGULATION 915/93
made under the
MIDWIFERY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

FEEES

1. The application fee is \$50. O. Reg. 915/93, s. 1.

2. Where consideration of an application for registration involves a portfolio assessment in which a determination of the equivalency of the applicant's qualifications is made by the College, the applicant shall pay an additional fee of \$300. O. Reg. 915/93, s. 2.

3. Where consideration of an application for registration involves a prior learning assessment in which the applicant's qualifications are assessed by such means as examinations or an evaluation of the applicant's clinical skills, the applicant shall pay an additional fee of up to \$2,500. O. Reg. 915/93, s. 3.

4. The administration fee is \$35. O. Reg. 915/93, s. 4.

5. The fees payable by a member on or before October 1 of each year are as follows:

- 1. An annual fee of,
 - i. \$1,000 for a member who holds a general certificate of registration or a certificate of registration requiring supervised practice, or
 - ii. \$50 for a student certificate of registration; and
- 2. The administration fee. O. Reg. 915/93, s. 5.

6. No later than sixty days before the administration fee and annual fee are due, the Registrar shall notify the member of the amount of the fees and the day on which they are due. O. Reg. 915/93, s. 6.

7.—(1) If the member fails to pay an administration fee or annual fee on or before the day on which the fees are due, the member shall pay a penalty in addition to the fees.

(2) The penalty is 15 per cent of the fees owed. O. Reg. 915/93, s. 7.

8. Upon payment of the annual fee and administration fee, the member shall be issued an annual certificate and registration card. O. Reg. 915/93, s. 8.

9. The fee for changing the member's name as it appears on the register and for issuing new registration documents is \$100. O. Reg. 915/93, s. 9.

10. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF MIDWIVES OF ONTARIO:

MARY EBERTS
Chair

BRENDA HYATALI
Vice-Chair

Dated at Toronto on December 1, 1993.

2/94

ONTARIO REGULATION 916/93
made under the
NURSING ACT, 1991

Made: November 30, 1993
Approved: December 15, 1993
Filed: December 16, 1993

ELECTIONS AND APPOINTMENTS

PART I

1. In this Regulation, "non-Council member" means a member of a committee of the College who is a member of the College but who is not a member of the Council. O. Reg. 916/93, s. 1.

PART II

ELECTION OF COUNCIL MEMBERS

2. The following electoral districts are established for the purposes of the election of members of both membership classes to the Council:

1. Electoral district 1, the southwestern district, composed of the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford and Perth.
2. Electoral district 2, the central western district, composed of the counties of Brant, Bruce, Grey, Wellington and Dufferin and the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth, Niagara and Waterloo.
3. Electoral district 3, the central eastern district, composed of the counties of Frontenac, Hastings, Lanark, Northumberland, Peterborough, Prince Edward, Victoria and Haliburton, the united counties of Leeds and Grenville, Lennox and Addington, and The Regional Municipality of Durham.
4. Electoral district 4, the eastern district, composed of the united counties of Stormont, Dundas and Glengarry, Prescott and Russell, the County of Renfrew and The Regional Municipality of Ottawa-Carleton.
5. Electoral district 5, the northeastern district, composed of the territorial districts of Algoma, Cochrane, Manitoulin, Parry Sound, Nipissing, Sudbury and Timiskaming, and The District Municipality of Muskoka.

6. Electoral district 6, the northwestern district, composed of the territorial districts of Rainy River, Thunder Bay and Kenora. O. Reg. 916/93, s. 2.

3. The following electoral districts are established for the purposes of the election of members who are registered nurses to the Council:

1. Electoral district 7, the Metropolitan Toronto district, composed of The Municipality of Metropolitan Toronto.
2. Electoral district 8, the central district, composed of the County of Simcoe and the regional municipalities of Halton, Peel and York. O. Reg. 916/93, s. 3.

4. The following electoral district is established for the purposes of the election of members who are registered practical nurses to the Council:

1. Electoral district 9, the central/Toronto district, composed of The Municipality of Metropolitan Toronto, the County of Simcoe and the regional municipalities of Halton, Peel and York. O. Reg. 916/93, s. 4.

5.—(1) The electoral district in which a member is eligible to vote is the district in which, on the date of the election, the member is working in nursing, or if the member is not working in nursing, the district in which, on that day, the member principally resides.

(2) A member is eligible to vote in the election of members to the Council if the member meets the requirements of subsection 9 (2) of the Act and is the holder of a general certificate of registration and not of a temporary, special assignment, or provisional certificate of registration.

(3) For the purposes of subsection (1), a member is deemed to work in nursing at, or reside at, the business or residential address last recorded on the register. O. Reg. 916/93, s. 5.

NUMBER OF MEMBERS ELECTED

6. From each electoral district referred to in Column 1 of the following table there shall be elected to Council the number of registered nurses set out opposite in Column 2 and the number of registered practical nurses set out opposite in Column 3.

TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Electoral District	Registered Nurses	Registered Practical Nurses
1. Southwestern	2	1
2. Central Western	2	1
3. Central Eastern	2	1
4. Eastern	2	1
5. Northeastern	1	1
6. Northwestern	1	1
7. Metropolitan Toronto	2	—
8. Central	2	—
9. Central/Toronto	—	1

O. Reg. 916/93, s. 6.

TERM OF OFFICE

7.—(1) The term of office of a member elected to the Council is three years.

(2) The term of office of a Council member commences at the first regular meeting of the Council after the election of the Council member or after the departure of the outgoing Council member, and the member shall continue to serve in office until his or her successor takes office in accordance with this section. O. Reg. 916/93, s. 7.

8. No member shall serve for more than two consecutive terms,

exclusive of service on the Council for the balance of an unexpired term for a person who becomes a member under section 35. O. Reg. 916/93, s. 8.

9.—(1) An election of members to the Council shall be held in 1994 and in May or June of every third year after that for districts 1, 2 and 9.

(2) An election of members to the Council shall be held in the month of May or June, 1995 and in every third year after that for districts 3, 7 and 8.

(3) An election of members to the Council shall be held in the month of May or June, 1996 and in every third year after that for districts 4, 5 and 6.

(4) The Council shall set the date for each election of members to the Council. O. Reg. 916/93, s. 9.

ELIGIBILITY FOR ELECTION

10. A member is eligible for election to the Council in an electoral district if, on the date of the election,

- (a) the member is working in nursing in the electoral district for which he or she is nominated, or, if the member is not working in nursing, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any fees prescribed in this Regulation;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election for any reason other than non-payment of fees;
- (e) the member is the holder of a general certificate of registration and the certificate is not subject to a term, condition or limitation arising from an incapacity, incompetence or professional misconduct matter; and
- (f) the member has not been the subject of a finding of professional misconduct, incompetence or incapacity with respect to the member in the three years preceding the date of the election. O. Reg. 916/93, s. 10.

11.—(1) A member who is registered in both membership classes may not run for election as both a registered nurse and a registered practical nurse.

(2) A member may not run simultaneously for election to the Council and for election as non-Council member under Part II of this Regulation. O. Reg. 916/93, s. 11.

ELECTION COMMITTEE

12. Disputes as to whether a member is eligible to stand for election to Council or vote in an election for Council members will be adjudicated by the Election Committee, which is a committee of the College established under the by-laws. O. Reg. 916/93, s. 12.

NOMINATION PROCEDURE

13. The Executive Director shall supervise the nomination of candidates. O. Reg. 916/93, s. 13.

14. No later than 120 days before the date of an election or by-election, the Executive Director shall notify every member who is eligible to vote, in writing, of the deadline for returning nominations to the College, the date of the election or by-election and the nomination procedure and shall provide each member eligible to vote with a nomination paper. O. Reg. 916/93, s. 14.

15.—(1) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Executive Director at least ninety days before the date of the election.

(2) The nomination of a registered nurse shall be signed by the candidate and by at least two registered nurse members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(3) The nomination of a registered practical nurse shall be signed by the candidate and by at least two registered practical nurse members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held. O. Reg. 916/93, s. 15.

16.—(1) On receipt of a valid nomination, the Executive Director shall send each candidate a biographical summary form.

(2) A candidate shall return the completed biographical summary form by the deadline set by the Election Committee in order for the candidate's biography to be included with the ballot.

(3) A candidate who is a member of the board of directors of a national or provincial nursing association or union, or of a national or provincial board of directors of an association that represents agencies or providers of health care must declare his or her membership on the form provided by the Executive Director. O. Reg. 916/93, s. 16.

17. In order for his or her name to be removed from the ballot, a candidate must withdraw his or her nomination for election to the Council in writing at least sixty days prior to election day. O. Reg. 916/93, s. 17.

ACCLAMATION

18.—(1) If, after the deadline for the receipt of nominations, the number of candidates nominated for an electoral district is equal to the number of members to be elected in the electoral district, the Election Committee shall declare the candidates to be elected by acclamation.

(2) If, after the deadline for receipt of nominations, the number of candidates nominated for an electoral district is less than the number of members to be elected to Council in that electoral district and for that membership class, the Election Committee shall declare the existing candidates to be elected by acclamation, set new dates for the nomination and election in the district and the membership class where there are insufficient candidates of registered nurses or of registered practical nurses, and the Executive Director shall send another call for nominations to all members eligible to vote.

(3) If the number of candidates nominated for election for an electoral district after the second call for nominations remains less than or equal to the number of members to be elected in the electoral district, the Election Committee shall declare the additional candidates to be elected by acclamation. O. Reg. 916/93, s. 18.

ELECTORAL DUTIES OF EXECUTIVE DIRECTOR

19.—(1) The Executive Director shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Executive Director may,

- (a) appoint returning officers and scrutineers;
- (b) establish procedures for the opening and counting of ballots;
- (c) provide for the notification of all candidates and members of the results of the election;
- (d) provide for the destruction of ballots following an election in accordance with section 27; and
- (e) appoint the independent data processing house contracted to count the ballots.

(2) No later than thirty days before the date of an election, the

Executive Director shall send to every member eligible to vote in an electoral district in which an election is to take place,

- (a) a list of the candidates in the electoral district;
- (b) a ballot;
- (c) an explanation of the voting procedure including the deadline for receipt of ballots;
- (d) an envelope addressed to the independent data processing house appointed by the Executive Director under clause (1) (c); and
- (e) biographical information about the candidates. O. Reg. 916/93, s. 19.

RESPONSIBILITIES OF ELECTION COMMITTEE

20. The Election Committee shall,

- (a) establish a schedule for the election including the deadline for receiving ballots;
- (b) review and edit the biographical data that accompanies the ballots; and
- (c) declare the results of the election and break a tie vote in accordance with section 24. O. Reg. 916/93, s. 20.

VOTING

21. Voting for candidates for election to the Council shall be by secret ballot using the ballot forms supplied by the Executive Director. O. Reg. 916/93, s. 21.

22.—(1) In an election to the Council, a registered nurse member shall only vote for registered nurse candidates and a registered practical nurse member shall only vote for registered practical nurse candidates.

(2) A registered nurse member may cast as many votes on a ballot in an election of members to the Council as there are registered nurse members to be elected to the Council from the electoral district in which the member is eligible to vote.

(3) A registered practical nurse member may cast as many votes on a ballot in an election of members to the Council as there are registered practical nurse members to be elected to the Council from the electoral district in which the member is eligible to vote.

(4) A member shall not cast more than one vote for any one candidate. O. Reg. 916/93, s. 22.

23.—(1) Ballots will be opened and counted at the independent data processing firm appointed under clause 19 (1) (e).

(2) The data processing house shall undertake that each ballot will be tabulated twice, by independent data processing operators, and that the results of both tabulations will be equal. O. Reg. 916/93, s. 23.

24. If there is a tie in an election of members to the Council or the committees, the Election Committee shall break the tie by lot. O. Reg. 916/93, s. 24.

ELECTION RESULTS

25. As soon as possible following the counting of ballots, the Executive Director shall,

- (a) notify each candidate of the results of the election and the number of votes cast for each candidate of the same membership class in the electoral district; and
- (b) notify each defeated candidate that he or she may request a recount. O. Reg. 916/93, s. 25.

26. Following the counting of the ballots, the candidates receiving the greatest number or numbers of votes in the electoral district and membership class for which the election was held shall be declared elected by the Election Committee unless there is a request for a recount. O. Reg. 916/93, s. 26.

27. The Executive Director may authorize destruction of all ballots thirty-one days after the announcement to candidates of the results of an election or recount. O. Reg. 916/93, s. 27.

28.—(1) A candidate may require a recount by giving a written request to the Executive Director no more than thirty days after the date of an election and paying a fee of \$400.

(2) The Executive Director shall hold the recount no more than fifteen days after receiving the request.

(3) The recount shall be conducted in the same manner as the original counting of the ballots except that all the candidates or representatives named by the candidates and a representative of the College named by the Election Committee may be present at the recount.

(4) The fee prescribed in subsection (1) shall be returned in full to the candidate if the recount changes the election result and the candidate is elected. O. Reg. 916/93, s. 28.

29. After the recount, the Election Committee shall declare as elected the candidate who received the greatest number of votes in the recount for the electoral district and membership class for which the election was held. O. Reg. 916/93, s. 29.

30. If there is an interruption of mail service during a nomination or election, the Executive Director shall extend the holding of the nomination or election for such period of time as the Executive Director considers necessary to compensate for the interruption. O. Reg. 916/93, s. 30.

31. The Executive Director shall notify all members of the results of the election and provide the names and biographies of the members elected or acclaimed to the Council by publishing the information in the next issue of the "Communiqué", which is a newsletter published by the College and sent to all members. O. Reg. 916/93, s. 31.

DISQUALIFICATION OF ELECTED MEMBERS

32.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (c) fails, without cause, to attend two consecutive meetings of the Council;
- (d) fails, without cause, to attend three consecutive meetings of a committee of which he or she is a member;
- (e) ceases to either practise or reside in the electoral district for which the member was elected;
- (f) fails, without cause, to attend a hearing or proceeding of a panel for which he or she has been selected;
- (g) fails to comply with the conflict of interest policy approved by Council; or
- (h) ceases to be a member.

(2) An elected member of the Council who is the subject of a disciplinary or incapacity proceeding is suspended from office pending the outcome of the proceeding.

(3) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council.

(4) Matters with respect to disqualification of a Council member shall be considered by the Elections Committee who will make a recommendation to the Council.

(5) The Council may order a Council member to be disqualified by passing a special resolution where two thirds of the Council members vote in favour of disqualification. O. Reg. 916/93, s. 32.

33. No member of the Council shall,

- (a) serve as both a registered nurse and registered practical nurse representative from an electoral region; or
- (b) serve as a non-Council member elected in accordance with Part II of this Regulation. O. Reg. 916/93, s. 33.

FILLING OF VACANCIES

34. A seat of an elected Council member is vacant upon the death or resignation of the member or upon Council ruling disqualification. O. Reg. 916/93, s. 34.

35.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than eighteen months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all unsuccessful candidates in the last election of Council members for that electoral district and membership class, and who is willing to serve when the appointment becomes available; or
- (c) direct the Executive Director to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than eighteen months and less than thirty months before the expiry of the member's term of office, the Council shall direct the Executive Director to hold an election in accordance with this Regulation for that electoral district and membership class.

(3) If the seat of an elected Council member becomes vacant in an electoral district within six months of the original election, the Council shall appoint the candidate who received the second largest number of votes, and if there is no such candidate, the Council shall direct the Executive Director to hold an election in accordance with this Regulation for that electoral district and membership class.

(4) The term of a member elected or appointed under clause (1) (b) or (c) or under subsection (2) or (3) shall continue until the time the former Council member's term would have expired.

(5) When an election of members to the Council is not held within the prescribed period, the members of the Council then in office shall continue in office until their successors are elected. O. Reg. 916/93, s. 35.

PART III

ELECTION OF NON-COUNCIL MEMBERS

36.—(1) Subject to section 40, when an election is held under Part I of the Regulation for the purpose of electing members to Council, the members in the electoral districts in which there is an election of Council members shall also elect the number of non-Council members set out in section 39 to serve on the various committees established under subsection 10 (1) of the Health Professions Procedural Code.

(2) The Council shall make appointments to the committees established under subsection 10 (1) of the Health Professions Procedural Code from the candidates elected under subsection (1). O. Reg. 916/93, s. 36.

37. A member is eligible for election as a non-Council member if, on the date of the election,

- (a) the member is employed in nursing in the district in which the election is held, or if the member is not employed in nursing, is resident in the district in which the election is held;
- (b) the member is not in default of payment of any fees prescribed in this Regulation;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election for any reason other than non-payment of fees;
- (e) the member is a holder of a general certificate of registration and the certificate is not subject to a term, condition or limitation arising from an incapacity, incompetence or professional misconduct matter; and
- (f) there has not been a finding of professional misconduct, incompetence or incapacity with respect to the member in the three years preceding the date of the election. O. Reg. 916/93, s. 37.

38. Electoral districts for the election of non-Council members are established in sections 2, 3, 4, 5 and 6. O. Reg. 916/93, s. 38.

NUMBERS OF MEMBERS ELECTED

39. From each electoral district referred to in Column 1 of the following Table, there shall be elected as non-Council members the number of registered nurses set out opposite in Column 2 and the number of registered practical nurses set out opposite in Column 3 of the Table.

TABLE

COLUMN 1	COLUMN 2	COLUMN 3
Electoral District	Registered Nurses	Registered Practical Nurses
1. Southwestern	2	2
2. Central Western	3	2
3. Central Eastern	2	2
4. Eastern	2	1
5. Northeastern	1	1
6. Northwestern	1	1
7. Metropolitan Toronto	3	—
8. Central	3	—
9. Central/Toronto	—	2

O. Reg. 916/93, s. 39.

40. There shall be an election of non-Council members in 1994 at which time the members from regions 1, 2 and 9 shall be elected until May or June of 1997, the members from regions 3, 7 and 8 shall be elected until May or June of 1998, and the members from regions 4, 5 and 6 shall be elected until May or June of 1996. O. Reg. 916/93, s. 40.

41.—(1) Subject to section 40, a non-Council member elected under section 36 shall be elected for a term of three years.

(2) The term of office of a non-Council member elected under section 36 shall commence on the date of the first regular meeting of Council following the election and shall continue until a successor takes office.

(3) A non-Council member elected under section 36 may serve a maximum of two consecutive terms. O. Reg. 916/93, s. 41.

42. Sections 11 to 31 apply with necessary modification to an election under section 36. O. Reg. 916/93, s. 42.

43. The Nominating Committee, which is a committee of the College established under the by-laws, shall make recommendations to the Council on the appointments of non-Council members elected under section 36 to the committees established in subsection 10 (1) of the Health Professions Procedural Code. O. Reg. 916/93, s. 43.

44. The Executive Director shall provide each Council member and non-Council member with an opportunity to identify his or her preferences with respect to the committee appointments and to identify the reasons for those preferences. O. Reg. 916/93, s. 44.

45.—(1) The Nominating Committee shall recommend the appointment of non-Council members to the various committees established under subsection 10 (1) of the Health Professions Procedural Code at the first regular Council meeting following the election of Council and non-Council members.

(2) In making its recommendation, the Nominating Committee shall consider,

- (a) the preferences of members identified under section 42;
- (b) the number of members and membership classes required under this Regulation;
- (c) the membership criteria set by the various committees; and
- (d) provision of an appropriate mix of experienced and new members on committees. O. Reg. 916/93, s. 45.

46. The Council will appoint the members to committees giving due consideration to the recommendations of the Nominating Committee at the first meeting of the Council held after the election of Council and non-Council members. O. Reg. 916/93, s. 46.

TERM OF OFFICE

47.—(1) A member may be appointed to a committee established under subsection 10 (1) of the Health Professions Procedural Code for a term of one year.

(2) Subject to section 39, a member may serve an unlimited number of terms on a particular committee. O. Reg. 916/93, s. 47.

48. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

PAT MANDY
President

MARGARET RISK
Executive Director

Dated at Toronto on November 30, 1993.

2/94

ONTARIO REGULATION 917/93 made under the OPTOMETRY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

ELECTORAL DISTRICTS

1.—(1) For the purpose of the election of members to the Council, the following electoral districts are established:

1. District 1, the central electoral district, composed of the regional municipalities of Halton, Peel, Waterloo and York,

together with the County of Wellington and The Municipality of Metropolitan Toronto.

2. District 2, the eastern electoral district, composed of the regional municipalities of Durham and Ottawa-Carleton, together with the counties of Frontenac, Hastings, Lanark, Leeds-Grenville, Lennox and Addington, Northumberland, Peterborough, Prescott and Russell, Stormont-Dundas and Glengarry, Victoria, the County of Haliburton and The District Municipality of Muskoka.
3. District 3, the northern electoral district, composed of the counties of Bruce, Dufferin, Elgin, Grey, Huron, Middlesex and Simcoe, together with the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming.
4. District 4, the western electoral district, composed of the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth and Niagara, together with the counties of Brant, Essex, Kent, Lambton, Oxford and Perth.
5. District 5, the provincial electoral district, composed of the whole of the Province of Ontario.

(2) Every member who is engaged in the practice of optometry in Ontario and is in good standing in accordance with section 7 is qualified to vote in any election of members to the Council in the two following electoral districts:

1. The electoral district in which the member's principal office is located.
2. The provincial electoral district.

(3) One member shall be elected to the Council from each of the Electoral Districts 2, 3 and 4, two members shall be elected to the Council from Electoral District 1 and three members shall be elected to the Council from Electoral District 5. O. Reg. 917/93, s. 1.

TERM OF OFFICE

2.—(1) Subject to section 3, the term of office for each Council member is three years.

(2) The term of office of a member of the Council who is elected or appointed, or who is selected by the School of Optometry of the University of Waterloo, commences with the first regular meeting of the Council immediately following the member's election, appointment or selection.

(3) Members of the Council shall continue in office until their successors take office at the regular meeting of the Council immediately following the successors' election or appointment. O. Reg. 917/93, s. 2.

3.—(1) Upon the coming into force of this Regulation, the members of the Transitional Council shall continue in office to the end of their respective terms of office.

(2) For District 1,

- (a) an election of a member to the Council shall be held in 1995 and in every third year after that; and
- (b) an election of a member to the Council shall be held in 1996 and in every third year after that.

(3) For Districts 2 and 3, an election of a member to the Council shall be held in 1996 and in every third year after that.

(4) For District 4, an election of a member to the Council shall be held in 1995 and in every third year after that.

(5) For District 5, an election of three members to the Council shall be held in 1994 subject to the following terms:

1. The member who obtains the most votes in the election shall hold office for three years. An election of a member shall then be held in 1997 and in every third year after that.
2. The member who obtains the second most votes in the election shall hold office for two years. An election of a member shall then be held in 1996 and in every third year after that.
3. The member who obtains the third most votes in the election shall hold office for one year. An election of a member shall then be held in 1995 and in every third year after that.

(6) At the time that this Regulation comes into force, the member of the School of Optometry of the University of Waterloo appointed to the Council shall continue to be a member of the Council until such time as his or her term of office expires.

(7) Upon the expiration of the term of the member, the Council shall request the School of Optometry of the University of Waterloo to select a member for Council in accordance with section 6.

(8) The term of appointment of a member to the Council under subsection (7) shall be for three years. O. Reg. 917/93, s. 3.

ELIGIBILITY FOR ELECTION TO COUNCIL

4.—(1) A member is eligible for election to the Council if the member,

- (a) is a holder of a General Certificate of Registration;
- (b) is not a full-time member of the faculty of the School of Optometry, University of Waterloo;
- (c) is not an elected representative of the Canadian Association of Optometrists or the Ontario Association of Optometrists or like organization;
- (d) is not an appointed official of the Canadian Association of Optometrists or the Ontario Association of Optometrists or like organization if a real or apparent conflict of interest may arise;
- (e) is engaged in the practice of optometry and his or her principal office is located in the electoral district in which the candidate is nominated;
- (f) has a certificate of registration that has not been revoked or suspended in the six years preceding the date of the election;
- (g) has a certificate of registration which is not subject to a term, condition or limitation other than one prescribed by regulation; and
- (h) is in good standing in the College.

(2) If the member has been elected in three consecutive elections, excluding a by-election, the member shall not be eligible for election until three years have passed since the expiration of the member's last term of office. O. Reg. 917/93, s. 4.

PRINCIPAL OFFICE

5. The principal office of a member is the office which has been designated by the member as his or her principal office and so recorded in the register at the time that the nomination forms are mailed out by the Registrar. O. Reg. 917/93, s. 5.

SELECTION OF UNIVERSITY OF WATERLOO APPOINTEE

6.—(1) For the purposes of clause 6 (1) (c) of the Act, the School of Optometry of the University of Waterloo shall select a member of its faculty to appoint to the Council.

(2) A member may be selected under subsection (1) if the member is,

- (a) a member in good standing in accordance with section 7; and
- (b) a full-time faculty member of the School. O. Reg. 917/93, s. 6.

MEMBER IN GOOD STANDING

7. For the purposes of this Regulation, a member is in good standing in the College if,

- (a) the member is not in default of payment of any fees prescribed by regulation;
- (b) the member's professional conduct is not the subject of proceedings before the Discipline or Fitness to Practise Committees; and
- (c) the member's registration is not under suspension. O. Reg. 917/93, s. 7.

ELECTIONS

8.—(1) The election for an electoral district shall be held on or before April 1 in the year in which the term of office of the members elected from the electoral district expires.

(2) The date of each election shall be set by the Council. O. Reg. 917/93, s. 8.

9. The elections shall be carried out under the supervision of the Registrar. O. Reg. 917/93, s. 9.

10. If there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of nominations and election for such minimum period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 917/93, s. 10.

NOMINATIONS

11. Nomination forms shall be mailed by the Registrar to all members qualified to vote in the electoral district in which an election is to be held, at least forty-five days before the date of the election. O. Reg. 917/93, s. 11.

12.—(1) The nomination of candidates for election as members of the Council shall be in a form provided by the Registrar and signed by the candidate, a proposer and two seconders all of whom shall be members who are both qualified to vote and have their principal offices in the electoral district for which the candidate has been nominated.

(2) The nomination form shall have the candidate's consent signed on it and shall be filed with the Registrar at least thirty days before the date of the election. O. Reg. 917/93, s. 12.

13. The Registrar shall notify without undue delay, after nominations have been closed, all nominated candidates of the members nominated in each electoral district. O. Reg. 917/93, s. 13.

14. A candidate may withdraw his or her candidacy by notice of withdrawal delivered to the Registrar not later than twenty-two days before the date of election. O. Reg. 917/93, s. 14.

VOTING

15. Voting for elections of members to the Council shall be by ballot. O. Reg. 917/93, s. 15.

DECLARATION OF MEMBER ELECTED

16.—(1) Following the counting of all of the ballots cast, the candidate receiving the greatest number of votes in the district in which the election was held shall be declared elected by the Registrar.

(2) If, in the election of a candidate to the Council, a tie vote exists, the Registrar or the Registrar's representative shall by lot decide which candidate shall be declared elected. O. Reg. 917/93, s. 16.

ACCLAMATION

17. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates elected by acclamation. O. Reg. 917/93, s. 17.

DESTRUCTION OF BALLOTS

18. The Registrar shall destroy all ballots,

- (a) thirty-one days after the election;
- (b) if a recount is requested, after the recount has been completed; or
- (c) if a challenge as to the validity of the election has been filed under section 20, after the panel investigating the dispute has reported to Council. O. Reg. 917/93, s. 18.

RECOUNT

19.—(1) Within thirty days from the date of the counting of ballots, a candidate may require a recount of the ballots of the electoral district in which he or she was nominated, on depositing with the Registrar the sum of \$200 and a written request for the recount.

(2) If a recount has been requested, the Registrar shall appoint the time and place and arrange for the recount which shall take place within fifteen days from the date of the request.

(3) The recount shall be conducted by the Registrar in the same manner as the original counting of the ballots.

(4) The candidate or a representative appointed by the candidate may be present at the recount.

(5) If the recount changes the result of the election of a member, the amount of the deposit shall be returned to the candidate who paid the deposit. O. Reg. 917/93, s. 19.

ELECTION CHALLENGE

20.—(1) If, within thirty days of the date of the final election result, a member files with the Registrar a challenge with reasons as to the validity of an election, the Council shall appoint a panel of three members of Council, of whom one shall be a member appointed by the Lieutenant Governor in Council, to hold an enquiry giving the candidate an opportunity to be heard and be represented by counsel.

(2) If the panel determines that the election was valid, the panel shall so report to the Council.

(3) If the panel determines that the election was invalid, the Council shall determine a date for a new election and shall direct the Registrar to hold the election in accordance with this Regulation.

(4) The decision of the panel is final and is not appealable. O. Reg. 917/93, s. 20.

BY-ELECTION

21.—(1) If no valid nomination is received for an election to the Council in an electoral district by the date when nominations close, the Council shall be informed by the Registrar and the Council shall set a date for a by-election.

(2) A by-election under this section shall be held by the Registrar in accordance with this Regulation and the by-laws.

(3) In the event that no valid nomination is received for a by-election in an electoral district by the date when nominations close, the Council shall appoint a member from among the members of the College who are eligible for election in that electoral district. O. Reg. 917/93, s. 21.

DISQUALIFICATION OF COUNCIL MEMBER

22.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (c) fails, without cause, to attend two consecutive meetings of the Council;
- (d) fails, without cause, to attend two consecutive meetings of a committee of which he or she is a member;
- (e) ceases to practise in the Province of Ontario;
- (f) ceases to be a member in good standing;
- (g) breaches section 36 of the *Regulated Health Professions Act, 1991*;
- (h) becomes an elected representative of the Canadian Association of Optometrists or the Ontario Association of Optometrists or like organization; or
- (i) becomes an appointed official of the Canadian Association of Optometrists or the Ontario Association of Optometrists or like organization if a real or apparent conflict of interest may arise.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council.

(3) An elected member who is the subject of a discipline or incapacity proceeding shall be suspended from office pending the outcome of the proceeding. O. Reg. 917/93, s. 22.

REPLACEMENT OF COUNCIL MEMBER

23.—(1) If the seat of an elected Council member becomes vacant in an electoral district by disqualification, death or resignation not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint a member in good standing who is practising in that electoral district; or
- (c) direct the Registrar to hold a by-election, in accordance with this Regulation, in the electoral district.

(2) If the seat of an elected Council member becomes vacant by disqualification, death or resignation more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold a by-election, in accordance with this Regulation, for that electoral district.

(3) The term of a member appointed under clause (1) (b) or elected in a by-election under clause (1) (c) or subsection (2) shall continue until the former Council member's term would have expired and a new Council member takes office. O. Reg. 917/93, s. 23.

24. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

JOSEPH MITTELMAN
President

IRVING BAKER
Registrar

Dated at Toronto on December 1, 1993.

2/94

ONTARIO REGULATION 918/93
made under the
PHYSIOTHERAPY ACT, 1991

Made: December 2, 1993
Approved: December 15, 1993
Filed: December 16, 1993

ELECTIONS

ELECTORAL DISTRICTS

1. The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral district 1, the south western electoral district, composed of the counties of Bruce, Elgin, Essex, Grey, Huron, Kent, Lambton, Middlesex, Oxford and Perth.
2. Electoral district 2, the central western electoral district, composed of the counties of Brant, Dufferin and Wellington, and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo.
3. Electoral district 3, the central eastern electoral district, composed of the counties of Haliburton, Northumberland, Peterborough, Simcoe and the regional municipalities of Durham, Peel and York.
4. Electoral district 4, the eastern electoral district, composed of the counties of Dundas, Frontenac, Hastings, Prince Edward and Renfrew, the united counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, Stormont, Dundas and Glengarry and The Regional Municipality of Ottawa-Carleton.
5. Electoral district 5, the northern electoral district, composed of The Regional Municipality of Sudbury, the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming and The District Municipality of Muskoka.
6. Electoral district 6, the Metropolitan Toronto electoral district, composed of The Municipality of Metropolitan Toronto. O. Reg. 918/93, s. 1

ENTITLEMENT TO VOTE

2. A member is entitled to vote in an election if,
 - (a) the member is a holder of a certificate of registration authorizing independent practise or academic practice; and
 - (b) on the 120th day immediately preceding the election,
 - (i) the member practised or resided in Ontario, and
 - (ii) the member's mailing address registered with the College is in the electoral district for which an election is being held. O. Reg. 918/93, s. 2.

NUMBER OF MEMBERS ELECTED

3.—(1) Except in the Metropolitan Toronto electoral district, one member shall be elected to the Council for each electoral district.

(2) Three members shall be elected to the Council for the Metropolitan Toronto electoral district. O. Reg. 918/93, s. 3.

TERM OF OFFICE

4.—(1) The term of office of a member elected at an election is three

years, commencing with the first meeting of the Council after the election, and expiring, subject to subsection (2), at the first meeting of the Council after the next election.

(2) The term of office of a member expires,

- (a) if the member was elected at an election held after the date prescribed in subsection 5 (1) or (3), on the day the member's term would have expired if he or she had been elected on that date;
- (b) if the member's office becomes vacant by reason of the member's disqualification, on the day the vacancy is declared;
- (c) if the member is elected in a by-election or appointed to replace a member whose office is vacant, on the day his or her predecessor's office would have expired under subsection (1). O. Reg. 918/93, s. 4.

ELECTION DATE

5.—(1) There shall be an election for every electoral district on the first Wednesday of March, 1994.

(2) There shall be an election,

- (a) for south western and central western electoral districts, in 1995 and every third year after 1995;
- (b) for central eastern, eastern and northern electoral districts, in 1996 and every third year after 1996; and
- (c) for Metropolitan Toronto electoral district, in 1997 and every third year after 1997.

(3) An election shall be held on the first Wednesday in February but if the first Wednesday in February is a holiday, the election shall be held on the first day afterwards that is not a holiday.

(4) If there is an interruption in mail service during a nomination or election, the Registrar shall extend the holding of nominations and the election for such minimum period of time as the Registrar considers necessary to compensate for the interruption.

(5) If an election is not held at the prescribed time, the elected members of the Council then in office shall continue in office until their successors are elected. O. Reg. 918/93, s. 5.

ELIGIBILITY FOR ELECTION

6. A member is eligible for election to the Council for an electoral district if,

- (a) the member is entitled to vote in an election in accordance with section 2;
- (b) at all times between the 120th day immediately preceding the election and the election,
 - (i) the member continues to practise or reside in Ontario,
 - (ii) the member's mailing address registered with the College continues to be in the electoral district for which the election is being held,
 - (iii) the member is not in default of any obligation to the College under this Regulation or the by-laws,
 - (iv) the member is not the subject of current or pending proceedings for incompetence, professional misconduct or incapacity,

- (v) the member's certificate of registration is not subject to a term, condition or limitation other than a term, condition or limitation prescribed by this Regulation, and
 - (vi) the member is not eligible for selection as an academic member under section 21; and
- (c) the member's certificate of registration has not been revoked or suspended at any time in the six years immediately preceding the election. O. Reg. 918/93, s. 6.

NOTICE OF ELECTION AND NOMINATIONS

7. No later than ninety days before the date of an election, the Registrar shall send by mail to every member entitled to vote in an election,

- (a) notification that an election or a by-election, whichever the case, will be held to elect a member of the Council;
- (b) a statement,
 - (i) of the date of the election,
 - (ii) of the date for receiving nominations for the election,
 - (iii) that, to be a candidate, a member must be nominated by three members who are entitled to vote in the election,
 - (iv) that, to be a candidate, a member must consent to the nomination on the nomination form, and
 - (v) that, to be valid, nominations must be received by the Registrar no later than two o'clock in the afternoon on the last date for receiving nominations and stating that date; and
- (c) a nomination form. O. Reg. 918/93, s. 7.

NOMINATION PROCEDURE

8.—(1) A member who is eligible for election to the Council may be nominated for election in an electoral district if the member,

- (a) is nominated by three members who are entitled to vote in the election, and if each nomination is,
 - (i) on the form sent under clause 7 (c), and
 - (ii) received by the Registrar not later than two o'clock in the afternoon on the Wednesday of the sixth week immediately preceding the date of the election; and
- (b) consents to the nomination on the nomination form which is received by the Registrar not later than two o'clock in the afternoon on the Wednesday of the sixth week immediately preceding the date of the election.

(2) A candidate in an election may withdraw his or her candidacy by notifying the Registrar of the withdrawal in writing within ten days after the last date for receiving nominations. O. Reg. 918/93, s. 8.

ACCLAMATION

9.—(1) If there are no candidates for an electoral district who are eligible for election, the President of the College shall nominate one or more members who are eligible for election in that election.

(2) A nomination under subsection (1) shall be deemed to be valid if the nomination and the consent are received by the Registrar in accordance with section 8. O. Reg. 918/93, s. 9.

ADMINISTRATION

10.—(1) The Registrar shall be the chief returning officer and the Council shall appoint, as deputy returning officers, two members of the College who are not candidates in any election and are not members of the Council at the time of the appointment.

(2) If a deputy returning officer refuses to act or to continue to act or, in the concurrent opinion of the President of the College and the Registrar, is impaired, the President shall appoint another member as a deputy returning officer who is not a candidate for any electoral district.

(3) The returning officers shall count the votes in each election, record the results of each count and thereby determine the result of each election.

(4) All questions arising in the counting of ballots, the recording of results or the determination of the result shall be decided by a majority of the returning officers. O. Reg. 918/93, s. 10.

VOTING

11.—(1) Except for an election in which the Registrar has declared a candidate elected to the Council by acclamation, the Registrar shall, at least thirty days before the date of an election, send by first class mail to every member entitled to vote in the election,

- (a) a ballot;
- (b) instructions for voting;
- (c) an envelope, capable of being sealed and inserted into the envelope mentioned in clause (d), and bearing the word "Ballot";
- (d) an envelope addressed to the Registrar, with a place clearly marked for the member's signature, registration number and the legible inscription of his or her name, to be used by the member for mailing the ballot to the Registrar; and
- (e) biographical information about each candidate and one page of policy information from each candidate who supplies such information in a form suitable for reproduction.

(2) The ballot shall contain, in alphabetical order of surname, the name and mailing address registered with the College of each candidate, and any other information entered in the register that the Council directs to be included to identify the candidates. O. Reg. 918/93, s. 11.

12. The instructions for voting may form part of the ballot or may be separate, or may be partly one and partly the other, and shall contain the following instructions in legible type:

1. A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.
2. A member shall not cast more than one vote for any one candidate.
3. The voter must place an "X" in one or, for the Metropolitan Toronto electoral district, up to three appropriate places on the ballot to indicate the candidate or candidates of the voter's choice.
4. When marked as instructed, the ballot must be placed in the smaller envelope, and the smaller envelope must be sealed and placed inside the larger envelope.
5. Only one ballot may be placed in the smaller envelope, and only one smaller envelope may be placed inside the larger envelope.

6. The voter must sign, and legibly indicate his or her name and registration number on, the larger envelope, in the places marked for signature, name and registration number respectively.
7. The larger envelope must be received by two o'clock in the afternoon on the election day.
8. The ballot will not be counted in the election unless it has been marked and is otherwise in accordance with the instructions for voting. O. Reg. 918/93, s. 12.

COUNTING VOTES

13.—(1) The returning officers shall receive ballots until two o'clock in the afternoon on the election day and, promptly after that time, shall,

- (a) examine the larger envelopes to see whether they display the signature, name and registration number of a member entitled to vote in one of the elections being held and whether any member appears to have cast more than one ballot;
- (b) sort those which appear to be proper under clause (a) according to the electoral district indicated by the member's name, open them and remove the smaller envelopes for each electoral district and set any others to one side unopened;
- (c) open the smaller envelopes for one electoral district at a time and examine the ballots in them;
- (d) examine the ballots and count the vote for the candidates, if,
 - (i) the ballot has been marked "X" in one or, for the Metropolitan Toronto electoral district, in up to three places on the ballot to indicate the candidate or candidates of the voter's choice, and
 - (ii) the candidate or candidates of the voter's choice are eligible for election;
- (e) set aside any ballot that does not meet the requirements of clause (d);
- (f) record the number of ballots counted as votes for each candidate in each election and thereby the number of votes cast for each candidate; and
- (g) subject to subsection (2), determine the candidates who received the largest number of votes in each election.

(2) If two or more candidates receive the same number of votes in an election, the chief returning officer shall select one of the candidates by lot who shall be deemed to have received the largest number of votes in the election.

(3) Voting shall be secret and conducted so that no person knows for whom any member voted.

(4) A candidate is entitled, in person or by an agent appointed for the purpose by the candidate in writing,

- (a) to be present and see that the returning officers discharge their duties;
- (b) to examine the larger envelopes to see whether they display the signature, name and registration number of members entitled to vote in the election; and
- (c) to examine all the ballots in the election to see whether they are to be counted as votes for a candidate. O. Reg. 918/93, s. 13.

DOCUMENTATION

14.—(1) Promptly after determining the candidate who received the largest number of votes in each election, the returning officers shall make and sign, in duplicate, a return of the results of each election, indicating the candidates who were elected and including the total number of votes cast, the number of votes cast for each candidate and the number of ballots not counted as votes with an indication of the reasons.

(2) For each election, the returning officers shall retain in one or more containers, which they seal,

- (a) all larger envelopes which do not display the signature, name and registration number of a member entitled to vote in the election, or which indicate that a member appears to have cast more than one ballot, which shall be kept unopened; and
- (b) all ballots, keeping those counted as votes separate from those not counted.

(3) One copy of the return shall be placed outside the sealed container containing the ballots counted as votes, and the Registrar shall submit the other copy of the return to the Council at its first meeting after the election.

(4) Promptly after the return of an election has been made and signed, the Registrar shall,

- (a) declare the name of the candidate or candidates elected in that election; and
- (b) inform, first by telephone or telecopier transmission, and subsequently by mail,
 - (i) each candidate of the results of the election and the number of votes cast for each candidate,
 - (ii) the President of the College of the results of each election, the number of votes cast for each candidate and any other election matter about which the President requests information,
 - (iii) each elected candidate of the time and place of the first regular meeting of the Council following the election, and
 - (iv) each defeated candidate that he or she may require a recount.

(5) The Registrar shall retain all larger envelopes received after two o'clock on the afternoon on the election day, which the Registrar shall mark "Late".

(6) The Registrar shall make all declarations in respect of an election in writing, keep them in the records of the College and send a copy of each declaration to the President of the College promptly after making it.

(7) Unless a candidate has requested a recount or otherwise challenged an election or its results, the Registrar shall, thirty-one days after the return of an election has been made and signed, destroy all ballots, envelopes and other material from the election other than declarations and the return submitted, or to be submitted, to the Council. O. Reg. 918/93, s. 14.

RECOUNTS

15.—(1) Upon written direction to the Registrar received within thirty days after the date of the return and payment of \$300 to the College, a candidate may require a recount.

(2) If a candidate requires a recount, the Registrar shall preside over the recount, and shall,

- (a) appoint a time within fifteen days from the receipt of the direction and place for the recount;
- (b) notify all candidates in the election of the fact and date of the recount and that they or their agents are entitled to be present to see the recount and examine the envelopes, votes and other documents;
- (c) appoint two other people to participate with the Registrar in the recount;
- (d) if the two other people cannot agree whether to count a ballot as a vote, make the decision;
- (e) if two candidates receive an equal number of votes, select one of those candidates by lot, and that candidate is deemed to have received the most votes; and
- (f) declare the candidate who received the most votes to be elected to the Council for the electoral district.

(3) If the result of the recount is that the candidate who required the recount is declared elected to the Council for the electoral district, and the Council has acted in accordance with clause (4)(a), the candidate is entitled to repayment without interest of the \$300 required by subsection (1).

(4) The Registrar shall report to the Council at its first meeting following any recount the procedures and results of the recount, and the Council shall,

- (a) if satisfied with the results, instruct the Registrar to destroy all ballots, envelopes and other material from the election other than the declarations and the return; or
- (b) decide to hold an inquiry under section 16. O. Reg. 918/93, s. 15.

INQUIRY

16. If the Council is of the opinion that there is a reasonable ground for doubt or dispute as to the validity of the election of any member of the Council, the Council shall hold an inquiry and decide whether the election of the member is valid and, if an election is found to be invalid, the Council shall direct another election to be held. O. Reg. 918/93, s. 16.

VACANCIES

17.—(1) In this section and sections 18 and 19, "an elected member of the Council" includes a person appointed under clause 20 (1) (b) as the successor of an elected member of the Council.

(2) If an elected member of the Council dies, resigns or is disqualified from sitting on the Council, the president shall declare the office of the member on the Council to be vacant. O. Reg. 918/93, s. 17.

18.—(1) An elected member of the Council is disqualified from sitting on the Council if the member,

- (a) ceases to be a member of the College;
- (b) no longer practises physiotherapy in Ontario and is no longer a resident of Ontario;
- (c) is in default of any obligation to the College under this Regulation or the by-laws;
- (d) is found guilty of professional misconduct or incompetence or to be an incapacitated member;

(e) remains or becomes a director, officer or employee of a voluntary organization of physiotherapists;

(f) is found to be mentally incompetent under the *Mental Health Act*;

(g) fails to attend two consecutive regular meetings of the Council without good reason in the opinion of the Council; or

(h) fails, in the opinion of the Council, to discharge properly or honestly any office to which he or she has been elected or appointed.

(2) An elected member of the Council does not become disqualified from sitting on the Council merely because his or her mailing address registered with the College ceases to be in the electoral district for which he or she was elected. O. Reg. 918/93, s. 18.

19. An elected member of the Council who is the subject of current or pending proceedings is suspended from office pending the outcome of the proceedings. O. Reg. 918/93, s. 19.

FILLING VACANCIES

20.—(1) If the office of an elected member of the Council is declared to be vacant and the unexpired term of the member whose office became vacant does not exceed one year, the Council shall,

- (a) leave the office vacant; or
- (b) appoint a successor from among the members of the College whose principal place of practice or, if the member is not in practice in Ontario, ordinary place of residence, is in the electoral district and who would be eligible for election if an election were held.

(2) If the office of an elected member of the Council is declared to be vacant and the unexpired term of the member whose office became vacant exceeds one year, the Registrar shall hold a by-election for the electoral district in accordance with this Regulation.

(3) A by-election to fill a vacancy on the Council shall be held on the first Wednesday following ninety calendar days from the day the vacancy was declared or if, in the concurrent opinion of the President of the College and the Registrar, an election on that date is not feasible, on the first Wednesday after that date that is feasible in the opinion of the Registrar. O. Reg. 918/93, s. 20.

ACADEMIC MEMBERS

21.—(1) For the purposes of clause 6 (1) (c) of the Act, two members who hold certificates of registration authorizing academic practice shall be selected in accordance with this section to serve on the Council.

(2) One member shall be selected from the university mentioned in Column 1 of the following Table in the corresponding years indicated in Column 2:

COLUMN 1	COLUMN 2
1. Queen's University	1994 and thereafter every eight and seven years alternatively
2. University of Ottawa	1996 and thereafter every seven and eight years alternatively
3. University of Toronto	1997 and thereafter every eight and seven years alternatively
4. University of Western Ontario	1999 and thereafter every seven and eight years alternatively
5. McMaster University	2000 and thereafter every eight and seven years alternatively

(3) Despite subsection (2) and (4), one member shall be selected from McMaster University in 1994 for a term of office of two years.

(4) An academic member of the Council shall be selected in February of the year of his or her selection, and shall have a three-year term of office coincidental with the members of the Council who were elected in the month of his or her selection.

(5) A member of the Council shall be selected at a meeting of the members of the academic staff of the faculty of physiotherapy or physical therapy at the university, called upon seven days notice by the head of the department or, failing that, by the Registrar, by a method acceptable to the majority of the members attending the meeting.

(6) If a member of the Council selected under this section dies, resigns or becomes disqualified from sitting on the Council in accordance with subsection (7), a replacement shall be selected to serve the balance of the unexpired term of office from among the members of the College who are members of the academic faculty of physiotherapy or physical therapy from which the member of the Council was selected.

(7) A member of the Council selected under this section is disqualified from sitting on the Council if the member,

- (a) ceases to be a member of the College;
- (b) no longer is a member of the academic staff of the faculty of physiotherapy or physical therapy from which he or she was selected;
- (c) is in default of any obligation to the College under this Regulation or the by-laws;
- (d) is found guilty of professional misconduct or incompetence or to be an incapacitated member;
- (e) remains or becomes a director, officer or employee of a voluntary organization of physiotherapists;
- (f) is found to be mentally incompetent under the *Mental Health Act*;
- (g) fails to attend two consecutive regular meetings of the Council without good reason in the opinion of the Council; or
- (h) fails, in the opinion of the Council, to discharge properly or honestly any office to which he or she has been elected or appointed. O. Reg. 918/93, s. 21.

22. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PHYSIOTHERAPISTS OF ONTARIO:

BARBARA STOKES
Chair

CHRISTINE SMITH
Secretary-Treasurer

Dated at Toronto on December 2, 1993.

2/94

ONTARIO REGULATION 919/93
made under the
PSYCHOLOGY ACT, 1991

Made: December 1, 1993
Approved: December 15, 1993
Filed: December 16, 1993

ELECTIONS

ELECTORAL DISTRICTS

1.—(1) The following electoral districts are established for the purpose of the election of members to the Council:

1. Electoral District 1 (North) to be composed of the territorial districts of Kenora, Rainy River, Thunder Bay, Cochrane, Algoma, Manitoulin, Nipissing, Sudbury, Timiskaming and Parry Sound, The District Municipality of Muskoka and The Regional Municipality of Sudbury.
2. Electoral District 2 (South West) to be composed of the counties of Bruce, Elgin, Essex, Grey, Huron, Kent, Lambton, Middlesex, Oxford and Perth.
3. Electoral District 3 (Central West) to be composed of the counties of Brant and Dufferin and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo.
4. Electoral District 4 (East) to be composed of the counties of Frontenac, Hastings, Lanark, Prince Edward and Renfrew, the united counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, Stormont, Dundas and Glengarry and The Regional Municipality of Ottawa-Carleton.
5. Electoral District 5 (Central East) to be composed of the counties of Haliburton, Northumberland, Peterborough, Simcoe and Victoria and the regional municipalities of Durham, Peel and York.
6. Electoral District 6 (Metro Toronto) composed of The Municipality of Metropolitan Toronto.
7. Electoral District 7 (Academic) to be composed of Post-Secondary Educational Institutions in Ontario granting Graduate Level Degrees in Psychology.

(2) The electoral district in which a member is eligible to vote is the district in which, on January 1 of the year in which an election is held, the member principally practises, or if the member is not engaged in the practice of psychology in Ontario, the district in which the member principally resides.

(3) A member who has a full-time appointment to an institution referred to in paragraph 7 of subsection (1) is eligible to vote in electoral district 7 or in the district in which the member principally practises.

(4) A member shall vote in only one electoral district. O. Reg. 919/93, s. 1.

NUMBER OF MEMBERS ELECTED

2.—(1) The number of members to be elected in each of electoral districts 1, 2, 3, 4 and 5 is one.

(2) The number of members to be elected in each of electoral districts 6 and 7 is two. O. Reg. 919/93, s. 2.

TERMS OF OFFICE

3. The term of office of a member elected to the Council is three years. O. Reg. 919/93, s. 3.

ELECTION DATE

4.—(1) An election of members to the Council shall be held in March, 1994 for all electoral districts.

(2) Each electoral district shall hold a second election of members to

the Council in March of 1995, 1996 or 1997 and in every third year after the applicable year.

(3) Subject to subsections (4) and (5), the Council shall, at its first meeting after the day this Regulation comes into force, determine by lot in which of the three years referred to in subsection (2) each electoral district shall hold a second election of members to the Council.

(4) An election of one member to the Council shall be held in March, 1994 and in every third year after that for electoral districts 6 and 7.

(5) An election of one member to the Council shall be held in the months of March, 1994 and March, 1996 and in every third year after that for electoral districts 6 and 7.

(6) The Council shall set the date in the month for each election of members to the Council. O. Reg. 919/93, s. 4.

ELIGIBILITY FOR ELECTION

5.—(1) A member is eligible for election to the Council in electoral districts 1, 2, 3, 4, 5 and 6 if, on the date of the election,

- (a) the member is engaged in the practice of psychology in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of psychology in the electoral district, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any fees prescribed in this Regulation;
- (c) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of election; and
- (d) the member's certificate of registration has not been subject to a term, condition or limitation as a result of a disciplinary action within the last two years.

(2) A member is eligible for election to the Council in electoral district 7 if, on the date of the elections,

- (a) the member holds a full-time appointment in a post-secondary educational institution in Ontario granting graduate level degrees in psychology;
- (b) the member is not in default of payment of any fees prescribed in this Regulation;
- (c) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of election; and
- (d) the member's certificate of registration has not been subject to a term, condition or limitation as a result of a disciplinary action within the last two years. O. Reg. 919/93, s. 5.

REGISTRAR TO SUPERVISE NOMINATIONS

6. The Registrar shall supervise the nomination of candidates. O. Reg. 919/93, s. 6.

NOTICE OF ELECTION AND NOMINATIONS

7. No later than ninety days before the date of an election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure. O. Reg. 919/93, s. 7.

NOMINATION PROCEDURE

8.—(1) The member may be a candidate for election in only one electoral district in which he or she is an eligible voter.

(2) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given to the Registrar at least forty-five days before the date of the election.

(3) The nomination shall be signed by the candidate and by at least five members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(4) A candidate may withdraw his or her nomination for election to the Council by giving notice to the Registrar in writing not less than fifteen days before the date of the election.

(5) The Registrar shall, at least thirty days before the date of the election, notify every member who is eligible to vote of the nominations received, and shall notify every member that further nominations will be received until fifteen days before the date of the election. O. Reg. 919/93, s. 8.

ACCLAMATION

9. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation. O. Reg. 919/93, s. 9.

REGISTRAR'S ELECTORAL DUTIES

10.—(1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Registrar may, subject to the by-laws,

- (a) appoint returning officers and scrutineers;
- (b) establish a deadline for the receiving of ballots;
- (c) establish procedures for the opening and counting of ballots;
- (d) provide for the notification of all candidates and members of the results of the election; and
- (e) provide for the destruction of ballots following an election.

(2) No later than ten days before the date of an election, the Registrar shall send to every member eligible to vote in an electoral district in which an election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure as set out in the by-laws. O. Reg. 919/93, s. 10.

NUMBER OF VOTES TO BE CAST

11.—(1) A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.

(2) A member shall not cast more than one vote for any one candidate. O. Reg. 919/93, s. 11.

TIE VOTES

12. If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot. O. Reg. 919/93, s. 12.

RECOUNTS

13.—(1) A candidate may require a recount by giving a written request to the Registrar no more than thirty days after the date of an election.

(2) The Registrar shall hold the recount no more than fifteen days after receiving the request. O. Reg. 919/93, s. 13.

INTERRUPTION OF MAIL SERVICE

14. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption. O. Reg. 919/93, s. 14.

DISQUALIFICATION OF ELECTED MEMBERS

15.—(1) The Council shall disqualify an elected member from sitting on the Council if the elected member,

- (a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
- (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
- (c) fails, without cause, to attend two consecutive regular meetings of the Council;
- (d) fails, without cause, to attend two consecutive meetings of a committee of which he or she is a member; or
- (e) ceases either to practise or reside in the electoral district for which the member was elected.

(2) An elected member who is disqualified from sitting on the Council ceases to be a member of the Council. O. Reg. 919/93, s. 15.

FILLING OF VACANCIES

16.—(1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(2) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this Regulation for that electoral district.

(3) The term of a member appointed under clause (1)(b) or elected in an election under clause (1)(c) or subsection (2) shall continue until the time the former Council member's term would have expired. O. Reg. 919/93, s. 16.

17. This Regulation comes into force on the day section 2 of the Act comes into force.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF PSYCHOLOGISTS OF ONTARIO:

MAGGIE MAMEN
Chair

CATHARINE YARROW
Registrar

Dated at Toronto on December 1, 1993.

2/94

ONTARIO REGULATION 920/93
made under the
DIETETICS ACT, 1991

Made: December 6, 1993
Approved: December 15, 1993
Filed: December 16, 1993

Amending O. Reg. 676/93
(Fees)

Note: There are no prior amendments to Ontario Regulation 675/93.

1. Subsection 1 (2) of Ontario Regulation 676/93 is revoked and the following substituted:

(2) Subsection (1) does not apply to an applicant to whom section 4 of Ontario Regulation 876/93 applies. O. Reg. 920/93, s. 1.

TRANSITIONAL COUNCIL OF THE COLLEGE
OF DIETITIANS OF ONTARIO:

JUDITH PRATT-JEFFERIES
Chair

DOREEN CHAULK
Vice-Chair

Dated at Toronto on December 6, 1993.

2/94

ONTARIO REGULATION 921/93
made under the
ASSESSMENT ACT

Made: November 25, 1993
Filed: December 16, 1993

DIRECTION OF SCHOOL SUPPORT

1. An application for direction of school support under subsection 16 (3) or (4) of the Act shall be on a form provided by the Ministry. O. Reg. 921/93, s. 1.

2. A notice by a corporation or partnership for direction of school support shall be on a form provided by the Ministry. O. Reg. 921/93, s. 2.

3. An application or notice for direction of school support may be submitted by an agent of the applicant. O. Reg. 921/93, s. 3.

4. Regulations 29 and 49 of the Revised Regulations of Ontario, 1990 are revoked.

FLOYD LAUGHREN
Minister of Finance

Dated at Toronto on November 25, 1993.

2/94

ONTARIO REGULATION 922/93
made under the
COURTS OF JUSTICE ACT

Made: December 15, 1993
Filed: December 17, 1993

**BILINGUAL PROCEEDINGS: ADDITIONS TO
SCHEDULES 1 AND 2 OF SECTION 126
OF THE ACT**

1. The following areas are added to Schedule 1 to section 126 of the Act:

1. County of Kent.
2. County of Simcoe.
3. District of Kenora.
4. District of Thunder Bay.
5. The Regional Municipality of Hamilton-Wentworth.
6. The Regional Municipality of Peel.
7. The Regional Municipality of Sudbury. O. Reg. 922/93, s. 1.

2. The following areas are added to Schedule 2 to section 126 of the Act:

1. County of Kent.
2. County of Renfrew.
3. County of Simcoe.
4. District of Algoma.
5. District of Kenora.
6. District of Nipissing.
7. District of Thunder Bay.
8. District of Timiskaming.
9. The Regional Municipality of Hamilton-Wentworth.
10. The Regional Municipality of Peel.
11. The Regional Municipality of Sudbury. O. Reg. 922/93, s. 2.

RÈGLEMENT DE L'ONTARIO 922/93
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 15 décembre 1993
déposé le 17 décembre 1993

**INSTANCES BILINGUES : AJOUTS AUX
ANNEXES 1 ET 2 DE L'ARTICLE 126
DE LA LOI**

1 Les secteurs suivants sont ajoutés à l'annexe 1 à l'article 126 de la Loi :

1. Le comté de Kent.
2. Le comté de Simcoe.
3. Le district de Kenora.
4. Le district de Thunder Bay.
5. La municipalité régionale de Hamilton-Wentworth.
6. La municipalité régionale de Peel.
7. La municipalité régionale de Sudbury. Règl. de l'Ont. 922/93, art. 1.

2 Les secteurs suivants sont ajoutés à l'annexe 2 à l'article 126 de la Loi :

1. Le comté de Kent.
2. Le comté de Renfrew.
3. Le comté de Simcoe.
4. Le district d'Algoma.
5. Le district de Kenora.
6. Le district de Nipissing.
7. Le district de Thunder Bay.
8. Le district de Timiskaming.
9. La municipalité régionale de Hamilton-Wentworth.
10. La municipalité régionale de Peel.
11. La municipalité régionale de Sudbury. Règl. de l'Ont. 922/93, art. 2.

2/94

ONTARIO REGULATION 923/93
made under the
LAW SOCIETY ACT

Made: November 10, 1993
Approved: December 15, 1993
Filed: December 17, 1993

Amending Reg. 708 of R.R.O. 1990
(General)

RÈGLEMENT DE L'ONTARIO 923/93
pris en application de la
LOI SUR LE BARREAU

pris le 10 novembre 1993
approuvé le 15 décembre 1993
déposé le 17 décembre 1993

modifiant le Règl. 708 des R.R.O. de 1990
(Dispositions générales)

Note: Since January 1, 1993, Regulation 708 has been amended by Ontario Regulation 288/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

Remarque : Depuis le 1^{er} janvier 1993, le Règlement 708 a été modifié par le Règlement de l'Ontario 288/93. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1. Subsection 18 (1) of Regulation 708 of the Revised Regulations of Ontario, 1990 is amended by adding after "15" in the fourth line "15.1, 15.2" and by adding after "books" in the second last line "and".

1 Le paragraphe 18 (1) du Règlement 708 des Règlements refondus de l'Ontario de 1990 est modifié par insertion, après «15» à la quatrième ligne, de «15.1, 15.2 et».

LAW SOCIETY OF UPPER CANADA:

LE BARREAU DU HAUT-CANADA :

PAUL S. A. LAMEK
Treasurer

PAUL S. A. LAMEK
Trésorier

RICHARD F. TINSLEY
Secretary

RICHARD F. TINSLEY
Secrétaire

Dated at Toronto November 10, 1993.

Fait à Toronto le 10 novembre 1993.

2/94

ONTARIO REGULATION 924/93
made under the
PROVINCIAL OFFENCES ACT

Made: December 15, 1993
Approved: December 15, 1993
Filed: December 17, 1993

Amending Reg. 949 of R.R.O. 1990
(Parking Infractions)

Note: Since January 1, 1993, Ontario Regulation 949 has been amended by Ontario Regulations 372/93, 502/93, 503/93, 554/93 and 767/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Subsection 9 (3) of Regulation 949 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(3) Part B of the Table comes into force on February 1, 1994.
O. Reg. 924/93, s. 1 (1).

(2) The Table to section 9 of the Regulation is revoked and the following substituted:

TABLE

Part A	Amherstburg Barrie Belleville Brampton Brantford Brockville Cambridge Cumberland Dryden Durham Georgina Gloucester Guelph Innisfil Kenora Kingston Leamington Markham Meaford Milton Mississauga New Tecumseth Newmarket
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	Niagara Falls Niagara-on-the-Lake Oakville Orillia Osgoode Pelham Pembroke Richmond Hill Sioux Lookout St. Catharines Stoney Creek Thunder Bay Timmins Vanier Vaughan Wasaga Beach Waterloo Westport Windsor
Part B	Kitchener Ottawa

2. This Regulation comes into force on January 1, 1994.

2/94

ONTARIO REGULATION 925/93
made under the
PROVINCIAL OFFENCES ACT

Made: December 15, 1993
Approved: December 15, 1993
Filed: December 17, 1993

Amending Reg. 948 of R.R.O. 1990
(Fine Option Program)

Note: Regulation 948 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. The Schedule to Regulation 948 of the Revised Regulations of Ontario, 1990 is revoked.

2. This Regulation comes into force on April 1, 1994.

2/94

ONTARIO REGULATION 926/93

made under the
PAY EQUITY ACT

Made: December 15, 1993

Filed: December 17, 1993

Amending O. Reg. 396/93
(Proxy Method of Comparison)

RÈGLEMENT DE L'ONTARIO 926/93

pris en application de la
LOI SUR L'ÉQUITÉ SALARIALE

pris le 15 décembre 1993

déposé le 17 décembre 1993

modifiant le Règl. de l'Ont. 396/93
(Méthode de comparaison
avec des organisations de l'extérieur)

Note: There are no prior amendments to Ontario Regulation 396/93.

Remarque : Aucune modification antérieure n'a été apportée au Règlement de l'Ontario 396/93.

I. Ontario Regulation 396/93 is amended by adding the following French version:

I Le Règlement de l'Ontario 396/93 est modifié par adjonction de la version française suivante :

MÉTHODE DE COMPARAISON AVEC
DES ORGANISATIONS DE L'EXTÉRIEUR

I (1) Les définitions qui suivent s'appliquent au présent règlement.

«centre de santé communautaire» L'employeur qui :

- a) fournit des services de santé primaires principalement :
 - (i) soit à un ou des groupes de personnes qui, en raison de leur culture, de leur sexe, de leur langue, de facteurs socio-économiques ou de l'éloignement, ne recevraient probablement pas la totalité ou certains de ces services d'autres sources,
 - (ii) soit à un ou des groupes de personnes qui, en raison de leur âge, de leur sexe, de facteurs socio-économiques ou environnementaux, sont plus susceptibles que d'autres d'avoir besoin de la totalité ou de certains de ces services,

- b) reçoit une aide financière du ministère de la Santé en fonction du nombre ou de la nature des services qu'il fournit. («community health centre»)

«centre de traitement pour enfants» Hôpital qui fournit des services aux enfants et qui est classé dans le groupe K de l'annexe du Règlement 964 des Règlements refondus de l'Ontario de 1990, pris en application de la *Loi sur les hôpitaux publics*. («children's treatment centre»)«hôpital» L'hôpital dont le nom figure à l'annexe du Règlement 964 des Règlements refondus de l'Ontario de 1990, pris en application de la *Loi sur les hôpitaux publics*, l'hôpital privé exploité aux termes d'un permis délivré en vertu de la *Loi sur les hôpitaux privés* ou l'hôpital agréé par le lieutenant-gouverneur en conseil à titre d'hôpital psychiatrique communautaire en vertu de la *Loi sur les hôpitaux psychiatriques communautaires*. («hospital»)

«organisme offrant une gamme complète de services de santé»

L'employeur qui :

- a) est une personne morale sans but lucratif,
- b) fournit ou veille à ce que soit fournie une gamme complète de services de santé aux personnes dont le nom est inscrit sur sa liste de patients,
- c) reçoit une aide financière du ministère de la Santé en fonction du nombre de personnes inscrites sur sa liste de patients. («comprehensive health organization»)

«service de traitement de l'enfant» Service de traitement de l'enfant au sens de la *Loi sur les services à l'enfance et à la famille*. («child treatment service»)

«services sociaux» S'entend :

- a) des services d'évaluation ou de diagnostic des problèmes psycho-sociaux ou comportementaux et d'autres problèmes connexes que rencontrent des personnes ou des familles,

- b) des services de consultation offerts à des personnes, à des familles ou à des groupes relativement à des problèmes psychosociaux ou comportementaux et à d'autres problèmes connexes,
- c) des services d'information et d'éducation concernant des problèmes psycho-sociaux ou comportementaux et d'autres problèmes connexes, ainsi que des services d'aiguillage relativement à ces problèmes,
- d) des services éducatifs ou des services de consultation,
- e) des services d'intervention en situation de crise, des services de santé mentale, de désintoxication, de réadaptation ou de formation professionnelle, ou des services de thérapie connexes. («social services»)

(2) Malgré le paragraphe (1), le terme «hôpital» ne s'entend pas d'un centre de traitement pour enfants lorsqu'il figure à la colonne 1 de l'annexe du présent règlement. Règl. de l'Ont. 926/93, art. 1, *en partie*.

2 (1) Aux fins de la méthode de comparaison avec des organisations de l'extérieur, l'employeur intéressé choisit comme établissement de l'extérieur l'établissement éventuel de l'extérieur d'un employeur du genre décrit à la colonne 2 de l'annexe, en regard du poste de la colonne 1 qui décrit le mieux l'employeur intéressé.

(2) Dans le choix du poste de la colonne 1 de l'annexe qui décrit le mieux l'employeur intéressé, il est tenu compte de l'activité principale de l'employeur ou du service principal qu'il fournit.

(3) Si l'employeur intéressé estime qu'aucun poste de la colonne 1 de l'annexe ne le décrit convenablement, il choisit comme établissement de l'extérieur l'établissement d'un employeur qui est un hôpital ou une municipalité.

(4) L'employeur intéressé choisit le même établissement de l'extérieur pour toutes les catégories d'emplois à prédominance féminine auxquelles s'applique le même programme d'équité salariale.

(5) L'établissement de l'extérieur choisi est :

- a) soit l'établissement de l'extérieur dont les catégories d'emplois se situent dans la même zone géographique que les catégories d'emplois de l'employeur intéressé avec lesquelles elles sont comparées;
- b) soit l'établissement de l'extérieur dont les bureaux administratifs principaux de l'employeur sont les plus près des bureaux administratifs principaux de l'employeur intéressé, si aucun choix ne peut être effectué conformément à l'alinéa a).

(6) Pour l'application du paragraphe (5), une catégorie d'emplois est réputée se situer dans la zone géographique dans laquelle est employée la majorité des personnes qui occupent un poste dans cette catégorie d'emplois. Règl. de l'Ont. 926/93, art. 1, *en partie*.3 L'employeur intéressé ne peut conclure une convention aux termes de l'alinéa 21.16 (1) a) de la Loi avec un autre employeur intéressé que si le poste qui décrit le mieux le premier à la colonne 1 de l'annexe correspond également à celui qui décrit le mieux le deuxième. Règl. de l'Ont. 926/93, art. 1, *en partie*.

Annexe

POSTE	COLONNE 1	COLONNE 2
	Employeur intéressé	Employeur éventuel de l'extérieur
	<i>Services de santé</i>	
1.	hôpital	hôpital
2.	employeur fournissant des services d'alimentation à un hôpital	hôpital pourvu de services d'alimentation
3.	employeur fournissant des services de blanchisserie à un hôpital	hôpital pourvu d'une blanchisserie
4.	employeur fournissant des services de santé et des services personnels d'appoint (y compris les aides familiales visiteuses et les services de soins à domicile)	hôpital
5.	employeur offrant un programme communautaire d'aide aux personnes souffrant d'alcoolisme ou de toxicomanie	hôpital pourvu d'une unité psychiatrique
6.	employeur offrant un programme communautaire de santé mentale	hôpital pourvu d'une unité psychiatrique
7.	employeur fournissant des services de coordination des placements	hôpital
8.	employeur fournissant des services de santé mentale ou de psychiatrie	hôpital pourvu d'une unité psychiatrique
9.	employeur fournissant des services de réadaptation professionnelle	hôpital fournissant des services de réadaptation
10.	centre de réadaptation	hôpital fournissant des services de réadaptation
11.	tout autre employeur fournissant des services de réadaptation	hôpital fournissant des services de réadaptation
12.	service de santé publique	service de santé publique dont le fonctionnement est assuré par une municipalité régionale
13.	centre de santé communautaire	service de santé publique dont le fonctionnement est assuré par une municipalité régionale
14.	organisme offrant une gamme complète de services de santé	hôpital
15.	laboratoire médical ou centre de prélèvement	hôpital pourvu d'un laboratoire
16.	tout autre employeur fournissant des services de santé	hôpital
	<i>Services aux personnes âgées</i>	

POSTE	COLONNE 1	COLONNE 2
	Employeur intéressé	Employeur éventuel de l'extérieur
17.	maison de soins infirmiers	foyer pour personnes âgées dont le fonctionnement est assuré par une ou plusieurs municipalités en vertu de la <i>Loi sur les foyers pour personnes âgées et les maisons de repos</i>
18.	foyer pour personnes âgées	foyer pour personnes âgées dont le fonctionnement est assuré par une ou plusieurs municipalités en vertu de la <i>Loi sur les foyers pour personnes âgées et les maisons de repos</i>
19.	tout autre employeur fournissant des services aux personnes âgées	foyer pour personnes âgées dont le fonctionnement est assuré par une ou plusieurs municipalités en vertu de la <i>Loi sur les foyers pour personnes âgées et les maisons de repos</i>
	<i>Services aux personnes invalides</i>	
20.	employeur fournissant des services aux personnes atteintes d'une incapacité physique	hôpital
21.	employeur fournissant des services d'hébergement aux personnes atteintes d'un handicap de développement, si l'employeur est régi par la <i>Loi sur les foyers pour déficients mentaux</i> ou par la <i>Loi sur les services aux personnes atteintes d'un handicap de développement</i>	hôpital
22.	association pour l'intégration communautaire	hôpital
23.	tout autre employeur fournissant des services aux personnes atteintes d'un handicap de développement	hôpital
	<i>Services de consultation et d'aiguillage</i>	
24.	centre d'aide aux victimes d'agression sexuelle	hôpital fournissant des services d'intervention en situation de crise
25.	maison de transition ou foyer d'étape intermédiaire, ou centre d'information pour les familles	hôpital fournissant des services d'intervention en situation de crise
26.	tout autre employeur fournissant des services de consultation et d'aiguillage	hôpital fournissant des services sociaux ou des services de consultation
	<i>Services d'hébergement</i>	
27.	foyer de soins spéciaux	municipalité fournissant directement des services d'hébergement

POSTE	COLONNE 1	COLONNE 2
	Employeur intéressé	Employeur éventuel de l'extérieur
28.	centre d'hébergement	municipalité fournissant directement des services d'hébergement
29.	centre d'hébergement de secours	municipalité fournissant directement des services d'hébergement
30.	maison de transition	municipalité fournissant directement des services d'hébergement
31.	tout autre employeur fournissant des services d'hébergement <i>Services aux enfants et aux familles</i>	municipalité fournissant directement des services d'hébergement
32.	centre de traitement pour enfants	hôpital pourvu d'une unité de pédiatrie
33.	garderie ou centre de ressources sur la garde d'enfants	municipalité assurant le fonctionnement de garderies
34.	agence de garde d'enfants en résidence privée	municipalité assurant le fonctionnement de garderies
35.	installations servant à l'éducation de la petite enfance	municipalité assurant le fonctionnement de garderies
36.	services d'intervention auprès de l'enfance et de la famille, service de traitement de l'enfant ou service de bien-être de l'enfance	hôpital fournissant des services de santé aux enfants
37.	tout autre employeur fournissant des services d'intervention auprès de l'enfance, de la jeunesse ou de la famille (y compris les foyers pour enfants et pour jeunes, ainsi que les services en établissement fournis à l'enfance et à la jeunesse, si le foyer ou le service est autorisé en vertu d'un permis délivré sous le régime de la <i>Loi sur les services à l'enfance et à la famille</i>) <i>Services correctionnels</i>	hôpital fournissant des services de consultation à l'enfance, à la jeunesse ou à la famille
38.	employeur fournissant des services correctionnels autrement qu'en établissement	municipalité fournissant directement des services de consultation
39.	employeur fournissant des services correctionnels en établissement	municipalité fournissant directement des services d'hébergement
40.	tout autre employeur fournissant des services correctionnels <i>Organismes culturels</i>	municipalité fournissant directement des services de consultation
41.	centre d'information communautaire	municipalité
42.	bibliothèque publique	municipalité

POSTE	COLONNE 1	COLONNE 2
	Employeur intéressé	Employeur éventuel de l'extérieur
43.	le conseil du service des bibliothèques du Sud de l'Ontario	municipalité
44.	le conseil du service des bibliothèques du Nord de l'Ontario <i>Services divers</i>	municipalité
45.	centre communautaire	municipalité
46.	employeur fournissant des services d'établissement et d'insertion aux immigrants et aux réfugiés	municipalité fournissant directement des services sociaux
47.	employeur fournissant des services de loisirs	municipalité fournissant directement des services de loisirs
48.	clinique juridique communautaire	municipalité pourvue d'un service juridique
49.	centre de rencontre sous surveillance	hôpital fournissant des services sociaux
50.	conseil d'administration de district de l'aide sociale	municipalité
51.	centre fournissant des services d'orientation professionnelle aux adultes	municipalité fournissant directement des services sociaux
52.	centre d'orientation professionnelle pour les jeunes	municipalité fournissant directement des services sociaux
53.	centre d'accueil autochtone	municipalité fournissant directement des services sociaux
54.	municipalité	municipalité
55.	conseil scolaire	conseil scolaire

Règl. de l'Ont. 926/93, art. 1, en partie.

2/94

ONTARIO REGULATION 927/93
made under the
LOCAL SERVICES BOARDS ACT

Made: December 15, 1993
Filed: December 17, 1993

Amending Reg. 737 of R.R.O. 1990
(Local Services Boards)

Note: Since January 1, 1993, Regulation 737 has been amended by Ontario Regulations 147/93, 148/93, 189/93, 291/93, 481/93 and 849/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 5 (4) of Regulation 737 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2, 4, 5 and 6 of the Schedule to the Act. O. Reg. 927/93, s. 1.

2. Subsection 7 (4) of the Regulation is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2, 3, 5 and 6 of the Schedule to the Act. O. Reg. 927/93, s. 2.

3. Subsection 9 (4) of the Regulation is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2, 5 and 6 of the Schedule to the Act. O. Reg. 927/93, s. 3.

4. Subsection 15 (4) of the Regulation is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 1, 2, 4 and 5 of the Schedule to the Act. O. Reg. 927/93, s. 4.

5. Subsection 27 (4) of the Regulation is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2, 3, 4, 5 and 6 of the Schedule to the Act. O. Reg. 927/93, s. 5.

6. Subsection 34 (4) of the Regulation is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2, 3 and 6 of the Schedule to the Act. O. Reg. 927/93, s. 6.

7. Subsection 49 (4) of the Regulation is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 2 and 4 of the Schedule to the Act. O. Reg. 927/93, s. 7.

8. The Schedule to subsection 55.1 (2) of the Regulation is revoked and the following substituted:

Schedule

The parcel of land in the townships of Inwood, Stedman and Upsala, in the Territorial District of Thunder Bay, and Province of Ontario, described as follows:

STARTING at the northeast corner of the Township of Upsala;

THEN southerly along the easterly boundary of the township to the southeast corner, being also the northeast corner of the Township of Inwood;

THEN continuing southerly along the easterly boundary of the Township of Inwood to the intersection with the southerly limit of the

pipeline easement as shown on a plan entered in the register for the Northern Ontario Pipeline Corporation, in the Land Registry Office at Thunder Bay, as Plan FW 13;

THEN northwesterly along the southerly limit of the pipeline easement to the intersection with the southerly limit of Inwood Provincial Park;

THEN westerly along the southerly limit of the provincial park, to the southwest corner;

THEN northerly along the westerly limit of the provincial park to the intersection with the southerly limit of the Township of Upsala;

THEN westerly along the southerly limit of the township to the southwest corner;

THEN northerly along the westerly boundary of the township to the intersection with the southerly limit of the pipeline easement as shown on a plan entered in the register for the Northern Ontario Pipeline Corporation, in the Land Registry Office at Thunder Bay, as Plan FW 19;

THEN westerly along the southerly limit of the pipeline easement to the intersection with the centreline of the Lac de Mille Lac Dam Road;

THEN northerly along the centreline of the road to the intersection with the centreline of the King's Highway No. 17;

THEN north astronomically to the intersection with the northerly limit of the right-of-way of Canadian Pacific Railways;

THEN easterly along the northerly limit of the right-of-way of Canadian Pacific Railways to the intersection with the easterly boundary of the Township of Stedman, being also the westerly boundary of the Township of Upsala;

THEN northerly along the westerly boundary to the northwest corner of the Township of Upsala;

THEN easterly along the northerly boundary of the township to the starting point.

SHELLEY MARTEL

Minister of Northern Development and Mines

Dated at Toronto on December 15, 1993.

2/94

ONTARIO REGULATION 928/93 made under the THEATRES ACT

Made: December 15, 1993
Filed: December 17, 1993

Amending Reg. 1031 of R.R.O. 1990
(General)

Note: Regulation 1031 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 2 (2) of Regulation 1031 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) Every holder of a Class A or Class B theatre licence shall ensure that every exit in the theatre is indicated by an illuminated sign on which the word "exit" or the words "exit/sortie" are clearly displayed.
O. Reg. 928/93, s. 1.

RÈGLEMENT DE L'ONTARIO 928/93 pris en application de la LOI SUR LES CINÉMAS

pris le 15 décembre 1993
déposé le 17 décembre 1993

modifiant le Règl. 1031 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 1031 n'a pas été modifié en 1993. Pour les modifications antérieures, voir la Table des règlements qui figure dans les Lois de l'Ontario de 1992.

1 Le paragraphe 2 (2) du Règlement 1031 des Règlements révisés de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

2. Section 11 of the Regulation is amended by adding the following subsection:

(3.1) Where film classified as restricted is exhibited, the person exhibiting the film may, in addition to displaying the sign mentioned in subsection (3), prominently display at the principal entrance to the theatre or other premises where the film is being exhibited, a sign that bears on both sides a silhouette of a key on a background above which is printed the word "accès" and below which is printed the words "aux personnes âgées de dix-huit ans ou plus" with the word "réservé" printed on the key. O. Reg. 928/93, s. 2.

2 L'article 11 du Règlement est modifié par adjonction du paragraphe suivant :

3. Clause 12 (3) (a) of the Regulation is amended by striking out "10 (3)" in the third line and substituting "11 (3)".

3 L'alinéa 12 (3) a) du Règlement est modifié par substitution, à «10 (3)» à la troisième ligne, de «11 (3)».

4. Clause 14 (2) (c) of the Regulation is amended by striking out the portion before subclause (i) and substituting the following:

4 L'alinéa 14 (2) c) du Règlement est modifié par substitution, au passage qui précède le sous-alinéa (i), de ce qui suit :

(c) a scene where a person who is or is intended to represent a person under the age of eighteen years appears,

5. Clause 17 (1) (a) of the Regulation is revoked and the following substituted:

5 L'alinéa 17 (1) a) du Règlement est abrogé et remplacé par ce qui suit :

(a) stamping each reel of the film submitted with words indicating the Board's approval; and

6. Clause 28 (3) (d) of the Regulation is amended by striking out the portion before subclause (i) and substituting the following:

6 L'alinéa 28 (3) d) du Règlement est modifié par substitution, au passage qui précède le sous-alinéa (i), de ce qui suit :

(d) a scene where a person who is or is intended to represent a person under the age of eighteen years appears,

7. Paragraph 18 of section 38 of the Regulation is revoked and the following substituted:

7 La disposition 18 de l'article 38 du Règlement est abrogée et remplacée par ce qui suit :

18. For issuing a permit for the limited exhibition of a film wholly produced in Canada based on documentation submitted No Fee

8. The Regulation is amended by adding the following French version:

8 Le Règlement est modifié par adjonction de la version française suivante :

DISPOSITIONS GÉNÉRALES

DÉFINITIONS

1 Les définitions qui suivent s'appliquent au présent règlement.

«bibliothèque publique» Bibliothèque publique au sens de la *Loi sur les bibliothèques publiques*. («public library»)

«centre de distribution de films — détaillant» Centre de distribution de films qui distribue des films au grand public à des fins de projection à domicile. («film exchange — retailer»)

«centre de distribution de films — distributeur» Centre de distribution de films qui distribue des films à des fins de projection ou qui les distribue à d'autres centres de distribution de films. («film exchange — distributor»)

«école» École privée ou école au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. S'entend en outre d'un collège d'arts appliqués et de technologie ainsi que d'un établissement d'enseignement post-secondaire. («school»)

«festival du film» Manifestation tenue aux fins de l'appréciation de l'art cinématographique et qui :

a) a lieu au plus deux fois par année pour des périodes d'au plus quatorze jours chacune,

b) est organisée par une personne morale :

(i) qui ne fait de profits à l'égard d'aucun de ses objets,

(ii) dont le conseil d'administration se compose de membres de la collectivité que la manifestation se propose de desservir,

(iii) à qui un gouvernement canadien, soit municipal, provincial ou fédéral, accorde des fonds destinés à appuyer la manifestation. («film festival»)

«musée d'art public» Personne morale qui a, comme objectifs premiers, l'acquisition, la conservation, l'interprétation ou l'exposition d'œuvres d'arts visuels et :

a) qui ne fait de profits à l'égard d'aucun de ses objets,

b) dont le conseil d'administration se compose de membres de la collectivité que le musée d'art se propose de desservir,

c) qui, depuis au moins un an, est dotée de la personnalité morale ou projette des films,

- d) à qui un gouvernement canadien, soit municipal, provincial ou fédéral, accorde des fonds destinés à appuyer ses objectifs premiers,
- e) qui a des locaux fixes d'où elle exerce ses activités. («public art gallery») Règl. de l'Ont. 928/93, art. 8, *en partie*.

EXIGENCES À L'ÉGARD DES CINÉMAS

2 (1) Le titulaire d'un permis de cinéma veille à ce que l'éclairage dans les corridors, les escaliers, les passages, les toilettes, les foyers, les allées et les entrées du cinéma qu'il exploite fonctionne en tout temps lorsque le public y a accès.

(2) Le titulaire d'un permis de cinéma de catégorie A ou B veille à ce que toutes les sorties du cinéma soient indiquées par une enseigne lumineuse portant, bien en vue, l'inscription «exit» ou «sortie/exit».

(3) Le titulaire d'un permis de cinéma veille à ce que l'éclairage extérieur du cinéma qu'il exploite et l'éclairage des passages extérieurs utilisés par la clientèle fonctionnent en tout temps après la tombée du jour.

(4) Le paragraphe (3) ne s'applique pas lorsque aucun membre du public ne se trouve dans le cinéma.

(5) Le titulaire d'un permis de cinéma de catégorie C veille à ce que toutes les allées menant aux entrées et aux sorties du cinéma qu'il exploite soient éclairées en tout temps lorsque le public fréquente ce cinéma. Règl. de l'Ont. 928/93, art. 8, *en partie*.

3 Tous les jours au moment de l'ouverture du cinéma au public, le titulaire d'un permis de cinéma de catégorie A ou B vérifie le bon fonctionnement des portes des sorties de secours. Règl. de l'Ont. 928/93, art. 8, *en partie*.

4 Le titulaire d'un permis de cinéma de catégorie A veille à ce que tous les sièges de la salle du cinéma qu'il exploite soient solidement fixés au plancher. Règl. de l'Ont. 928/93, art. 8, *en partie*.

5 (1) Le titulaire d'un permis de cinéma veille à ce qu'aucun combustible ne soit entreposé dans la salle de chauffe du cinéma qu'il exploite, à l'exception du mazout entreposé dans un réservoir d'entreposage.

(2) Le titulaire d'un permis de cinéma veille à ce que le matériel de lutte contre les incendies et l'installation d'éclairage de secours du cinéma qu'il exploite soient en bon état de fonctionnement. Règl. de l'Ont. 928/93, art. 8, *en partie*.

PROJECTIONNISTES

6 Le projectionniste titulaire d'un permis le garde en sa possession pendant qu'il est de service dans le cinéma et le présente à l'inspecteur qui le lui demande. Règl. de l'Ont. 928/93, art. 8, *en partie*.

7 (1) Le titulaire d'un permis de cinéma de catégorie A ou C veille à ce que le projectionniste titulaire d'un permis qui est responsable du fonctionnement des appareils de projection se trouve en tout temps dans les locaux du cinéma pendant la projection d'un film.

(2) Le titulaire d'un permis de cinéma de catégorie B veille à ce que le projectionniste titulaire d'un permis qui est responsable du fonctionnement des appareils de projection se trouve en tout temps dans les locaux du cinéma pendant la projection d'un film standard. Règl. de l'Ont. 928/93, art. 8, *en partie*.

8 Le projectionniste ne doit pas :

- a) faire fonctionner ni permettre qu'on fasse fonctionner des appareils de projection qu'il sait défectueux;
- b) utiliser des bobines défectueuses ou surchargées. Règl. de l'Ont. 928/93, art. 8, *en partie*.

9 Pendant qu'il est de service dans le cinéma, le projectionniste titulaire d'un permis :

- a) veille à ce que les appareils de projection soient toujours bien entretenus et en bon état de fonctionnement;
- b) vérifie et entretient bien tous les films du cinéma dont il est responsable. Règl. de l'Ont. 928/93, art. 8, *en partie*.

10 Le titulaire d'un permis d'apprenti ne fait fonctionner les appareils de projection destinés aux films standard d'un cinéma que sous la surveillance directe d'un projectionniste titulaire d'un permis de projectionniste de première ou de deuxième classe. Règl. de l'Ont. 928/93, art. 8, *en partie*.

AFFICHES ET AVIS

11 (1) La personne qui projette un film exhibe visiblement une affiche indiquant sa classification à l'entrée principale du cinéma ou des locaux où il est projeté.

(2) Lorsqu'un film classé dans la catégorie «accompagnement d'un adulte» est projeté, la personne qui le projette exhibe visiblement à l'entrée principale du cinéma ou des locaux où il est projeté, en plus de l'affiche exigée par le paragraphe (1), un avis énonçant que les personnes âgées de moins de quatorze ans doivent être accompagnées d'une personne âgée d'au moins dix-huit ans.

(3) Lorsqu'un film classé dans la catégorie «réservé aux adultes» est projeté, la personne qui le projette exhibe visiblement à l'entrée principale du cinéma ou des locaux où il est projeté une affiche sur les deux côtés de laquelle se profile à l'arrière-plan la silhouette d'une clé. Au-dessus de cette clé est imprimée la mention «admittance», au-dessous, la mention «to persons eighteen years of age or over» et sur la clé, la mention «restricted».

(3.1) Lorsqu'un film classé dans la catégorie «réservé aux adultes» est projeté, la personne qui le projette peut exhiber visiblement à l'entrée principale du cinéma ou des locaux où il est projeté, en plus de l'affiche visée au paragraphe (3), une affiche sur les deux côtés de laquelle se profile à l'arrière-plan la silhouette d'une clé. Au-dessus de cette clé est imprimée la mention «accès», au-dessous, la mention «aux personnes âgées de dix-huit ans ou plus» et sur la clé, la mention «réservé».

(4) Lorsque la Commission exige que des renseignements soient compris dans la publicité accompagnant la projection d'un film, la personne qui le projette exhibe visiblement à l'entrée principale du cinéma ou des locaux où il est projeté un avis énonçant les renseignements exigés. Règl. de l'Ont. 928/93, art. 8, *en partie*.

PUBLICITÉ — PROJECTION DE FILMS

12 (1) La Commission peut exiger que les annonces publicitaires accompagnant la projection d'un film comprennent des renseignements sur son contenu.

(2) La personne qui utilise les annonces publicitaires accompagnant la projection d'un film indique sur celles-ci sa classification et les autres renseignements sur celui-ci que la Commission exige aux termes du paragraphe (1).

(3) La personne qui exhibe en public les annonces publicitaires accompagnant la projection d'un film :

- a) classé dans la catégorie «réservé aux adultes», veille à ce qu'elles contiennent une reproduction de l'affiche exigée aux termes du paragraphe 11 (3);
- b) classé dans la catégorie «accompagnement d'un adulte», veille à ce qu'elles indiquent que les personnes âgées de moins de quatorze ans doivent être accompagnées d'une personne âgée d'au moins dix-huit ans.

(4) Le présent article ne s'applique pas aux films utilisés à des fins de publicité. Règl. de l'Ont. 928/93, art. 8, *en partie*.

13 (1) Dans l'exercice de ses pouvoirs aux termes des articles 3 et 39 de la Loi, la Commission peut refuser d'approuver l'exposition en public des annonces publicitaires accompagnant la projection d'un film, lorsqu'il ne convient pas qu'elles soient vues par des personnes de tous âges.

(2) Sans préjudice de la portée générale du paragraphe (1), la Commission peut refuser d'approuver l'exposition en public des annonces publicitaires accompagnant la projection d'un film dans les cas suivants :

- a) elles représentent un sujet que la Commission peut refuser d'approuver dans un film aux termes de l'article 14;
- b) elles représentent des personnes entièrement ou partiellement nues. Règl. de l'Ont. 928/93, art. 8, *en partie*.

APPROBATION DES FILMS : CRITÈRES DEVANT GUIDER LA COMMISSION

14 (1) Dans l'exercice de ses pouvoirs aux termes des articles 3 et 33 de la Loi, la Commission examine le film au complet et prend en considération sa nature générale et son honnêteté.

(2) Après avoir visionné un film, la Commission peut refuser d'en approuver la projection ou la distribution en Ontario, lorsqu'il contient l'une des scènes suivantes :

- a) une scène, explicite ou insistante, de violence, de torture, de criminalité, de cruauté, d'horreur ou de dégradation humaine;
- b) la représentation de mauvais traitements d'ordre physique ou d'actes humiliants infligés à des êtres humains à des fins de gratification sexuelle ou présentés comme plaisant aux victimes;
- c) une scène dans laquelle une personne âgée de moins de dix-huit ans ou présentée comme étant âgée de moins de dix-huit ans paraît :
 - (i) soit nue ou partiellement nue dans un contexte sexuellement suggestif,
 - (ii) soit dans une scène montrant une activité sexuelle explicite;
- d) la représentation explicite et gratuite d'une scène de miction, de défécation ou de vomissement;
- e) la représentation explicite d'une activité sexuelle;
- f) une scène représentant de manière explicite un traitement outrageant infligé au corps humain;
- g) une scène dans laquelle l'accent est mis de façon injustifiée sur les organes génitaux humains;
- h) une scène pour la réalisation de laquelle un animal a subi de mauvais traitements.

(3) Dans le présent article, «activité sexuelle» s'entend de rapports sexuels ou d'activités masturbatoires, réels ou simulés, et comprend la représentation de contacts génitaux, anaux ou oraux-génitaux entre des êtres humains ou entre des êtres humains et des animaux, ainsi que des contacts anaux ou génitaux entre des êtres humains à l'aide d'objets. Règl. de l'Ont. 928/93, art. 8, *en partie*.

CENTRES DE DISTRIBUTION DE FILMS — DÉTAILLANTS

15 Le titulaire d'un permis de centre de distribution de films — détaillant exhibe visiblement son permis dans un endroit du centre de distribution de films qui est accessible au public. Règl. de l'Ont. 928/93, art. 8, *en partie*.

CENTRES DE DISTRIBUTION DE FILMS — DISTRIBUTEURS

16 (1) Le titulaire d'un permis de centre de distribution de films — distributeur veille à ce que le centre de distribution de films ne distribue en Ontario que des films approuvés et classés par la Commission.

(2) Le paragraphe (1) ne s'applique pas aux films soustraits à l'application de l'article 28, 29, 30 ou 32.

(3) Le permis de centre de distribution de films — distributeur est assujéti à la condition que le titulaire ait un domicile élu en Ontario. Règl. de l'Ont. 928/93, art. 8, *en partie*.

APPROBATION DE LA PROJECTION · DISPOSITIONS GÉNÉRALES

17 (1) Sous réserve de l'article 18, lorsqu'un film standard est soumis à la Commission afin d'en faire approuver la projection, la Commission indique son approbation :

- a) en apposant son visa sur chaque bobine du film au moyen d'une mention indiquant l'approbation de la Commission;
- b) en délivrant une attestation d'approbation pour le film approuvé.

(2) Lorsque des films autres que des films standard sont soumis à la Commission afin d'en faire approuver la projection, la Commission indique son approbation en délivrant une attestation d'approbation pour chaque film approuvé.

(3) Sous réserve de l'article 19, la personne qui soumet un film afin d'en faire approuver la projection peut, sur acquittement des droits prescrits, demander des attestations d'approbation pour les copies du film approuvé. Ces attestations tiennent lieu de l'approbation, bien que le visa n'ait pas été apposé sur chaque copie. Règl. de l'Ont. 928/93, art. 8, *en partie*.

18 Lorsque la Commission approuve la projection d'un film standard à la condition qu'il soit projeté à des endroits désignés ou à des dates précisées, elle n'appose pas le visa sur le film conformément au paragraphe 17 (1), mais elle délivre une autorisation dans laquelle sont inscrites les conditions de la projection. Règl. de l'Ont. 928/93, art. 8, *en partie*.

19 La Commission ne délivre une attestation d'approbation à l'égard d'un film qui a été expurgé d'une ou de plusieurs scènes qu'elle a refusé d'approuver que si une copie du film expurgée de cette ou de ces scènes lui est soumise afin qu'elle y appose son visa. Règl. de l'Ont. 928/93, art. 8, *en partie*.

20 (1) Avant la projection d'un film, la personne qui le projette veille à ce que l'attestation d'approbation délivrée à l'égard du film l'accompagne.

(2) En cas de perte ou de destruction d'une attestation d'approbation ou d'une autorisation délivrée par la Commission, une demande de duplicata, énonçant le titre du film et le nombre d'attestations perdues ou détruites, peut être présentée à la Commission, sur acquittement des droits prescrits pour chaque attestation conformément à l'article 38. Règl. de l'Ont. 928/93, art. 8, *en partie*.

21 (1) Le film standard est soumis à la Commission sur des bobines d'au plus 2 000 pieds de longueur.

(2) Le film cinématographique de seize millimètres est soumis à la Commission sur des bobines d'au plus 2 000 pieds de longueur.

(3) Le film cinématographique de huit millimètres est soumis à la Commission sur des bobines d'au plus 400 pieds de longueur.

(4) Le film qui n'est pas visé au paragraphe (1), (2) ou (3) est soumis à la Commission sur des bobines, des cassettes ou des cartouches munies d'une bande d'un demi-pouce ou de trois quarts de pouce ou sur un support semblable permettant la projection. Règl. de l'Ont. 928/93, art. 8, *en partie*.

APPROBATION DE LA PROJECTION SUR LA BASE DE DOCUMENTS

22 (1) Le film qui, sans avoir été préalablement visionné, est approuvé sur la base de documents aux termes du paragraphe 33 (3) de la Loi pour une projection limitée à des endroits désignés et à des dates précisées, est classé dans la catégorie «réservé aux adultes» aux fins de la projection limitée, à moins que la Commission ne le classe dans une autre catégorie en se fondant sur les documents fournis par l'auteur de la demande d'approbation.

(2) La Commission peut exiger qu'un film approuvé aux termes du paragraphe 33 (3) de la Loi soit soumis à un visionnement, à la suite duquel elle peut procéder à une nouvelle classification si le film avait déjà été classé. Règl. de l'Ont. 928/93, art. 8, *en partie*.

APPROBATION DE LA DISTRIBUTION — DISPOSITIONS GÉNÉRALES

23 (1) Le titulaire d'un permis de centre de distribution de films présente à la Commission la demande d'approbation de la distribution d'un film en soumettant une copie à la Commission et en acquittant les droits prescrits.

(2) Le directeur conserve une copie du film soumis sur une bande et dont la distribution est approuvée lorsque, selon le cas :

- a) la distribution de plus d'une version du film est approuvée;
- b) le film a été expurgé d'une ou de plusieurs scènes par suite de sa soumission à la Commission aux fins d'approbation de la distribution;
- c) la Commission a classé le film dans la catégorie «réservé aux adultes». Règl. de l'Ont. 928/93, art. 8, *en partie*.

APPROBATION DE LA DISTRIBUTION SUR LA BASE DE DOCUMENTS

24 Lorsqu'elle est saisie d'une demande d'approbation de la distribution d'un film qui a déjà été classé, la Commission peut exiger que le film soit soumis à un visionnement à la suite duquel elle peut procéder à une nouvelle classification. Règl. de l'Ont. 928/93, art. 8, *en partie*.

25 Lorsque la Commission approuve la distribution d'un film, elle le classe dans une catégorie et délivre à l'auteur de la demande une attestation d'approbation de la distribution. Règl. de l'Ont. 928/93, art. 8, *en partie*.

EXEMPTIONS

26 (1) Sont soustraits à l'application de l'article 50 de la Loi les appareils de projection qui appartiennent aux entreprises ou aux organismes suivants et que ceux-ci font fonctionner :

- a) les organismes religieux, les hôpitaux, les bibliothèques publiques, les écoles, les musées d'art publics et les organismes de bienfaisance;
- b) les entreprises, à des fins de publicité ou d'enseignement visant un ou plusieurs produits ou services qu'elles offrent.

(2) Le paragraphe (1) ne s'applique pas aux appareils de projection conçus pour les films standard. Règl. de l'Ont. 928/93, art. 8, *en partie*.

27 (1) Sont soustraits à l'application de l'article 40 de la Loi les centres de distribution de films qui ne distribuent que des films qui, pris dans leur ensemble, sont conçus :

- a) soit à des fins d'information, d'éducation ou d'enseignement;
- b) soit à des fins de publicité, de démonstration ou d'enseignement liés à l'utilisation d'un ou de plusieurs produits ou services de type commercial ou industriel.

(2) Sont soustraits à l'application de l'article 40 de la Loi les musées

d'art publics et les bibliothèques publiques qui exploitent un centre de distribution de films dans le cadre de leurs activités. Règl. de l'Ont. 928/93, art. 8, *en partie*.

28 (1) Les articles 33, 37 et 39 de la Loi ne s'appliquent pas à la projection ni à la distribution des films qui, pris dans leur ensemble, sont conçus :

- a) soit à des fins d'information, d'éducation ou d'enseignement;
- b) soit à des fins de publicité, de démonstration ou d'enseignement liés à l'utilisation d'un ou de plusieurs produits ou services de type commercial ou industriel.

(2) Le paragraphe (1) ne s'applique pas à la projection des films :

- a) dans les cinémas;
- b) dans d'autres locaux lorsque des droits d'entrée sont prévus pour la projection de ce film présenté seul ou dans le cadre d'une série de films, ou lorsque des dons sont sollicités avant ou après la projection.

(3) Sauf lorsqu'un film est distribué à un hôpital ou à un médecin dûment qualifié pour l'enseignement de la médecine ou à des fins de traitement, à une école à des fins éducatives ou à une bibliothèque publique, le paragraphe (1) ne s'applique pas à la projection ni à la distribution du film qui contient l'une des scènes suivantes :

- a) la représentation explicite d'une scène de violence comprenant une effusion de sang, des actes de torture ou de mutilation, ou des activités criminelles;
- b) une scène d'horreur extrême;
- c) la représentation de mauvais traitements d'ordre physique ou d'actes humiliants infligés à des êtres humains à des fins de gratification sexuelle ou présentés comme plaisant aux victimes;
- d) une scène dans laquelle une personne âgée de moins de dix-huit ans ou présentée comme étant âgée de moins de dix-huit ans paraît :
 - (i) soit nue ou partiellement nue dans un contexte sexuellement suggestif,
 - (ii) soit dans une scène montrant une activité sexuelle au sens du paragraphe 14 (3);
- e) la représentation explicite d'une scène de miction, de défécation ou de vomissement;
- f) la représentation d'une activité sexuelle au sens du paragraphe 14 (3) ou de l'usage de la force ou de la contrainte à l'occasion de cette activité;
- g) une scène représentant les organes génitaux d'une personne;
- h) une scène pour la réalisation de laquelle un animal a subi de mauvais traitements;
- i) une scène représentant une personne qui se drogue d'une manière qui encourage l'usage illicite de la drogue;
- j) un langage vulgaire fréquemment utilisé. Règl. de l'Ont. 928/93, art. 8, *en partie*.

29 (1) Est soustraite à l'application des articles 33 et 37 de la Loi la projection d'un film qui fait partie intégrante d'un concert ou d'une représentation théâtrale.

(2) Le paragraphe (1) ne s'applique pas aux films qui contiennent une ou plusieurs scènes d'un genre visé au paragraphe 28 (3). Règl. de l'Ont. 928/93, art. 8, *en partie*.

30 Est soustraite à l'application de la Loi et de ses règlements la distribution à une personne d'un film qui constitue l'enregistrement d'un événement ou d'une manifestation auxquels elle a participé. Règl. de l'Ont. 928/93, art. 8, *en partie*.

31 (1) Sont soustraits à l'application de la Loi et de ses règlements les films et les appareils de projection présentés dans un format communément appelé «jeu vidéo» où la nature ou la séquence des images visuelles peut être modifiée au moyen du dispositif qui produit les images.

(2) Le paragraphe (1) ne s'applique pas aux films qui contiennent une ou plusieurs scènes d'un genre visé au paragraphe 28 (3). Règl. de l'Ont. 928/93, art. 8, *en partie*.

32 (1) Sont soustraites à l'application des articles 33, 37 et 39 de la Loi la projection d'un film dans le cadre d'un festival du film ou par un musée d'art public dans les locaux fixes occupés par celui-ci ainsi que la projection d'un film à une bibliothèque publique sous le parrainage de celle-ci.

(2) Le paragraphe (1) ne s'applique pas à une projection à laquelle assiste une personne qui semble âgée de moins de dix-huit ans.

(3) Le paragraphe (1) ne s'applique pas à la projection d'un film :

- a) qui a été soumis à la Commission afin d'obtenir son approbation et que celle-ci a refusé d'approuver;
- b) que la Commission a approuvé et classé.

(4) Lorsqu'un film que la Commission n'a pas classé est projeté à un festival du film ou à un musée d'art public, la personne morale qui organise le festival ou le musée d'art public exhibe visiblement à l'entrée principale des locaux où le film est projeté une affiche interdisant l'accès aux personnes âgées de moins de dix-huit ans.

(5) Lorsqu'un film que la Commission n'a pas classé est projeté à une bibliothèque publique sous le parrainage de celle-ci, une affiche interdisant l'accès aux personnes âgées de moins de dix-huit ans est exhibée à l'entrée principale de la salle ou de la salle de visionnement où le film est projeté. Règl. de l'Ont. 928/93, art. 8, *en partie*.

33 (1) Est soustrait à l'application des articles 33 et 37 de la Loi dans sa version diffusée ou transmise le film qui a déjà été diffusé ou transmis de façon à pouvoir être reçu dans la province de l'Ontario par les récepteurs à domicile sans l'utilisation d'antennes paraboliques ou de désembrouilleurs électroniques.

(2) Le paragraphe (1) ne s'applique pas aux films que la Commission a approuvés et classés. Règl. de l'Ont. 928/93, art. 8, *en partie*.

FORMULES ET DROITS

34 (1) La demande de permis ou de renouvellement de celui-ci visée par la Loi est rédigée selon la formule que fournit le directeur.

(2) Sous réserve des paragraphes (3), (5), (6) et (7), le permis délivré aux termes de la Loi expire selon les modalités prévues au paragraphe (4) ou le 31 mars de chaque année, à moins qu'il ne soit renouvelé au plus tard à la date prévue.

(3) Le permis de cinéma est réputé expiré lorsque son titulaire n'a plus accès aux locaux à l'égard desquels le permis est délivré ou n'en a plus ni la surveillance ni le contrôle.

(4) Le permis d'apprenti projectionniste est délivré pour une période d'au plus un an et expire à la date qui y est indiquée.

(5) Le permis de projectionniste de première ou de deuxième classe délivré pour la première fois ne doit pas excéder une période de validité de trois ans et expire à la date qui y est indiquée.

(6) Le permis de projectionniste de première ou de deuxième classe est renouvelé pour une période de trois ans.

(7) La période prescrite pendant laquelle l'apprenti projectionniste est tenu de travailler à ce titre aux termes de l'alinéa 28 (2) a) de la Loi comporte un minimum de 800 heures sous la surveillance d'un projectionniste de première ou de deuxième classe. Règl. de l'Ont. 928/93, art. 8, *en partie*.

35 (1) Le projectionniste de première ou de deuxième classe qui demande l'annulation de son permis a droit à un remboursement partiel des droits qu'il a acquittés pour son permis, établi en fonction de la durée non expirée de celui-ci.

(2) La personne qui est titulaire d'un permis de projectionniste de deuxième classe et qui est admissible à l'obtention d'un permis de projectionniste de première classe se voit délivrer, sur rétrocession de son permis de projectionniste de deuxième classe, un permis de projectionniste de première classe pour la durée non expirée de son permis de projectionniste de deuxième classe. Règl. de l'Ont. 928/93, art. 8, *en partie*.

36 Le permis d'exploitation d'un centre de distribution de films ou d'un cinéma n'est valide que pour les locaux indiqués au permis. Règl. de l'Ont. 928/93, art. 8, *en partie*.

37 (1) Le titulaire d'un permis de centre de distribution de films avise par écrit le directeur, dans les cinq jours :

- a) de tout changement de domicile élu;
- b) s'il est une personne morale, de tout changement parmi ses dirigeants ou ses administrateurs;
- c) s'il est une société en nom collectif, de tout changement parmi ses associés.

(2) L'avis visé au paragraphe (1) est envoyé au directeur par courrier recommandé ou remis à personne. Règl. de l'Ont. 928/93, art. 8, *en partie*.

38 Sous réserve de l'article 39, les droits suivants doivent être acquittés aux termes de la Loi :

1. Pour la délivrance ou le renouvellement d'un permis de cinéma de catégorie A ou B :
 - i. dans les municipalités de moins de 10 000 personnes selon le dernier recensement fait aux termes de l'article 15 de la *Loi sur l'évaluation foncière*, pour chaque place assise du cinéma 0,32 \$
 - ii. dans les municipalités d'au moins 10 000 personnes, mais de moins de 50 000 personnes selon le dernier recensement fait aux termes de l'article 15 de la *Loi sur l'évaluation foncière*, pour chaque place assise du cinéma 0,63
 - iii. dans les municipalités d'au moins 50 000 personnes, mais de moins de 100 000 personnes selon le dernier recensement fait aux termes de l'article 15 de la *Loi sur l'évaluation foncière*, pour chaque place assise du cinéma 0,95
 - iv. dans les municipalités d'au moins 100 000 personnes selon le dernier recensement fait aux termes de l'article 15 de la *Loi sur l'évaluation foncière*, pour chaque place assise du cinéma 1,26
2. Pour la délivrance ou le renouvellement d'un permis de cinéma de catégorie C, pour chaque espace réservé à un véhicule 1,26

3. Pour la délivrance ou le renouvellement d'un permis d'exploitation :		16. Pour la délivrance d'attestations d'approbation additionnelles des copies d'un film entièrement produit au Canada et approuvé à des fins de projection	Aucuns droits
i. d'un centre de distribution de films — distributeur qui distribue des films standard	575,00 \$		
ii. d'un centre de distribution de films — distributeur qui ne distribue pas de films standard	575,00	17. Pour la délivrance d'un permis de projection limitée d'un film autre qu'un film entièrement produit au Canada, sur la base de documents soumis	63,00 \$
iii. d'un centre de distribution de films — détaillant	100,00	18. Pour la délivrance d'un permis de projection limitée d'un film entièrement produit au Canada, sur la base de documents soumis	Aucuns droits
4. Pour la cession d'un permis de centre de distribution de films — détaillant	100,00	19. Pour la délivrance d'une attestation d'approbation de la distribution d'un film entièrement produit au Canada	Aucuns droits
5. Pour la cession d'un permis de centre de distribution de films — distributeur	575,00	20. Pour la délivrance d'une attestation d'approbation de la distribution d'un film, autre qu'un film entièrement produit au Canada, dont la projection a déjà été approuvée par la Commission .	26,25
6. Pour la délivrance ou le renouvellement d'un permis d'apprenti projectionniste	25,00	21. Pour la délivrance d'une attestation d'approbation de la distribution d'un film autre qu'un film entièrement produit au Canada, sur la base de documents soumis	63,00
7. Pour un permis de projectionniste de première ou de deuxième classe délivré pour la première fois	21,66	22. Pour le visionnement d'un film, autre qu'un film entièrement produit au Canada, qui doit être utilisé seulement à des fins de publicité portant sur la projection ou la distribution du film ...	7,35
	par année ou pour la période de l'année pendant laquelle le permis sera en vigueur	23. Pour la délivrance d'attestations d'approbation de copies additionnelles d'un film visé à la disposition 21	7,35
8. Pour le renouvellement d'un permis de projectionniste de première ou de deuxième classe .	65,00		par attestation
9. Pour chaque examen subi relativement à toute classe de permis de projection	25,00	24. Pour l'examen des annonces publicitaires qui doivent être utilisées relativement à un film ou à sa projection	21,00
10. Pour la délivrance d'un permis permettant de faire fonctionner des appareils de projection aux termes du paragraphe 50 (1) de la Loi	37,00	25. Pour le visionnement d'un film ou la délivrance d'une attestation d'approbation de ce film produit et distribué par un organisme religieux sans but lucratif	Aucuns droits
	par projecteur	26. Pour le visionnement d'un film ou la délivrance d'un permis de projection de ce film à un festival du film ou à un musée d'art public	Aucuns droits
11. Pour la délivrance d'un permis permettant de projeter des films standard aux termes du paragraphe 51 (1) de la Loi	Aucuns droits	27. Pour le visionnement d'un film ou la délivrance d'un permis de distribution de ce film par un musée d'art public	Aucuns droits
12. Pour le visionnement d'un film entièrement produit au Canada	Aucuns droits		
13. Sous réserve de la disposition 14, pour le visionnement d'un film autre qu'un film entièrement produit au Canada, pour sa projection ou sa distribution illimitées, ou pour sa projection limitée à un cinéma pendant au plus trois jours consécutifs	4,20		
	par minute de visionnement		
14. Pour le visionnement d'un film autre qu'un film entièrement produit au Canada, lorsque le dialogue se déroule dans une langue autre que l'anglais ou le français	78,75		
	par film		
15. Pour la délivrance d'attestations d'approbation additionnelles des copies d'un film approuvé à des fins de projection, autre qu'un film entièrement produit au Canada	26,25		
	par attestation		

Règl. de l'Ont. 928/93, art. 8, *en partie*.

39 (1) Lorsqu'un permis est délivré pour un cinéma pour une période de moins d'un an, les droits correspondent au douzième des droits prescrits à l'article 38 pour chaque mois ou partie de mois de validité du permis.

(2) Lorsqu'un permis est délivré pour un centre de distribution de films entre le 1^{er} octobre et le 31 mars d'une année, les droits correspondent à la moitié des droits prescrits à l'article 38. Règl. de l'Ont. 928/93, art. 8, *en partie*.

ONTARIO REGULATION 929/93
made under the
GENERAL WELFARE ASSISTANCE ACT

Made: December 15, 1993
Filed: December 17, 1993

Amending Reg. 537 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 537 has been amended by Ontario Regulations 43/93, 98/93, 219/93, 321/93, 370/93, 437/93 and 789/93. For prior amendments, see the Tables of Regulations in the Statutes of Ontario, 1991 and 1992.

1. Subsection 10 (7) of Regulation 537 of the Revised Regulations of Ontario, 1990 is amended by striking out "Despite subsection (6), if in any period of four consecutive months ending on or before the 31st day of December, 1993" at the beginning and substituting "Despite subsection (6), if in any period of four consecutive months ending on or before March 31, 1995".

2/94

ONTARIO REGULATION 930/93
made under the
DEVELOPMENT CORPORATIONS ACT

Made: December 15, 1993
Filed: December 17, 1993

Amending Reg. 271 of R.R.O. 1990
(Ontario International Corporation)

Note: Regulation 271 has not been amended in 1993. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Section 2 of Regulation 271 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

2. The Ontario International Corporation shall consist of ten members who shall be appointed by the Lieutenant Governor in Council on the recommendation of the Minister of Economic Development and Trade. O. Reg. 930/93, s. 1.

2. Section 18 of the Regulation is revoked and the following substituted:

18. The Ontario International Corporation terminates on December 31, 1998. O. Reg. 930/93, s. 2.

2/94

ONTARIO REGULATION 931/93
made under the
LONDON-MIDDLESEX ACT, 1992

Made: December 15, 1993
Filed: December 17, 1993

URBAN SERVICES

1. The following are identified as urban services of the City of London:

1. Public transit service including the transportation of disabled persons.
2. Sanitary sewage service including the collection, transmission, treatment and disposal of sewage. O. Reg. 931/93, s. 1.

2.—(1) The costs related to an urban service are the net expenditures of the City of London for providing that urban service as determined under this section.

(2) The net expenditures are the total expenditures less all amounts received in respect of the urban service from any source including user charges, grants, gifts, subsidies, development charges and special recoveries.

(3) In subsection (2), "total expenditures" means expenses for,

- (a) constructing, equipping, extending, enlarging, altering and replacing public works for the purpose of providing an urban service;
- (b) managing, operating, repairing and maintaining an urban service;
- (c) purchasing, leasing or otherwise acquiring any land, buildings and equipment used to provide an urban service;
- (d) issuing and selling debentures to raise money for an urban service and any discount allowed to the purchase of them; and
- (e) paying for any liability incurred by a former municipality with respect to the urban service. O. Reg. 931/93, s. 2.

3. An urban service area is established in the City of London for public transit service consisting of the area of the City of London as it existed on December 31, 1992. O. Reg. 931/93, s. 3.

4.—(1) In this section and in section 5 "land" means land separately assessed under the *Assessment Act*.

(2) An urban service area is established in the City of London for sanitary sewage service consisting of land which on January 1 of the year in which the City of London is required to levy a special rate under section 5,

- (a) is connected to a sanitary sewer;
- (b) is abutting a public highway or municipal easement containing a sanitary sewer other than a sanitary sewer not having the capacity to receive sewage from the land on that date; or
- (c) is required to be connected to a sanitary sewer under,
 - (i) a control order made under section 124 of the *Environmental Protection Act*,
 - (ii) an order of a medical officer of health or a public health inspector made under section 13 of the *Health Protection and Promotion Act*,
 - (iii) an order of a property standards officer which is final and binding under section 31 of the *Planning Act*,
 - (iv) a term or condition of any authority or permission granted by a committee of adjustment under section 45 of the *Planning Act*,
 - (v) a condition of approval or an agreement imposed as a condition of approval of a plan of subdivision under section 51 of the *Planning Act*,
 - (vi) a condition of a consent given under section 53 of the *Planning Act*, or
 - (vii) a condition of approval or an agreement imposed as a condition of approval of the demolition, conversion, renovation or repair of rental property under section 12 of the *Rental Housing Protection Act*. O. Reg. 931/93, s. 4.

5. In 1994 and each succeeding year, the City of London shall raise the related costs for an urban service by levying special rates on land and on owners or tenants of businesses on land subject to business assessment in the urban service area for that urban service. O. Reg. 931/93, s. 5.

6. This Regulation comes into force on January 1, 1994.

ED PHILIP
Minister of Municipal Affairs

Dated at Toronto on December 15, 1993.

2/94

ONTARIO REGULATION 932/93
made under the
HIGHWAY TRAFFIC ACT

Made: December 17, 1993
Filed: December 17, 1993

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since January 1, 1993, Regulation 619 has been amended by Ontario Regulations 20/93, 63/93, 136/93, 206/93, 277/93, 306/93, 474/93, 488/93, 520/93, 661/93, 725/93 and 895/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1.—(1) Paragraph 1 of Part 1 of Schedule 6 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Part 2 of Schedule 6 to the Regulation is amended by adding the following paragraphs:

- | | |
|------------------------------------|---|
| Regional Municipality of Waterloo— | 1. That part of the King's Highway known as Nos. 7 and 8 in The Regional Municipality of Waterloo lying between a point situate 300 metres measured easterly from its intersection with the centre line of the roadway known as Waterloo Road 12 in the Township of Wilmot and a point situate at its intersection with the centre line of the east junction of the King's Highway known as No. 8 (King Street) in the City of Kitchener. |
| Twp. of Wilmot | |
| City of Kitchener | |
| Regional Municipality of Waterloo— | 2. That part of the King's Highway known as No. 7 in the City of Kitchener in The Regional Municipality of Waterloo lying between a point situate at its intersection with the centre line of the east junction of the King's Highway known as No. 8 (King Street) and a point situate at its intersection with the centre line of the roadway known as Wellington Street. |
| City of Kitchener | |

(3) Paragraph 16 of Part 3 of Schedule 6 to the Regulation is revoked and the following substituted:

- | | |
|------------------------------------|---|
| Perth— | 16. That part of the King's Highway known as Nos. 7 and 8 lying between a point situate 610 metres measured easterly from its intersection with the centre line of the King's Highway known as No. 59 in the Township of South Easthope in the County of Perth and a point situate 300 metres measured easterly from its intersection with the centre line of the roadway known as Waterloo Road 12 in the Township of Wilmot in The Regional Municipality of Waterloo. |
| Twp. of South Easthope | |
| Regional Municipality of Waterloo— | |
| Twp. of Wilmot | |

(4) Paragraph 3 of Part 5 of Schedule 6 to the Regulation is revoked and the following substituted:

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|-----------------------------------|---|
| Perth— | 3. That part of the King's Highway known as Nos. 7 and 8 in the townships of North and South Easthope in the County of Perth beginning at a point situate 853 metres measured westerly from its intersection with the centre line of the King's Highway known as No. 59 and extending easterly for a distance of 1463 metres. |
| Twps. of North and South Easthope | |

2.—(1) Paragraph 1 of Part 1 of Schedule 10 to the Regulation is revoked.

(2) Part 2 of Schedule 10 to the Regulation is amended by adding the following paragraph:

- | | |
|------------------------------------|---|
| Regional Municipality of Waterloo— | 1. That part of the King's Highway known as Nos. 7 and 8 in The Regional Municipality of Waterloo lying between a point situate 300 metres measured easterly from its intersection with the centre line of the roadway known as Waterloo Road 12 in the Township of Wilmot and a point situate at its intersection with the centre line of the east junction of the King's Highway known as No. 8 (King Street) in the City of Kitchener. |
| Twp. of Wilmot | |
| City of Kitchener | |

(3) Paragraph 8 of Part 3 of Schedule 10 to the Regulation is revoked and the following substituted:

- | | |
|------------------------------------|--|
| Perth— | 8. That part of the King's Highway known as Nos. 7 and 8 lying between a point situate 610 metres measured easterly from its intersection with the centre line of the King's Highway known as No. 59 in the Township of South Easthope in the County of Perth and a point situate 300 metres measured easterly from its intersection with the centre line of the roadway known as Waterloo Road 12 in the Township of Wilmot in The Regional Municipality of Waterloo. |
| Twp. of South Easthope | |
| Regional Municipality of Waterloo— | |
| Twp. of Wilmot | |

(4) Paragraph 10 of Part 5 of Schedule 10 to the Regulation is revoked and the following substituted:

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|-----------------------------------|--|
| Perth— | 10. That part of the King's Highway known as Nos. 7 and 8 in the townships of North and South Easthope in the County of Perth beginning at a point situate 853 metres measured westerly from its intersection with the centre line of the King's Highway known as No. 59 and extending easterly for a distance of 1463 metres. |
| Twps. of North and South Easthope | |

3.—(1) Paragraph 1 of Part 1 of Schedule 88 to the Regulation is revoked.

(2) Part 2 of Schedule 88 to the Regulation is amended by adding the following paragraph:

- | | |
|------------------------------------|--|
| Regional Municipality of Waterloo— | 1. That part of the King's Highway known as No. 86 in The Regional Municipality of Waterloo lying between a point situate at its intersection with the centre line of the roadway known as Wellington Street in the City of Kitchener and a point situate 983 metres measured northerly from its intersection with the centre line of the roadway known as Northfield Drive in the City of Waterloo. |
| Cities of Kitchener and Waterloo | |

GILLES POULIOT
Minister of Transportation

Dated at Toronto on December 17, 1993.

2/94

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1994—01—15

ONTARIO REGULATION 933/93 made under the MUNICIPAL ACT

Made: December 15, 1993
Filed: December 20, 1993

Amending O. Reg. 640/93
(Foreign Currency Borrowing)

Note: There are no prior amendments to Ontario Regulation 640/93.

1. Subsection 4 (10) of Ontario Regulation 640/93 is revoked and the following substituted:

(10) A municipality may enter a financial agreement with any person if, on the day the financial agreement is entered into,

- (a) the person has a rating with respect to any of the person's long-term debt,
 - (i) by Standard & Poor's Corp. of New York as "AA-" or higher,
 - (ii) by Moody's Investor's Service, Inc. of New York as "Aa3" or higher,
 - (iii) by Canadian Bond Rating Service Inc. of Montreal as "AA-" or higher, or
 - (iv) by the Dominion Bond Rating Service Limited of Toronto as "AA(Low)" or higher; and

(b) the rating is with respect to long-term debt that is not subordinated to any other debt of any person or secured or guaranteed.

(10.1) A municipality may enter a financial agreement with any person whose obligations under the agreement are unconditionally guaranteed by another person if all of the long-term debts of the latter person comply with the conditions described in subsection (10).

(10.2) In subsections (10) and (10.1), "person" includes a firm or partnership within the meaning of the *Partnerships Act*. O. Reg. 933/93, s. 1.

2. Section 5 of the Regulation is amended by,

- (a) inserting after "if" in the second line "on the day the financial agreement is entered into"; and
- (b) striking out "Inc." in clause (a) and substituting "Corp."

3/94

ONTARIO REGULATION 934/93 made under the ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT

Made: December 15, 1993
Filed: December 20, 1993

Amending Reg. 890 of R.R.O. 1990
(General)

Note: Since January 1, 1993, Regulation 890 has been amended by Ontario Regulation 221/93. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1992.

1. Subsection 21 (1.4) of Regulation 890 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1.4) Despite subsection (1.1), the inflation adjustment for 1994 is 100 per cent of the inflation increase for that year. O. Reg. 934/93, s. 1.

2. This Regulation comes into force on January 1, 1994.

3/94

ONTARIO REGULATION 935/93 made under the MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

Amending O. Reg. 145/93
(City of Guelph, Townships of Guelph and Puslinch Boundary)

Note: There are no prior amendments to Ontario Regulation 145/93.

1. Ontario Regulation 145/93 is amended by adding the following sections:

6.1—(1) The land described in Schedules A and B is established as a special area for municipal realty and business tax purposes.

(2) In 1993, the municipal realty taxes in respect of a property in the special area shall be calculated by multiplying the 1993 mill rate for the City of Guelph for all purposes by the residential assessment on that property as shown on the assessment roll for the City of Guelph prepared in accordance with section 8 and subtracting therefrom 100 per cent of the realty tax differential for the property established under section 6.2.

(3) In each year from 1994 to 1999, inclusive, the municipal realty taxes in respect of a property in the special area shall be calculated by multiplying the mill rate for all purposes for the City of Guelph for that year by the residential assessment on that property, as shown on the last returned assessment roll for the City of Guelph for that year, and, in 1994, 1995, 1996, 1997, 1998 and 1999 subtracting therefrom 85.7 per cent, 71.4 per cent, 57.1 per cent, 42.9 per cent, 28.6 per cent, 14.3 per cent, respectively, of the realty tax differential for the property established under section 6.2.

(4) In 1993, the municipal business taxes in respect of a business located on a property in the special area shall be calculated by multiplying the 1993 mill rate for the City of Guelph for all purposes by the commercial assessment on that business as shown on the assessment roll for the City of Guelph prepared in accordance with section 8 and subtracting therefrom 100 per cent of the business tax differential for the business established under section 6.2.

(5) In each year from 1994 to 1999, inclusive, the municipal business taxes in respect of a business located on a property in the special area shall be calculated by multiplying the mill rate for all purposes for the City of Guelph for that year by the commercial assessment on that business, as shown on the last returned assessment roll for the City of Guelph for that year, and, in 1994, 1995, 1996, 1997, 1998 and 1999 subtracting therefrom 85.7 per cent, 71.4 per cent, 57.1 per cent, 42.9 per cent, 28.6 per cent, 14.3 per cent, respectively, of the business tax differential for the business established under section 6.2. O. Reg. 935/93, s. 1, *part*.

6.2—(1) In 1993, the treasurer of The Corporation of the City of Guelph shall establish a realty tax differential for each property in the special area by calculating the product of the 1993 mill rate for the City of Guelph for all purposes and the assessment on that property as shown on the 1993 assessment roll for the City of Guelph prepared in accordance with section 8 and subtracting therefrom the product of the 1993 mill rate for the Township of Guelph or the Township of Puslinch, as the case may be, for all purposes and the assessment on that property as shown on the assessment roll for the Township of Guelph or the Township of Puslinch, as the case may be, on March 31, 1993.

(2) In 1993, the treasurer of The Corporation of the City of Guelph shall establish a business tax differential for each business in the special area by calculating the product of the 1993 mill rate for the City of Guelph for all purposes and the commercial assessment on that business as shown on the 1993 assessment roll for the City of Guelph prepared in accordance with section 8 and subtracting therefrom the product of the 1993 mill rate for the Township of Guelph or the Township of Puslinch, as the case may be, for all purposes and the assessment on that property as shown on the assessment roll for the Township of Guelph or the Township of Puslinch, as the case may be, on March 31, 1993.

(3) If, before the return of the assessment roll for the purposes of taxation in 2001, the assessment pertaining to a property or a business in the special area is reduced from that shown on the assessment roll for the City of Guelph prepared in accordance with section 8, the treasurer of The Corporation of the City of Guelph shall re-establish the realty tax differential under subsection (1) or the business tax differential under subsection (2) and for this purpose the assessment as reduced shall be deemed to be the assessment shown on the 1993 assessment roll for the City of Guelph prepared in accordance with section 8.

(4) A revised tax differential established under subsection (3) shall be used to determine the taxes payable under section 6.1 commencing on the date the reduction in assessment comes into effect.

(5) Despite this section, a tax differential shall not be less than zero. O. Reg. 935/93, s. 1, *part*.

6.3—(1) Despite section 6.2, if a change of use or character of a property in the annexed area occurs in the period from annexation day to December 31, 1998, inclusive, the phase-in of the real property taxes on the property and of business taxes with respect to a business located on the property ceases effective January 1 of the year following the year in which the change occurred.

(2) For the purpose of subsection (1), "change of use or character of a property" means,

- (a) the reclassification of the property from one assessment property class to another; or
- (b) an improvement to the property that has the effect of increasing the assessed value of the property by at least 25 per cent. O. Reg. 935/93, s. 1, *part*.

3/94

ONTARIO REGULATION 936/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993

Filed: December 20, 1993

TOWN OF AYLMER, TOWNSHIP OF MALAHIDE BOUNDARY

1.—(1) On January 1, 1994, the portion of the Township of Malahide described in Schedule 1 is annexed to the Town of Aylmer.

(2) On January 1, 1994, the portion of the Town of Aylmer described in Schedule 2 is annexed to the Township of Malahide.

2.—(1) All real property of The Corporation of the Township of Malahide situate in the area to be annexed to the Town of Aylmer vests in The Corporation of the Town of Aylmer on January 1, 1994.

(2) All real property of The Corporation of the Town of Aylmer situate in the area to be annexed to the Township of Malahide vests in The Corporation of the Township of Malahide on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Town of Aylmer extend to the area to be annexed to the Town of Aylmer and the by-laws of The Corporation of the Township of Malahide cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Malahide,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Town of Aylmer;

- (b) by-laws of The Corporation of the Township of Malahide passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Malahide.

4. On January 1, 1994, the by-laws of The Corporation of the Township of Malahide extend to the area to be annexed to the Township of Malahide and the by-laws of The Corporation of the Town of Aylmer cease to apply to such area, except,

- (a) by-laws of The Corporation of the Town of Aylmer,

- (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
- (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
- (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Township of Malahide;

- (b) by-laws of The Corporation of the Town of Aylmer passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Town of Aylmer.

5.—(1) The clerk of The Corporation of the Township of Malahide shall immediately prepare and furnish to the clerk of The Corporation of the Town of Aylmer a special collector's roll showing all arrears of taxes or special rates assessed against the land in the area to be annexed to the Town of Aylmer up to and including December 31, 1993 and the persons assessed therefor.

(2) The clerk of The Corporation of the Town of Aylmer shall immediately prepare and furnish to the clerk of The Corporation of the Township of Malahide a special collector's roll showing all arrears of taxes or special rates assessed against the land in the area to be annexed to the Township of Malahide up to and including December 31, 1993 and the persons assessed therefor.

6.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Town of Aylmer that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Town of Aylmer and may be collected by The Corporation of the Town of Aylmer.

(2) On or before April 1, 1994, The Corporation of the Town of Aylmer shall pay to The Corporation of the Township of Malahide an amount equal to the amount of all real property taxes that The Corporation of the Town of Aylmer is entitled to collect in the area to be annexed to the Town of Aylmer under subsection (1) that were due but unpaid on January 1, 1994.

7.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Township of Malahide that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Township of Malahide and may be collected by The Corporation of the Township of Malahide.

(2) On or before April 1, 1994, The Corporation of the Township of Malahide shall pay to The Corporation of the Town of Aylmer an amount equal to the amount of all real property taxes that The Corporation of the Township of Malahide is entitled to collect in the area to be annexed to the Township of Malahide under subsection (1) that were due but unpaid on January 1, 1994.

8.—(1) All business taxes levied and uncollected in the area to be annexed to the Town of Aylmer that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Township of Malahide and may be collected by The Corporation of the Township of Malahide.

(2) All business taxes levied and uncollected in the area to be annexed to the Township of Malahide that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Town of Aylmer and may be collected by The Corporation of the Town of Aylmer.

9.—(1) For the purposes of the assessment roll to be prepared for the Town of Aylmer under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area to be annexed to the Town of Aylmer shall be deemed to be a part of the Town of Aylmer.

(2) For the purposes of the assessment roll to be prepared for the Township of Malahide under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area to be annexed to the Township of Malahide shall be deemed to be a part of the Township of Malahide.

10. Neither The Corporation of the Town of Aylmer nor The Corporation of the Township of Malahide shall apply for a further change to their mutual municipal boundary involving land described in Schedule 3 before January 1, 2003 unless the council of the municipality which is not applying is consulted and by resolution agrees to the application.

11. The agreement between The Corporation of the Town of Aylmer and The Corporation of the Township of Malahide entered into on September 23, 1991 is hereby given effect. O. Reg. 936/93.

Schedule 1

LAND ANNEXED TO THE TOWN OF AYLMER

The land and premises in the Township of Malahide, County of Elgin described as follows:

1. Part of Lot 84, Concession South Talbot Road, described as follows:

Parts 1, 2, 3, 4 and 5, as shown on Reference Plan 11R-3962, registered in the Registry Office for the Registry Division of Elgin (No. 11).

2. Part of Lot 84, Concession South Talbot Road described as follows:

PREMISING that the bearing of the southerly limit of Lot 37, east of John Street, Registered Plan 164, is north 88° 56' west and relating all bearings herein thereto.

COMMENCING at the southeast angle of said Lot 37;

THENCE south 88° 56' east, a distance of 43.70' to a point;

THENCE north 2° 34' east, a distance of 607.69' to the easterly production of the northerly limit of said Lot 37;

THENCE north 88° 28' west along the easterly production of the northerly limit of said Lot 37, a distance of 43.75' to the northeast angle of said Lot 37;

THENCE south 2° 33' 44" west along the easterly limit of said Lot 37, a distance of 608.04' to the point of commencement.

3. Part of Lot 86, Concession North Talbot Road and part of Dingle Street (originally laid out under By-law No. 59, District of London, October 9, 1846), described as follows:

PREMISING that the bearing of the southerly limit of said Lot 86 is north 88° 55' 30" west and relating all bearings herein thereto.

COMMENCING at a point which may be located as follows:

BEGINNING at the southwest angle of said Lot 86;

THENCE south 88° 55' 30" east along the southerly limit of said Lot 86, a distance of 26.00' to a point;

THENCE south 43° 59' east, a distance of 55.91' to a point;

THENCE north 46° 01' east along the southeasterly limit of said Dingle Street, a distance of 132.00' to the point of commencement;

THENCE south 43° 59' east, a distance of 84.26' to a point;

THENCE north 57° 00' east, a distance of 235.50' to a point;

THENCE north 35° 38' west, a distance of 30.00' to the southerly limit of said Dingle Street;

THENCE north 81° 43' east along the southerly limit of said Dingle Street, a distance of 255.54' to a point;

THENCE north 49° 44' east along the southeasterly limit of said Dingle Street, a distance of 131.92' to a point;

THENCE north 1° 34' 40" east, a distance of 66.44' to the north-westerly limit of said Dingle Street;

THENCE south 49° 44' west along the northwesterly limit of said Dingle Street, a distance of 162.06' to a point;

THENCE south 81° 43' west along the northerly limit of said Dingle Street, a distance of 437.09' to a point;

THENCE south 46° 01' west along the northwesterly limit of said Dingle Street, a distance of 100.00' to the centre line of Catfish Creek;

THENCE southeasterly along the centre line of Catfish Creek, a distance of 55.91', more or less, to the point of commencement.

4. Part of lots 81 and 82, Concession South Talbot Road, described as follows:

PREMISING that the bearing of the easterly limit of Caverly Road (formerly Fifth Avenue) is north 1° 15' 00" east and relating all bearings herein thereto.

BEGINNING at a point in the easterly limit of said Caverly Road, distant 3,103.20' south of the northwest angle of Lot 53, as shown on Registered Plan 164 for the Town of Aylmer, said point being the limit between Instrument Number 31383 and Instrument Number 90015;

THENCE south 88° 32' 30" east along the said limit between Instrument Numbers 31383 and 90015, a distance of 136.53' to the northeast angle of the lands described in Instrument Number 90015.

THENCE south 1° 15' 00" west along the easterly limit of Instrument Numbers 90015 and 270115, a distance of 151.77' to the southerly limit of the Town of Aylmer, said point being the point of commencement.

THENCE south 1° 15' 00" west along the easterly limit of Instrument Numbers 270115, 261636 and 181569, a distance of 293.57' to the northerly limit of Instrument Number 234711;

THENCE south 0° 15' 20" east along the easterly limit of Instrument Number 234711, a distance of 129.97' to a point;

THENCE south 2° 33' 20" east along the easterly limit of Instrument Numbers 148610 and 148611, a distance of 366.90' to a point;

THENCE south 2° 33' 20" east, a distance of 26.50' to the top of the southerly bank of Bradley Creek;

THENCE northeasterly along the top of the southeasterly bank of Bradley Creek, a distance of 1,900.00' to the southerly limit of the Town of Aylmer;

THENCE north 88° 47' 10" west along the southerly limit of the Town of Aylmer, a distance of 1,710.00', more or less, to the point of commencement.

5. Part of lots 83, 84 and 85, Concession North Talbot Road, part of the road allowance between lots 83 and 84, Concession North Talbot Road, and part of lots 1, 2, 3, 4 and 5, east of John Street, Registered Plan 164 described as follows:

PREMISING that the bearing of the westerly limit of said Lot 84 is north 1° 04' 45" east and relating all bearings herein thereto.

COMMENCING at the northeast angle of said Lot 83;

THENCE north 89° 31' 15" west along the northerly limit of said Lot 83, a distance of 10.00' to the westerly limit of Deposit Plan D-99;

THENCE south 1° 04' 45" west along the westerly limit of said Deposit Plan D-99, a distance of 3,426.36' to the intersection with the northerly limit of the Town of Aylmer;

THENCE south 88° 35' 15" east along the northerly limit of the said Town of Aylmer, a distance of 538.00' to the easterly limit of said Town of Aylmer;

THENCE south 1° 04' 45" west along the easterly limit of said Town of Aylmer, a distance of 879.78' to the northerly limit of said Town of Aylmer;

THENCE south 88° 35' 15" east along the northerly limit of the said Town of Aylmer, a distance of 750.00' to the intersection with the southeasterly limit of the Canadian National Railway;

THENCE northeasterly along the southeasterly limit of the Canadian National Railway, a distance of 1,590.00' to the easterly limit of said Lot 85;

THENCE northerly along the easterly limit of said Lot 85, a distance of 1,162.00' to a point;

THENCE north 87° 55' 30" west, a distance of 666.58' to a point;

THENCE north 0° 50' 40" east, a distance of 855.96' to a point;

THENCE north 0° 43' 55" east, a distance of 1,010.94' to a point;

THENCE north 0° 53' 20" east, a distance of 676.94' to a point;

THENCE north 0° 58' 20" east, a distance of 17.00' to the northerly limit of said Lot 85;

THENCE north 89° 35' 12" west along the northerly limit of said Lot 85, a distance of 648.29' to a point;

THENCE north 89° 26' 12" west along the northerly limit of said Lot 84, a distance of 1,332.83' to the northwest angle of said Lot 84;

THENCE north 89° 28' 24" west, a distance of 66.00', more or less, to the point of commencement. O. Reg. 936/93, Sched. 1.

Schedule 2

LAND ANNEXED TO THE TOWNSHIP OF MALAHIDE

The land and premises in the Town of Aylmer, County of Elgin, being composed of part of Lot 81 and part of Caverly Road, Concession South Talbot Road, described as follows:

PREMISING that the bearing of the easterly limit of Caverly Road (formerly Fifth Avenue) is north 1° 15' 00" east and relating all bearings herein thereto.

COMMENCING at a point in the easterly limit of said Caverly Road, distant 3,103.20' south of the northwest angle of Lot 53, as shown on Registered Plan 164 for the Town of Aylmer, said point being the limit between Instrument Number 31383 and Instrument Number 90015;

THENCE south 88° 32' 30" east along the said limit between Instrument Numbers 31383 and 90015, a distance of 136.53' to the northeast angle of the lands described in Instrument Number 90015.

THENCE south 1° 15' 00" west along the easterly limit of Instrument Numbers 90015 and 270115, a distance of 151.77' to the southerly limit of the Town of Aylmer;

THENCE north 88° 47' 10" west along the southerly limit of the Town of Aylmer, a distance of 161.28' to the centre line of said Caverly Road, being the westerly limit of the Town of Aylmer;

THENCE north 1° 15' 00" east along the centre line of Caverly Road, being the westerly limit of the Town of Aylmer, a distance of 152.25' to a point;

THENCE south 88° 32' 30" east, a distance of 24.75', more or less, to the point of commencement. O. Reg. 936/93, Sched. 2.

Schedule 3

LAND SUBJECT TO MORATORIUM

The land and premises in the Township of Malahide, County of Elgin, composed of that part of Lot 83, Concession North Talbot Road contained within the following assessment roll numbers as shown on the 1993 assessment roll for the Township of Malahide:

040 - 014
040 - 015
040 - 016
040 - 017
040 - 017 - 01
040 - 018
040 - 019
070 - 011
070 - 013
070 - 014

O. Reg. 936/93, Sched. 3.

3/94

ONTARIO REGULATION 937/93 made under the MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

TOWN OF WIARTON, TOWNSHIP OF AMABEL BOUNDARY

1. On January 1, 1994, the portion of the Township of Amabel described in the Schedule is annexed to the Town of Warton.

2. All real property of The Corporation of the Township of Amabel situate in the annexed area vests in The Corporation of the Town of Warton on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Town of Warton extend to the annexed area and the by-laws of The Corporation of the Township of Amabel cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Amabel,
- (i) that were passed under sections 34 and 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Town of Warton;

- (b) by-laws of The Corporation of the Township of Amabel passed

under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and

- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Amabel.

4. The clerk of The Corporation of the Township of Amabel shall promptly prepare and furnish to the clerk of The Corporation of the Town of Warton a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the annexed area up to and including December 31, 1993 and the persons assessed therefor.

5.—(1) All real property taxes levied under any general or special Act and uncollected in the annexed area which are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Town of Warton and may be collected by The Corporation of the Town of Warton.

(2) On or before April 1, 1994, The Corporation of the Town of Warton shall pay to The Corporation of the Township of Amabel an amount equal to the amount of all real property taxes that The Corporation of the Town of Warton is entitled to collect in the annexed area under subsection (1), that were due but unpaid on January 1, 1994.

6. All business taxes levied and uncollected in the annexed area that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Township of Amabel and may be collected by The Corporation of the Town of Amabel.

7. For the purposes of the assessment roll to be prepared under subsection 14 (1) of the *Assessment Act* for the 1994 tax year, the annexed area shall be deemed to be a part of the Town of Warton.

8.—(1) For the purposes of calculating the real property and business taxes with respect to a property in the annexed area in each year from 1994 to 1997, inclusive, The Corporation of the Town of Warton shall reduce the applicable residential and commercial mill rates for Town purposes by the number of mills set out below:

	<i>Residential Mills</i>	<i>Commercial Mills</i>
1994	16.917	19.903
1995	12.688	14.927
1996	8.459	9.952
1997	4.229	4.976

(2) Despite subsection (1), the residential or commercial mill rate with respect to a property shall not be less than zero.

(3) The phase-in of real property taxes with respect to a property in the annexed area ceases effective January 1 of the year following the year in which,

- (a) all or part of the property is consolidated with other property in the annexed area;
- (b) all or part of the property is conveyed;
- (c) all or part of the property is re-assessed from one assessment class to another; or
- (d) the real property assessment on the property increases by at least 25 per cent from the assessment on the property on January 1, 1994 as a result of the erection or enlargement of a building or structure on the property.

(4) The phase-in of business taxes with respect to a business on a property in the annexed area ceases effective January 1 of the year following the year in which the assessment on the business differs by at least 25 per cent from the assessment on the business on January 1, 1994.

9. The Corporation of the Town of Warton shall pay to The Corporation of the Township of Amabel \$57,400 of which,

- (a) \$20,000 shall be paid on or before July 1, 1994;
- (b) \$15,000 shall be paid on or before July 1, 1995;
- (c) \$11,000 shall be paid on or before July 1, 1996;
- (d) \$7,600 shall be paid on or before July 1, 1997;
- (e) \$3,800 shall be paid on or before July 1, 1998.

10. The agreement between The Corporation of the Town of Wiarton and The Corporation of the Township of Amabel entered into on October 12, 1993 is hereby given effect. O. Reg. 937/93.

Schedule

AREA TO BE ANNEXED TO THE TOWN OF WIARTON

Those portions of Lot 1 in Concession 20 and lots 1, 2 and 3 in Concession 21, west of Highway No. 6, in the Township of Amabel described as follows:

Beginning at the intersection of the southerly boundary of the Town of Wiarton and the easterly boundary of the Township of Amabel;

Thence southerly along the easterly boundary of the Township of Amabel to the centre line of the road allowance between concessions 19 and 20;

Thence westerly along the centre line of the road allowance between concessions 19 and 20 to the southerly prolongation of the westerly limit of Lot 1 in Concession 20;

Thence northerly to and along the westerly limit of Lot 1 to the northwesterly angle of Lot 1;

Thence westerly along the southerly limit of lots 2 and 3 in Concession 21 to the westerly limit of the easterly half of Lot 3;

Thence northerly along the westerly limit of the easterly half of Lot 3 to the northerly limit of Lot 3;

Thence northerly crossing the road allowance between concessions 21 and 22 to the southwesterly angle of the Town of Wiarton;

Thence easterly along the southerly boundary of the Town of Wiarton to the place of beginning. O. Reg. 937/93, Sched.

3/94

ONTARIO REGULATION 938/93 made under the MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

VILLAGE OF DRAYTON, TOWNSHIP OF MARYBOROUGH BOUNDARY

1.—(1) On January 1, 1994, the portion of the Township of Maryborough described in Schedule 1 is annexed to the Village of Drayton.

(2) On January 1, 1994, the portion of the Village of Drayton described in Schedule 2 is annexed to the Township of Maryborough.

2.—(1) All real property of The Corporation of the Township of Maryborough situate in the area to be annexed to the Village of Drayton vests in The Corporation of the Village of Drayton on January 1, 1994.

(2) All real property of The Corporation of the Village of Drayton situate in the area to be annexed to the Township of Maryborough vests in The Corporation of the Township of Maryborough on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Village of Drayton extend to the area to be annexed to the Village of Drayton and the by-laws of The Corporation of the Township of Maryborough cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Maryborough,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Village of Drayton;

- (b) by-laws of The Corporation of the Township of Maryborough passed under section 3 of the *Development Charges Act* which shall remain in force until the earlier of,
 - (i) the date the by-law is repealed by the council of The Corporation of the Village of Drayton, and
 - (ii) the date the by-law expires under section 6 of the *Development Charges Act*;
- (c) by-laws of The Corporation of the Township of Maryborough passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Maryborough.

4. On January 1, 1994, the by-laws of The Corporation of the Township of Maryborough extend to the area to be annexed to the Township of Maryborough and the by-laws of The Corporation of the Village of Drayton cease to apply to such area, except,

- (a) by-laws of The Corporation of the Village of Drayton,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Township of Maryborough;

- (b) by-laws of The Corporation of the Village of Drayton passed under section 3 of the *Development Charges Act* which shall remain in force until the earlier of,
 - (i) the date the by-law is repealed by the council of The Corporation of the Township of Maryborough, and
 - (ii) the date the by-law expires under section 6 of the *Development Charges Act*;
- (c) by-laws of The Corporation of the Village of Drayton passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and

- (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Village of Drayton.

5.—(1) The clerk of The Corporation of the Township of Maryborough shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Village of Drayton a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Village of Drayton up to and including December 31, 1993 and the persons assessed therefor.

(2) The clerk of The Corporation of the Village of Drayton shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Township of Maryborough a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Township of Maryborough up to and including December 31, 1993 and the persons assessed therefor.

6.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994, to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

(2) On or before April 1, 1994, The Corporation of the Village of Drayton shall pay to The Corporation of the Township of Maryborough an amount equal to the amount of all real property taxes that The Corporation of the Village of Drayton is entitled to collect in the area to be annexed to the Village of Drayton under subsection (1), that were due but unpaid on January 1, 1994.

7.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Township of Maryborough that are due and unpaid on December 31, 1993, shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Township of Maryborough and may be collected by The Corporation of the Township of Maryborough.

(2) On or before April 1, 1994, The Corporation of the Township of Maryborough shall pay to The Corporation of the Village of Drayton an amount equal to the amount of all real property taxes that The Corporation of the Township of Maryborough is entitled to collect in the area to be annexed to the Township of Maryborough under subsection (1), that were due but unpaid on January 1, 1994.

8.—(1) All business taxes levied and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Township of Maryborough and may be collected by The Corporation of the Township of Maryborough.

(2) All business taxes levied and uncollected in the area to be annexed to the Township of Maryborough that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

9.—(1) For the purposes of the assessment roll to be prepared for the Village of Drayton under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 1 shall be deemed to be a part of the Village of Drayton.

(2) For the purposes of the assessment roll to be prepared for the Township of Maryborough under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 2 shall be deemed to be a part of the Township of Maryborough.

10. The Corporation of the Village of Drayton shall pay to The Corporation of the Township of Maryborough the sum of \$40,563.85 of which \$8,132.77 is payable on or before July 1 in each year from 1994 to 1998, inclusive.

11. The agreements between The Corporation of the Village of Drayton and The Corporation of the Township of Maryborough entered into on September 20, 1993 are hereby given effect. O. Reg. 938/93.

Schedule 1

LAND TO BE ANNEXED TO THE VILLAGE OF DRAYTON

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the Township of Maryborough, County of Wellington and Province of Ontario, and being composed of all those portions of lots 17, 18 and 19, concessions 10 and 11, that are more particularly described as follows:

FIRSTLY

Consisting of part of lots 17, 18 and 19, Concession 10;

PREMISING that the westerly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the southwest corner of Lot 5, Bolton's Plan of the Village of Drayton, being the point of intersection of the southerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, with the limit between the east and west halves of the east half of Lot 17, Concession 10;

THENCE south 60°, 36', 00" east, along the southerly limit of the Village of Drayton according to By-law No. 214 being also the southerly limit of Lot 5, Bolton's Plan, a distance of 151.015 metres, more or less, to the southeast corner of Lot 5, Bolton's Plan for the Village of Drayton, being also at the southwest corner of Lot 7, Bolton's Plan;

THENCE south 60°, 23', 50" east, continuing along the southerly limit of the Village of Drayton, according to By-law No. 214, and being also along the southerly limit of Lot 7, Bolton's Plan, a distance of 151.311 metres, more or less, to a point, the said point being at the intersection of the aforesaid limit, with the limit between the east and west halves of the west half of Lot 18, Concession 10;

THENCE south 60°, 23', 50" east, continuing along the southerly limit of the Village of Drayton, according to By-law No. 214, a distance of 150.799 metres, more or less, to a point in the westerly limit of Lot 60, according to Bolton's Plan, the said point being also the southeast corner of Lot 7, according to Bolton's Plan, and being distant 15.672 metres measured on a course of south 29°, 23', 30" west, from the northwest corner of Lot 60, Bolton's Plan;

THENCE south 29°, 23', 30" west, along the limit of the Village of Drayton, according to By-law No. 214, being also along the westerly limit of lots 60 to 66, all and inclusive, Bolton's Plan, a distance of 139.026 metres to the southwest corner of Lot 66 on Bolton's Plan;

THENCE south 60°, 38', 20" east, along the southerly limit of the Village of Drayton, according to By-law No. 214, being the southerly limit of Lot 66, Queen Street, lots 90 to 95, all and inclusive, and its easterly production, a distance of 297.003 metres to a point, the said point being in the westerly limit of Lot 547, Bolton's Plan;

THENCE south 29°, 23', 30" west, along the westerly limit of the Village of Drayton, according to Wellington County By-law No. 214, being also the westerly limit of Lot 547, Bolton's Plan, a distance of 248.752 metres, more or less, to a point therein, the said point being situated at the northwest corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1203;

THENCE south 29°, 23', 30" west, continuing along the westerly limit of the Village of Drayton, according to By-law No. 214, being also the westerly limit of Lot 547, according to Bolton's Plan, a distance of 83.116 metres, to the southwest corner of Lot 547, Bolton's Plan, being also the southwest corner of Part 1, Plan 60R-1203;

THENCE south 60°, 36', 30" east, along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also along the southerly limit of Lot 547, Bolton's Plan, a distance of 115.873

metres to the southeast corner of Lot 547, Bolton's Plan, the said point being the southeast corner of Part 1, Plan 60R-1203, and in the limit between the townships of Maryborough and Peel, and in the westerly limit of the original road allowance, situated along the boundary between the townships of Peel and Maryborough, known as Wellington County Road No. 11, and Wellington Street in the Village of Drayton;

THENCE south 29°, 23', 30" west, along the limit between the townships of Maryborough and Peel, being also along the easterly limit of Lot 19, Concession 10, and the westerly limit of an original road allowance, situated along the boundary between the townships of Maryborough and Peel, known as Wellington County Road No. 11, and Wellington Street in the Village of Drayton, a distance of 290.282 metres to a point therein, the said point being at the southeasterly corner of Part 1 on Plan 60R-1147;

THENCE north 54°, 51', 30" west, a distance of 60.960 metres to a point, the said point being at a corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1147;

THENCE south 29°, 23', 30" west, along the easterly limit of Part 1 on Plan 60R-1147, a distance of 30.480 metres to the most southerly corner of Part 1 on Plan 60R-1147;

THENCE north 55°, 38', 20" west, along the southerly limit of Part 1 on Plan 60R-1147, a distance of 184.751 metres to a point;

THENCE north 58°, 37', 40" west, continuing along the southerly limit of Part 1, on Plan 60R-1147, a distance of 72.939 metres, more or less, to a point, being the southwest corner of Part 1 on Plan 60R-1147 (in the centre line of the Conestoga River), the said point being also the southeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that is deposited in the Registry Office of the Registry Division of Wellington and assigned Registration No. 60R-2000;

THENCE north 58°, 37', 40" west, along the southerly limit of Part 1, Plan 60R-2000, a distance of 248.976 metres, to a point, the said point being at the southwest corner of Part 1 on Plan 60R-2000, being also in the limit between the east and west halves of the west half of Lot 18, Concession 10;

THENCE north 60°, 29', 55" west, a distance of 289.802 metres to a point, the said point being in the limit between the east and west halves of the east half of Lot 17, Concession 10, distant 428.360 metres, measured on a course of north 28°, 38', 50" east from a point where the limit between concessions 9 and 10 is intersected by the division line between the east and west halves of the east half of Lot 17, Concession 10;

THENCE north 28°, 38', 50" east, along the limit between the east and west halves of the east half of Lot 17, Concession 10, a distance of 758.856 metres, more or less, to the point of commencement;

SECONDLY

Consisting of part of lots 17, 18 and 19, Concession 11;

PREMISING that the westerly limit of the original road allowance along the limit between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the northwest corner of Lot 191, Bolton's Plan of the Village of Drayton, the said point being in the northerly limit of the Village of Drayton, according to unregistered Wellington County By-law No. 214;

THENCE north 29°, 47', 20" east, along the limit between the east and west halves of Lot 17, Concession 11, a distance of 605.554 metres, more or less, to a point in the northerly limit of the lands of the Canadian National Railway, as they are more particularly described in Registered Instrument No. V3-951;

THENCE north 29°, 47', 20" east, along a jog in the northerly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4071, a distance of 2.855 metres to a point;

THENCE in an easterly direction, along the northerly limit of the lands of the Canadian National Railway, as they are more particularly described in Registered Instrument No. V10-4071, on a circular curve to the right, having a radius of 594.384 metres, an arc distance of 336.031 metres, more or less, a chord distance of 331.574 metres, more or less, on a course of south 85°, 31', 55" east, to a point in the limit between lots 17 and 18, Concession 10;

THENCE north 29°, 37', 20" east, along a jog in the northerly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, and along the limit between lots 17 and 18, Concession 11, a distance of 9.255 metres to a point therein;

THENCE in a southeasterly direction, along the northerly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, on a circular curve to the right, having a radius of 603.528 metres, an arc distance of 208.693 metres, more or less, a chord distance of 207.655 metres, more or less, on a course of south 59°, 17', 35" east to a point therein;

THENCE south 49°, 23', 10" east, continuing along the northeasterly limit of the lands of the Canadian National Railway, as they are more particularly described in Registered Instrument No. V10-4072, a distance of 63.388 metres to a point therein;

THENCE continuing along the northeasterly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, on a circular curve to the left, having a radius of 1,725.061 metres, an arc distance of 113.215 metres, more or less, a chord distance of 113.195 metres, more or less, on a course of south 51°, 16', 08" east, to a point therein, the said point being the northeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-2113, being also the northwest corner of Part 1 on Plan 60R-2746;

THENCE in a southeasterly direction, along the original northeast limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, and being also along the northeast limit of Part 2 on Plan 60R-2746, on a circular curve to the left, having a radius of 1,725.061 metres, an arc distance of 121.402 metres, more or less, a chord distance of 121.377 metres, more or less, on a course of south 55°, 09', 46" east, to a point therein, the said point being at a jog in the northeasterly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V3-952, and illustrated on Plan 60R-2746;

THENCE north 29°, 32', 20" east, along the said jog in the northeasterly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V3-952, being also along the northeasterly limit of Part 1, Plan 60R-2746, a distance of 9.107 metres to a point therein;

THENCE south 58°, 23', 30" east, continuing along the original northeasterly limit of the lands of the Canadian National Railway, being the northeasterly limit of Part 1 on Plan 60R-2746, a distance of 144.407 metres, more or less, to a point in the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, the said point being distant 69.001 metres, measured at right angles with and to the easterly limit of Lot 19, Concession 11, being also the westerly limit of the original road allowance along the limit between the townships of Maryborough and Peel, also known as Wellington Street in the Village of Drayton and Wellington County Road No. 11;

THENCE south 29°, 32', 20" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, a distance of 3.897 metres, more or less, to a point in the northerly limit of Lot 545, Bolton's Plan of the Village of Drayton;

THENCE north 60°, 27', 40" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-

law No. 214, being also the northerly limit of Lot 545, Bolton's Plan, a distance of 120.299 metres to a corner in the limit of The Corporation of the Village of Drayton;

THENCE south 29°, 32', 20" west, continuing along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being also the westerly limit of Lot 545, Bolton's Plan of the Village of Drayton, and its southerly production, a distance of 171.404 metres, more or less, to a point in the northerly limit of Lot 374, Bolton's Plan of the Village of Drayton;

THENCE north 60°, 31', 00" west, along the northerly limit of lots 366 to 374, all and inclusive, Bolton's Plan in the Village of Drayton, a distance of 163.312 metres to a point therein;

THENCE north 60°, 47', 00" west, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also in the northerly limit of Lot 366, a distance of 6.155 metres, more or less, to the northwest corner of Lot 366, according to Bolton's Plan;

THENCE south 29°, 32', 20" west, continuing along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northwest limit of Lot 366, and Wortley Street, according to Bolton's Plan, a distance of 540.982 metres, more or less, to a point therein, the said point being the northeast corner of Lot 198, on Bolton's Plan at a distance of 133.978 metres from the southerly limit of Lot 197, Bolton's Plan and the southerly limit of Lot 18, Concession 11, geographic Township of Maryborough;

THENCE north 60°, 23', 50" west, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also along the northerly limit of lots 192 and 198, on Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of lots 192 and 198, Bolton's Plan and the southerly limit of Lot 18, Concession 11, geographic Township of Maryborough, a distance of 356.848 metres, more or less, to the northwest corner of Lot 192, on Bolton's Plan, the said point being also in the limit between lots 17 and 18, Concession 11;

THENCE north 60°, 36', 00" west, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also along the northerly limit of Lot 191 on Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 191, Bolton's Plan and the southerly limit of Lot 17, Concession 11, geographic Township of Maryborough, a distance of 302.875 metres, more or less, to the point of commencement. O. Reg. 938/93, Sched. 1.

Schedule 2

LAND TO BE ANNEXED TO THE TOWNSHIP OF MARYBOROUGH

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Village of Drayton, County of Wellington, and Province of Ontario, and being composed of all of lots 1 to 4, all and inclusive, lots 188 to 190, all and inclusive, Bolton's Plan of the Village of Drayton, and part of the original road allowance between concessions 10 and 11, geographic Township of Maryborough, also known as Wellington County Road No. 8, and Main Street in the Village of Drayton, and which said parcel of land is more particularly described as follows:

PREMISING that the limit between the townships of Maryborough and Peel, as being also the northwest limit of the original road allowance along the limit between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the southwest corner of Lot 188 on Bolton's Plan of the Village of Drayton, and being also the southwest corner of Lot 16, Concession 11, geographic Township of Maryborough, and the southwest corner of Part 14 on Plan 60R-1880;

THENCE north 29°, 43', 30" east, along the westerly limit of the Village of Drayton according to unregistered Wellington County By-law No. 214, being also the westerly limit of Lot 188, according to Bolton's Plan and the westerly limit of Lot 16, Concession 11, geographic Township of Maryborough, a distance of 133.978 metres to the northwest corner of Lot 188, Bolton's Plan of the Village of Drayton, being also at a corner in the limit of the Village of Drayton, according to By-law No. 214;

THENCE south 60°, 15', 10" east, along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of lots 188 and 189, Bolton's Plan, and being parallel with and distant 133.978 metres from and measured perpendicular to the southerly limit of lots 188 and 189, Bolton's Plan and the southerly limit of Lot 16, Concession 11, geographic Township of Maryborough, a distance of 611.301 metres, more or less, to a point in the limit between lots 189 and 190, Bolton's Plan, being also in the limit between lots 16 and 17, Concession 11, geographic Township of Maryborough;

THENCE south 60°, 36', 00" east, along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of Lot 190, according to Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 190, Bolton's Plan and the southerly limit of Lot 17, Concession 11, geographic Township of Maryborough, a distance of 304.793 metres, more or less, to a point, the said point being the limit between the east and west halves of Lot 17, Concession 11, and being at the northeast corner of Lot 190, according to Bolton's Plan;

THENCE south 29°, 47', 20" west, along the easterly limit of Lot 190, Bolton's Plan, a distance of 133.978 metres to the southeast corner of Lot 190, according to Bolton's Plan;

THENCE south 29°, 47', 20" west, a distance of 10.058 metres to a point in the centre line of the original road allowance between concessions 10 and 11, also known as Wellington County Road No. 8 and Main Street in the Village of Drayton;

THENCE south 60°, 36', 00" east, along the centre line of the original road allowance between concessions 10 and 11, also known as Wellington County Road No. 8 and Main Street in the Village of Drayton, a distance of 151.787 metres, more or less, to a point therein, the said point being at the intersection of the northerly production of the westerly limit of Lot 5 on Bolton's Plan for the Village of Drayton;

THENCE south 28°, 53', 20" west, along the northerly production of the westerly limit of Lot 5, on Bolton's Plan, a distance of 10.058 metres to a point in the southerly limit of the original road allowance between concessions 10 and 11, geographic Township of Maryborough, being also in the southerly limit of Main Street in the Village of Drayton, the said point being the northeast corner of Lot 4, Bolton's Plan, also known as the northwest corner of Lot 5 on Bolton's Plan, and the northeast corner of Part 18 on Plan 60R-1880;

THENCE south 28°, 53', 20" west, along the limit between lots 4 and 5, Bolton's Plan, a distance of 133.978 metres to a point, the said point being at the southeast corner of Lot 4 on Bolton's Plan, and at the southwest corner of Lot 5 on Bolton's Plan;

THENCE north 60°, 36', 00" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the southerly limit of Lot 4 on Bolton's Plan, and being parallel with and distant 133.978 metres from and measured perpendicular to the northerly limit of Lot 4, Bolton's Plan and the northerly limit of Lot 17, Concession 10, geographic Township of Maryborough, a distance of 455.614 metres, more or less, to the southwest corner of Lot 4 of Bolton's Plan, and also in the limit between lots 16 and 17, Concession 10, geographic Township of Maryborough;

THENCE north 60°, 15', 10" west, continuing along the limit of The Corporation of the Village of Drayton, according to unregistered County of Wellington By-law No. 214, being the southerly limit of lots 1, 2 and 3, according to Bolton's Plan, and being parallel with and distant

133.978 metres from and measured perpendicular to the northerly limit of lots 1, 2 and 3, Bolton's Plan and the northerly limit of Lot 16, Concession 10, geographic Township of Maryborough, a distance of 611.832 metres, more or less, to a point in the westerly limit of Lot 16, Concession 10, geographic Township of Maryborough, being also at the southwest corner of Lot 1, Bolton's Plan;

THENCE north 28°, 46', 50" east, along the limit of the boundary of the Village of Drayton, according to By-law No. 214, being also along the westerly limit of Lot 1 on Bolton's Plan, and the easterly limit of the original road allowance between lots 15 and 16, Concession 10, geographic Township of Maryborough, a distance of 133.997 metres to the northwest corner of Lot 1, Bolton's Plan of the Village, the said point being also the northwest corner of Lot 16, Concession 10, geographic Township of Maryborough, and the northwest corner of Part 1 on Plan 60R-1881;

THENCE north 28°, 46', 50" east, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, a distance of 10.060 metres, more or less, to the centre line of the original road allowance between Concessions 10 and 11, geographic Township of Maryborough, known as Wellington County Road No. 8 and Main Street in the Village of Drayton;

THENCE north 29°, 43', 30" east, continuing along the limit of The Corporation of the Village of Drayton, a distance of 10.058 metres, more or less, to the point of commencement. O. Reg. 938/93, Sched. 2.

3/94

ONTARIO REGULATION 939/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

**VILLAGE OF DRAYTON, TOWNSHIP OF
PEEL BOUNDARY**

1.—(1) On January 1, 1994, the portion of the Township of Peel described in Schedule 1 is annexed to the Village of Drayton.

(2) On January 1, 1994, the portion of the Village of Drayton described in Schedule 2 is annexed to the Township of Peel.

2.—(1) All real property of The Corporation of the Township of Peel situate in the area to be annexed to the Village of Drayton vests in The Corporation of the Village of Drayton on January 1, 1994.

(2) All real property of The Corporation of the Village of Drayton situate in the area to be annexed to the Township of Peel vests in The Corporation of the Township of Peel on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Village of Drayton extend to the area to be annexed to the Village of Drayton and the by-laws of The Corporation of the Township of Peel cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Peel,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Village of Drayton;

- (b) by-laws of The Corporation of the Township of Peel passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Peel.

4.—(1) On January 1, 1994, the by-laws of The Corporation of the Township of Peel extend to the area to be annexed to the Township of Peel and the by-laws of The Corporation of the Village of Drayton cease to apply to such area, except,

- (a) by-laws of The Corporation of the Village of Drayton,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Township of Peel;

- (b) by-laws of The Corporation of the Village of Drayton passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Village of Drayton.

5.—(1) The clerk of The Corporation of the Township of Peel shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Village of Drayton a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Village of Drayton up to and including December 31, 1993 and the persons assessed therefor.

(2) The clerk of The Corporation of the Village of Drayton shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Township of Peel a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Township of Peel up to and including December 31, 1993 and the persons assessed therefor.

6.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

(2) On or before April 1, 1994, The Corporation of the Village of Drayton shall pay to The Corporation of the Township of Peel an amount equal to the amount of all real property taxes that The Corporation of the Village of Drayton is entitled to collect in the area to be annexed to the Village of Drayton under subsection (1), that were due but unpaid on January 1, 1994.

7.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Township of Peel that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Township of Peel and may be collected by The Corporation of the Township of Peel.

(2) On or before April 1, 1994, The Corporation of the Township of Peel shall pay to The Corporation of the Village of Drayton an amount equal to the amount of all real property taxes that The Corporation of the Township of Peel is entitled to collect in the area to be annexed to the Township of Peel under subsection (1), that were due but unpaid on January 1, 1994.

8.—(1) All business taxes levied and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Township of Peel and may be collected by The Corporation of the Township of Peel.

(2) All business taxes levied and uncollected in the area to be annexed to the Township of Peel that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

9.—(1) For the purposes of the assessment roll to be prepared for the Village of Drayton under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 1 shall be deemed to be a part of the Village of Drayton.

(2) For the purposes of the assessment roll to be prepared for the Township of Peel under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 2 shall be deemed to be a part of the Township of Peel.

10. The Corporation of the Township of Peel shall pay to The Corporation of the Village of Drayton the sum of \$7,542.00 of which \$2,514.00 is payable on or before December 1 in each of 1994, 1995 and 1996.

11. The agreements between The Corporation of the Village of Drayton and The Corporation of the Township of Peel entered into on July 19, 1993 and August 3, 1993 are hereby given effect. O. Reg. 939/93.

Schedule 1

LAND TO BE ANNEXED TO VILLAGE OF DRAYTON

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the Township of Peel, County of Wellington and Province of Ontario, and being composed of all of those portions of Lot 1, Concession 10, all that part of Lot 532, shown on Bolton's Plan of the Village of Drayton, lying to the east of the limit of The Corporation of the Village of Drayton, part of lots 1 and 2, Concession 11, and part of the original road allowance along the boundary between the townships of Maryborough and Peel, which are more particularly described as follows:

FIRSTLY

Consisting of part of Lot 1, Concession 10, and a portion of the original road allowance along the boundary between the townships of Maryborough and Peel;

PREMISING that the westerly limit of Lot 1, Concession 10, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at a point in the easterly limit of Lot 1, Concession 10, at a distance of 313.792 metres, measured on a course of north 29°, 22', 00" east, from the southeast corner of Lot 1, Concession 10, the said point of commencement being at the intersection of the southeasterly production of the southerly limit of a parcel of land that is illustrated as Part 3 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington, and assigned Registration No. 60R-2090 with the said lot limit, and being also distant 116.967 metres measured along the east limit of Lot 1, Concession 10, on a course of south 29°, 22', 00" west, from the southeast corner of a parcel of land that is illustrated as Part 3 on Plan 60R-3256;

THENCE north 60°, 14', 00" west, along the southeasterly production of the southerly limit of Part 3 on Plan 60R-2090, a distance of 123.754 metres, more or less, to the most southerly corner of Part 3 on Plan 60R-2090;

THENCE north 60°, 14', 00" west, along the southerly limit of Part 3 on Plan 60R-2090, a distance of 385.231 metres, more or less, to a point therein, the said point being at the southeast corner of Part 6 on Reference Plan 60R-2090;

THENCE north 60°, 40', 30" west, along the southerly limit of parts 5 and 6 on Reference Plan 60R-2090, a distance of 94.835 metres, more or less, to a point in the westerly limit of Lot 1, Concession 10, the said point being also in the easterly limit of the original road allowance along the limit between the townships of Maryborough and Peel, and at the southwest corner of Part 5 on Reference Plan 60R-2090;

THENCE north 60°, 40', 30" west, a distance of 20.117 metres, more or less, to a point in the westerly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, also known as Wellington Street in the Village of Drayton and Wellington County Road No. 11;

THENCE north 29°, 23', 30" east, along the westerly limit of the aforesaid original road allowance, being also along the easterly limit of Lot 19, Concession 10, Township of Maryborough, a distance of 141.466 metres to a point, the said point being at the southeast corner of Part 1 on Plan 60R-1147;

THENCE north 29°, 23', 30" east, continuing along the limit between the townships of Maryborough and Peel, being also along the westerly limit of the aforesaid original road allowance, a distance of 290.282 metres, more or less, to a point, the said point being in the southerly limit of The Corporation of the Village of Drayton, as more particularly described in unregistered Wellington County By-law No. 214, being also at the southeast corner of Lot 547, according to Bolton's Plan, and the southeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1203;

THENCE south 60°, 36', 30" east, along the easterly production of the southwest limit of Lot 547, according to Bolton's Plan, being also the south limit of Part 1 on Plan 60R-1203, a distance of 20.117 metres, more or less, to a point in the easterly limit of the original road allowance along the limit between the townships of Maryborough and Peel;

THENCE south 29°, 23', 30" west, along the easterly limit of the aforesaid original road allowance, being the limit of The Corporation of the Village of Drayton, as more particularly described in Wellington County By-law No. 214, a distance of 234.562 metres, more or less, to a point therein, the said point being the southwest corner of Lot 548, Bolton's Plan of the Village of Drayton, and being also at the southwest corner of a parcel of land that is illustrated as Part 4 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington, and assigned Registration No. 60R-1959;

THENCE south 60°, 47', 30" east, along the limit of The Corporation of the Village of Drayton, according to Wellington County By-law No. 214, being also along the southerly limit of Part 4 on Reference Plan 60R-1959, the southerly limit of Lot 42 on Registered Plan 418, and along the southerly limit of Registered Plan 425, a distance of 301.470 metres, to the southeast corner of Block 37 on Registered Plan 425;

THENCE north 29°, 24', 10" east, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of Registered Plan 425, a distance of 176.404 metres, to the northeast corner of Lot 25 on Registered Plan 425, being also the southeast corner of Block 43 on Registered Plan 418;

THENCE north 29°, 24', 10" east, continuing along the limit of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of Block 43, according to Registered Plan No. 418, a distance of 291.876 metres, to the northeast corner of Block 43, according to Registered Plan No. 418, being also the

southeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1959;

THENCE north 29°, 24', 10" east, continuing along the limit of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of Part 1 on Reference Plan 60R-1959, a distance of 33.833 metres, to a point, the said point being at the southwest corner of Block 40, on Registered Plan 422, and at the northwest corner of Part 1 on Reference Plan 60R-3256;

THENCE south 61°, 53', 50" east, along the limit of the Village of Drayton, according to Ontario Municipal Board Order M-7628, registered as Instrument No. 44476-D, being also along the southerly limit of Registered Plan No. 422, a distance of 200.507 metres, to the southeast corner of Lot 10 on Registered Plan 422, being also at the southwest corner of Lot 1, according to Registered Plan 424;

THENCE south 61°, 53', 50" east, along the limit of the Village of Drayton according to Ontario Regulation 519/89, being also the southerly limit of Registered Plan 424, a distance of 101.233 metres, to the southeast corner of Lot 4, on Registered Plan 424, being also at the northeast corner of Part 1 on Reference Plan 60R-3256, in the limit between lots 1 and 2, Concession 10, in the Township of Peel;

THENCE south 29°, 22', 00" west, along the easterly limit of Lot 1, Concession 10, being also along the easterly limit of a parcel of land that is illustrated as Part 1 on Reference Plan 60R-3256, a distance of 507.933 metres, to a point therein, the said point being at the southeast corner of Part 1 on Reference Plan 60R-3256, and in the southeast limit of Part 3 on Plan 60R-2090;

THENCE south 29°, 22', 00" west, continuing along the easterly limit of Lot 1, Concession 10, being also along the easterly limit of a parcel of land that is illustrated as parts 2 and 3 on Reference Plan 60R-2090, a distance of 202.316 metres, more or less, to the point of commencement.

SECONDLY

Consisting of all that part of Lot 532, shown on Bolton's Plan of the Village of Drayton, lying to the east of the limit of The Corporation of the Village of Drayton, and part of lots 1 and 2, Concession 11, and part of the original road allowance along the limit between the townships of Maryborough and Peel.

PREMISING that the westerly limit of Lot 1, Concession 10, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090 and relating all bearings herein thereto;

COMMENCING at the northwest corner of Lot 1, Concession 11, Township of Peel, being also the northwest corner of Part 2 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-2099;

THENCE south 60°, 37', 30" east, along the limit between concessions 11 and 12, being also along the northerly limit of parts 2 and 3 on Plan 60R-2099, a distance of 206.044 metres to a point therein, the said point being the northeast corner of Part 3 on Plan 60R-2099;

THENCE south 60°, 14', 50" east, continuing along the limit between concessions 11 and 12, a distance of 416.700 metres, to the northeast corner of Lot 1, Concession 11, in the Township of Peel, the said point being the northwest corner of Lot 2, Concession 11;

THENCE south 60°, 46', 50" east, along the limit between concessions 11 and 12, a distance of 144.870 metres to a point therein;

THENCE south 30°, 18', 55" west, a distance of 1,086.856 metres, more or less, to a point, being a corner in the limit of The Corporation of the Village of Drayton, according to Ontario Regulation 393/88, being also the northeast corner of a parcel of land that is illustrated as Part 1 on a Plan that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-2021;

THENCE north 60°, 28', 05" west, along the limit of The Corporation of the Village of Drayton, according to Ontario Regulation 393/88, being also along the northerly limit of Part 1 on Plan 60R-2021, a distance of 145.588 metres, to a point in the easterly limit of Lot 522, Bolton's Plan, the said point being also at the northwest corner of Part 1 on Plan 60R-2021;

THENCE north 29°, 53', 30" east, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of lots 487 and 488, lot 517 to 522, all and inclusive, a distance of 412.518 metres to a point therein, the said point being at the northeast corner of Lot 487, Bolton's Plan, being also in the limit between the north and south halves of Lot 1, Concession 11;

THENCE north 60°, 41', 25" west, along the limit between the north and south halves of Lot 1, Concession 11, being also along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being along the northerly limit of lots 486 and 487, Bolton's Plan, a distance of 301.728 metres, more or less, to a point therein, the said point being the northwest corner of Lot 486 on Bolton's Plan, and being also the northeast corner of Lot 455 on Bolton's Plan;

THENCE north 59°, 26', 50" west, continuing along the limit between the north and south halves of Lot 1, Concession 11, being also along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being also along the northerly limit of Lot 455, and a portion of Lot 454, Bolton's Plan, a distance of 96.741 metres to a point therein;

THENCE north 61°, 03', 10" west, continuing along the limit between the north and south halves of Lot 1, Concession 11, being also along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being along the northerly limit of a portion of Lot 454, Bolton's Plan, a distance of 25.677 metres, more or less, to a point therein, the said point being distant 185.707 metres, measured on a course of south 60°, 27', 40" east from the easterly limit of the original road allowance along the boundary between the townships of Maryborough and Peel;

THENCE north 29°, 32', 20" east, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the southerly production of the easterly limit of lots 537, 544 and 546, across Lot 532, Bolton's Plan, and continuing along the easterly limit of lots 537, 544 and 546, Bolton's Plan, a distance of 523.037 metres, more or less, to a point, the said point being the northeast corner of Lot 544, Bolton's Plan;

THENCE north 60°, 27', 40" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also the northerly limit of Lot 544, Bolton's Plan, a distance of 185.707 metres to a point in the westerly limit of Lot 1, Concession 11, being also the northwest corner of Lot 544, Bolton's Plan, and being in the easterly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, also known as Wellington Street in the Village of Drayton, and Wellington County Road No. 11;

THENCE north 63°, 48', 30" west, a distance of 20.152 metres to the westerly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, being also known as Wellington Street in the Village of Drayton, and Wellington County Road No. 11;

THENCE north 29°, 32', 20" east, along the westerly limit of the original road allowance on the boundary between the townships of Maryborough and Peel, known also as Wellington Street in the Village of Drayton, and Wellington County Road No. 11, a distance of 152.310 metres to a point therein, the said point being at the intersection of the westerly production of the limit between concessions 11 and 12;

THENCE south 60°, 37', 30" east, a distance of 20.117 metres, more or less, to the point of commencement. O. Reg. 939/93, Sched. 1.

Schedule 2

LAND TO BE ANNEXED TO TOWNSHIP OF PEEL

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Village of Drayton, County of Wellington and Province of Ontario, and being composed of all of that part of lots 49 and 50, all of lots 51 to 56, all and inclusive, part of Lot 241, all of lots 242, 243 and 244, Bolton's Plan of the Village of Drayton, and part of the original road allowance between concessions 10 and 11, geographic Township of Peel, also known as Wellington County Road No. 8, and Main Street in the Village of Drayton, and which said parcel of land is more particularly described as follows:

PREMISING that the limit between the townships of Maryborough and Peel, being also the westerly limit of the original road allowance along the limit between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the southeast corner of Lot 244 on Bolton's Plan of the Village of Drayton, and being also the southeast corner of Lot 3, Concession 11, geographic Township of Peel, and the southeast corner of Part 7 on Plan 60R-1132;

THENCE north 29°, 48', 00" east, along the easterly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also the easterly limit of Lot 244, according to Bolton's Plan, and the easterly limit of Lot 3, Concession 11, geographic Township of Peel, a distance of 133.978 metres to the northeast corner of Lot 244, Bolton's Plan of the Village of Drayton, according to By-law No. 214;

THENCE north 60°, 06', 30" west, along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of lots 243 and 244, Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 3, Concession 11, geographic Township of Peel, a distance of 615.329 metres, more or less, to a point in the limit between lots 2 and 3, Concession 11, geographic Township of Peel, and also the northwest corner of Lot 243, Bolton's Plan of the Village of Drayton;

THENCE north 60°, 27', 00" west, continuing along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of lots 241 and 242, according to Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 2, Concession 11, geographic Township of Peel, a distance of 464.923 metres, more or less, to a point in the easterly limit of Part 1, Plan 60R-2021, and being at the southeast corner of the lands of The Corporation of the Village of Drayton, according to Ontario Regulation 393/88, and distant 29.544 metres, measured on a course of north 29°, 53', 30" east, from the southeast corner of Part 1, Plan 60R-2021;

THENCE south 29°, 53', 30" west, along the easterly limit of Part 1, Plan 60R-2021, a distance of 29,544 metres to the southeast corner of Part 1, Plan 60R-2021;

THENCE south 29°, 08', 40" west, a distance of 104.441 metres, more or less, to a point in the northerly limit of the original road allowance between concessions 10 and 11, (geographic Township of Peel), known as Wellington County Road No. 8 and Main Street in the Village of Drayton, being also the southwest corner of Part 8 on Plan 60R-1132;

THENCE south 29°, 08', 40" west, a distance of 10.059 metres to a point in the centre line of the original road allowance between concessions 10 and 11, geographic Township of Peel;

THENCE north 60°, 27', 00" west, along the centre line of the original road allowance between concessions 10 and 11, geographic Township of Peel, a distance of 108.631 metres, more or less, to a point therein, the

said point being at the intersection with the northerly production of the easterly limit of Part 1 on Plan 61R-6029;

THENCE south 29°, 26', 50" west, along the northerly production of the easterly limit of Part 1 on Plan 61R-6029, a distance of 10.058 metres to a point in the southerly limit of the original road allowance between concessions 10 and 11, geographic Township of Peel;

THENCE south 29°, 26', 50" west, continuing along the northerly production of the easterly limit of Part 1, Plan 61R-6029, a distance of 5.182 metres to a point, being at the northeast corner of Part 1 on Plan 61R-6029;

THENCE south 29°, 26', 50" west, along the easterly limit of Part 1 on Plan 61R-6029, a distance of 76.200 metres to a point, being the southeast corner of Part 1 on Plan 61R-6029;

THENCE north 60°, 27', 00" west, along the southerly limit of Part 1 on Plan 61R-6029, a distance of 40.234 metres to a point in the easterly limit of Lot 186, Bolton's Plan and the westerly limit of Lot 50, Bolton's Plan, and being the southwest corner of Part 1 on Plan 61R-6029;

THENCE south 29°, 26', 50" west, along the easterly limit of lots 186 and 187, Bolton's Plan, and the westerly limit of Lot 50, Bolton's Plan, a distance of 52.596 metres, more or less, to a point at the southwest corner of Lot 50, Bolton's Plan, the said point being in the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being at a point distant 133.978 metres measured southerly and perpendicular to the northerly limit of Lot 49, Bolton's Plan and the northerly limit of Lot 2, Concession 10, geographic Township of Peel;

THENCE south 60°, 27', 00" east, along the southerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being also the southerly limit of lots 50, 51 and 52, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the northerly limit of Lot 2, Concession 10, geographic Township of Peel, a distance of 612.210 metres, more or less, to a point, being the southeast corner of Lot 52, Bolton's Plan and the southwest corner of Lot 55, Bolton's Plan, and in the limit between lots 2 and 3, Concession 10, geographic Township of Peel;

THENCE south 60°, 06', 30" east, continuing along the southerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also the southerly limit of lots 55 and 56, Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the northerly limit of Lot 3, Concession 10, geographic Township of Peel, a distance of 615.569 metres, more or less, to a point in the easterly limit of Lot 3, Concession 10, geographic Township of Peel, and also in the westerly limit of the original road allowance between lots 3 and 4, and being at the southeast corner of Lot 56, Bolton's Plan of the Village of Drayton;

THENCE north 29°, 28', 10" east, along the easterly limit of Lot 56, and also being the easterly limit of Lot 3, Concession 10, geographic Township of Peel, a distance of 133.982 metres to a point, being the northeast corner of Lot 56, Bolton's Plan, and the northeast corner of Lot 3, Concession 10, geographic Township of Peel, and also the northeast corner of Part 17 on Plan 60R-1132;

THENCE north 29°, 28', 10" east, continuing along the easterly boundary of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, a distance of 10.059 metres, more or less, to a point in the centre line of the original road allowance between concessions 10 and 11, geographic Township of Peel;

THENCE north 29°, 48', 00" east, continuing along the easterly boundary of the Village of Drayton, a distance of 10.059 metres, more or less, to the point of commencement. O. Reg. 939/93, Sched. 2.

ONTARIO REGULATION 940/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

**TOWNSHIP OF GOSFIELD SOUTH, TOWNSHIP OF
GOSFIELD NORTH BOUNDARY**

1. On January 1, 1994, the portion of the Township of Gosfield North described as Parts 1 to 7, inclusive, on Reference Plan 12R-12942 is annexed to the Township of Gosfield South.

2. All real property of The Corporation of the Township of Gosfield North situate in the annexed area vests in The Corporation of the Township of Gosfield South on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Township of Gosfield South extend to the annexed area and the by-laws of The Corporation of the Township of Gosfield North cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Gosfield North,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Township of Gosfield South;

- (b) by-laws of The Corporation of the Township of Gosfield North passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Gosfield North.

4. The clerk of The Corporation of the Township of Gosfield North shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Township of Gosfield South a special collector's roll showing all arrears of real property taxes or special rates assessed against the land in the annexed area up to and including December 31, 1993 and the persons assessed therefor.

5.—(1) All real property taxes levied under any general or special Act and uncollected in the annexed area which are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Township of Gosfield South and may be collected by The Corporation of the Township of Gosfield South.

(2) On or before April 1, 1994, The Corporation of the Township of Gosfield South shall pay to The Corporation of the Township of Gosfield North an amount equal to the amount of all deemed taxes that The Corporation of the Township of Gosfield South is entitled to collect in the annexed area under subsection (1), that were due but unpaid on December 31, 1993.

6. All business taxes levied under and uncollected in the annexed area which are due and unpaid on December 31, 1993 continue after that date to be taxes due and payable to The Corporation of the Township of Gosfield North and may be collected by The Corporation of the Township of Gosfield North.

7. For the purposes of the assessment roll to be prepared for the

Township of Gosfield South under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the annexed area shall be deemed to be a part of the Township of Gosfield South.

8. The agreement between The Corporation of the Township of Gosfield South and The Corporation of the Township of Gosfield North entered into on April 13, 1992 is hereby given effect. O. Reg. 940/93.

3/94

ONTARIO REGULATION 941/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

**TOWN OF BLENHEIM, TOWNSHIP OF
HARWICH BOUNDARY**

1. On January 1, 1994, the portion of the Township of Harwich described in the Schedule is annexed to the Town of Blenheim.

2. All real property including any highway, street fixture, waterline, easement and restrictive covenant running with the land of The Corporation of the Township of Harwich situate in the annexed area vests in The Corporation of the Town of Blenheim on January 1, 1994.

3.—(1) On January 1, 1994, the by-laws of The Corporation of the Town of Blenheim extend to the annexed area and the by-laws of The Corporation of the Township of Harwich cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Harwich,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Town of Blenheim;

- (b) by-laws of The Corporation of the Township of Harwich passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Harwich.

(2) Despite subsection (1), if The Corporation of the Township of Harwich has commenced procedures to enact a by-law under any Act or to adopt an official plan or amendment thereto under the *Planning Act*, and that by-law, official plan or amendment would apply to the annexed area and is not in force on January 1, 1994, The Corporation of the Town of Blenheim may continue the procedure to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

4. The clerk of The Corporation of the Township of Harwich shall promptly prepare and furnish to the clerk of The Corporation of the Town of Blenheim a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the annexed area up to and including December 31, 1993 and the persons assessed therefor.

5.—(1) All real property taxes levied under any general or special Act

- (d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Village of Drayton.

5.—(1) The clerk of The Corporation of the Township of Maryborough shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Village of Drayton a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Village of Drayton up to and including December 31, 1993 and the persons assessed therefor.

(2) The clerk of The Corporation of the Village of Drayton shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Township of Maryborough a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Township of Maryborough up to and including December 31, 1993 and the persons assessed therefor.

6.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994, to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

(2) On or before April 1, 1994, The Corporation of the Village of Drayton shall pay to The Corporation of the Township of Maryborough an amount equal to the amount of all real property taxes that The Corporation of the Village of Drayton is entitled to collect in the area to be annexed to the Village of Drayton under subsection (1), that were due but unpaid on January 1, 1994.

7.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Township of Maryborough that are due and unpaid on December 31, 1993, shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Township of Maryborough and may be collected by The Corporation of the Township of Maryborough.

(2) On or before April 1, 1994, The Corporation of the Township of Maryborough shall pay to The Corporation of the Village of Drayton an amount equal to the amount of all real property taxes that The Corporation of the Township of Maryborough is entitled to collect in the area to be annexed to the Township of Maryborough under subsection (1), that were due but unpaid on January 1, 1994.

8.—(1) All business taxes levied and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Township of Maryborough and may be collected by The Corporation of the Township of Maryborough.

(2) All business taxes levied and uncollected in the area to be annexed to the Township of Maryborough that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

9.—(1) For the purposes of the assessment roll to be prepared for the Village of Drayton under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 1 shall be deemed to be a part of the Village of Drayton.

(2) For the purposes of the assessment roll to be prepared for the Township of Maryborough under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 2 shall be deemed to be a part of the Township of Maryborough.

10. The Corporation of the Village of Drayton shall pay to The Corporation of the Township of Maryborough the sum of \$40,563.85 of which \$8,132.77 is payable on or before July 1 in each year from 1994 to 1998, inclusive.

11. The agreements between The Corporation of the Village of Drayton and The Corporation of the Township of Maryborough entered into on September 20, 1993 are hereby given effect. O. Reg. 938/93.

Schedule 1

LAND TO BE ANNEXED TO THE VILLAGE OF DRAYTON

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the Township of Maryborough, County of Wellington and Province of Ontario, and being composed of all those portions of lots 17, 18 and 19, concessions 10 and 11, that are more particularly described as follows:

FIRSTLY

Consisting of part of lots 17, 18 and 19, Concession 10;

PREMISING that the westerly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the southwest corner of Lot 5, Bolton's Plan of the Village of Drayton, being the point of intersection of the southerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, with the limit between the east and west halves of the east half of Lot 17, Concession 10;

THENCE south 60°, 36', 00" east, along the southerly limit of the Village of Drayton according to By-law No. 214 being also the southerly limit of Lot 5, Bolton's Plan, a distance of 151.015 metres, more or less, to the southeast corner of Lot 5, Bolton's Plan for the Village of Drayton, being also at the southwest corner of Lot 7, Bolton's Plan;

THENCE south 60°, 23', 50" east, continuing along the southerly limit of the Village of Drayton, according to By-law No. 214, and being also along the southerly limit of Lot 7, Bolton's Plan, a distance of 151.311 metres, more or less, to a point, the said point being at the intersection of the aforesaid limit, with the limit between the east and west halves of the west half of Lot 18, Concession 10;

THENCE south 60°, 23', 50" east, continuing along the southerly limit of the Village of Drayton, according to By-law No. 214, a distance of 150.799 metres, more or less, to a point in the westerly limit of Lot 60, according to Bolton's Plan, the said point being also the southeast corner of Lot 7, according to Bolton's Plan, and being distant 15.672 metres measured on a course of south 29°, 23', 30" west, from the northwest corner of Lot 60, Bolton's Plan;

THENCE south 29°, 23', 30" west, along the limit of the Village of Drayton, according to By-law No. 214, being also along the westerly limit of lots 60 to 66, all and inclusive, Bolton's Plan, a distance of 139.026 metres to the southwest corner of Lot 66 on Bolton's Plan;

THENCE south 60°, 38', 20" east, along the southerly limit of the Village of Drayton, according to By-law No. 214, being the southerly limit of Lot 66, Queen Street, lots 90 to 95, all and inclusive, and its easterly production, a distance of 297.003 metres to a point, the said point being in the westerly limit of Lot 547, Bolton's Plan;

THENCE south 29°, 23', 30" west, along the westerly limit of the Village of Drayton, according to Wellington County By-law No. 214, being also the westerly limit of Lot 547, Bolton's Plan, a distance of 248.752 metres, more or less, to a point therein, the said point being situated at the northwest corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1203;

THENCE south 29°, 23', 30" west, continuing along the westerly limit of the Village of Drayton, according to By-law No. 214, being also the westerly limit of Lot 547, according to Bolton's Plan, a distance of 83.116 metres, to the southwest corner of Lot 547, Bolton's Plan, being also the southwest corner of Part 1, Plan 60R-1203;

THENCE south 60°, 36', 30" east, along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also along the southerly limit of Lot 547, Bolton's Plan, a distance of 115.873

metres to the southeast corner of Lot 547, Bolton's Plan, the said point being the southeast corner of Part 1, Plan 60R-1203, and in the limit between the townships of Maryborough and Peel, and in the westerly limit of the original road allowance, situated along the boundary between the townships of Peel and Maryborough, known as Wellington County Road No. 11, and Wellington Street in the Village of Drayton;

THENCE south 29°, 23', 30" west, along the limit between the townships of Maryborough and Peel, being also along the easterly limit of Lot 19, Concession 10, and the westerly limit of an original road allowance, situated along the boundary between the townships of Maryborough and Peel, known as Wellington County Road No. 11, and Wellington Street in the Village of Drayton, a distance of 290.282 metres to a point therein, the said point being at the southeasterly corner of Part 1 on Plan 60R-1147;

THENCE north 54°, 51', 30" west, a distance of 60.960 metres to a point, the said point being at a corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1147;

THENCE south 29°, 23', 30" west, along the easterly limit of Part 1 on Plan 60R-1147, a distance of 30.480 metres to the most southerly corner of Part 1 on Plan 60R-1147;

THENCE north 55°, 38', 20" west, along the southerly limit of Part 1 on Plan 60R-1147, a distance of 184.751 metres to a point;

THENCE north 58°, 37', 40" west, continuing along the southerly limit of Part 1, on Plan 60R-1147, a distance of 72.939 metres, more or less, to a point, being the southwest corner of Part 1 on Plan 60R-1147 (in the centre line of the Conestoga River), the said point being also the southeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that is deposited in the Registry Office of the Registry Division of Wellington and assigned Registration No. 60R-2000;

THENCE north 58°, 37', 40" west, along the southerly limit of Part 1, Plan 60R-2000, a distance of 248.976 metres, to a point, the said point being at the southwest corner of Part 1 on Plan 60R-2000, being also in the limit between the east and west halves of the west half of Lot 18, Concession 10;

THENCE north 60°, 29', 55" west, a distance of 289.802 metres to a point, the said point being in the limit between the east and west halves of the east half of Lot 17, Concession 10, distant 428.360 metres, measured on a course of north 28°, 38', 50" east from a point where the limit between concessions 9 and 10 is intersected by the division line between the east and west halves of the east half of Lot 17, Concession 10;

THENCE north 28°, 38', 50" east, along the limit between the east and west halves of the east half of Lot 17, Concession 10, a distance of 758.856 metres, more or less, to the point of commencement;

SECONDLY

Consisting of part of lots 17, 18 and 19, Concession 11;

PREMISING that the westerly limit of the original road allowance along the limit between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the northwest corner of Lot 191, Bolton's Plan of the Village of Drayton, the said point being in the northerly limit of the Village of Drayton, according to unregistered Wellington County By-law No. 214;

THENCE north 29°, 47', 20" east, along the limit between the east and west halves of Lot 17, Concession 11, a distance of 605.554 metres, more or less, to a point in the northerly limit of the lands of the Canadian National Railway, as they are more particularly described in Registered Instrument No. V3-951;

THENCE north 29°, 47', 20" east, along a jog in the northerly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4071, a distance of 2.855 metres to a point;

THENCE in an easterly direction, along the northerly limit of the lands of the Canadian National Railway, as they are more particularly described in Registered Instrument No. V10-4071, on a circular curve to the right, having a radius of 594.384 metres, an arc distance of 336.031 metres, more or less, a chord distance of 331.574 metres, more or less, on a course of south 85°, 31', 55" east, to a point in the limit between lots 17 and 18, Concession 10;

THENCE north 29°, 37', 20" east, along a jog in the northerly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, and along the limit between lots 17 and 18, Concession 11, a distance of 9.255 metres to a point therein;

THENCE in a southeasterly direction, along the northerly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, on a circular curve to the right, having a radius of 603.528 metres, an arc distance of 208.693 metres, more or less, a chord distance of 207.655 metres, more or less, on a course of south 59°, 17', 35" east to a point therein;

THENCE south 49°, 23', 10" east, continuing along the northeasterly limit of the lands of the Canadian National Railway, as they are more particularly described in Registered Instrument No. V10-4072, a distance of 63.388 metres to a point therein;

THENCE continuing along the northeasterly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, on a circular curve to the left, having a radius of 1,725.061 metres, an arc distance of 113.215 metres, more or less, a chord distance of 113.195 metres, more or less, on a course of south 51°, 16', 08" east, to a point therein, the said point being the northeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-2113, being also the northwest corner of Part 1 on Plan 60R-2746;

THENCE in a southeasterly direction, along the original northeast limit of the lands of the Canadian National Railway, according to Registered Instrument No. V10-4072, and being also along the northeast limit of Part 2 on Plan 60R-2746, on a circular curve to the left, having a radius of 1,725.061 metres, an arc distance of 121.402 metres, more or less, a chord distance of 121.377 metres, more or less, on a course of south 55°, 09', 46" east, to a point therein, the said point being at a jog in the northeasterly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V3-952, and illustrated on Plan 60R-2746;

THENCE north 29°, 32', 20" east, along the said jog in the northeasterly limit of the lands of the Canadian National Railway, according to Registered Instrument No. V3-952, being also along the northeasterly limit of Part 1, Plan 60R-2746, a distance of 9.107 metres to a point therein;

THENCE south 58°, 23', 30" east, continuing along the original northeasterly limit of the lands of the Canadian National Railway, being the northeasterly limit of Part 1 on Plan 60R-2746, a distance of 144.407 metres, more or less, to a point in the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, the said point being distant 69.001 metres, measured at right angles with and to the easterly limit of Lot 19, Concession 11, being also the westerly limit of the original road allowance along the limit between the townships of Maryborough and Peel, also known as Wellington Street in the Village of Drayton and Wellington County Road No. 11;

THENCE south 29°, 32', 20" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, a distance of 3.897 metres, more or less, to a point in the northerly limit of Lot 545, Bolton's Plan of the Village of Drayton;

THENCE north 60°, 27', 40" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-

law No. 214, being also the northerly limit of Lot 545, Bolton's Plan, a distance of 120.299 metres to a corner in the limit of The Corporation of the Village of Drayton;

THENCE south 29°, 32', 20" west, continuing along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being also the westerly limit of Lot 545, Bolton's Plan of the Village of Drayton, and its southerly production, a distance of 171.404 metres, more or less, to a point in the northerly limit of Lot 374, Bolton's Plan of the Village of Drayton;

THENCE north 60°, 31', 00" west, along the northerly limit of lots 366 to 374, all and inclusive, Bolton's Plan in the Village of Drayton, a distance of 163.312 metres to a point therein;

THENCE north 60°, 47', 00" west, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also in the northerly limit of Lot 366, a distance of 6.155 metres, more or less, to the northwest corner of Lot 366, according to Bolton's Plan;

THENCE south 29°, 32', 20" west, continuing along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northwest limit of Lot 366, and Wortley Street, according to Bolton's Plan, a distance of 540.982 metres, more or less, to a point therein, the said point being the northeast corner of Lot 198, on Bolton's Plan at a distance of 133.978 metres from the southerly limit of Lot 197, Bolton's Plan and the southerly limit of Lot 18, Concession 11, geographic Township of Maryborough;

THENCE north 60°, 23', 50" west, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also along the northerly limit of lots 192 and 198, on Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of lots 192 and 198, Bolton's Plan and the southerly limit of Lot 18, Concession 11, geographic Township of Maryborough, a distance of 356.848 metres, more or less, to the northwest corner of Lot 192, on Bolton's Plan, the said point being also in the limit between lots 17 and 18, Concession 11;

THENCE north 60°, 36', 00" west, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, being also along the northerly limit of Lot 191 on Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 191, Bolton's Plan and the southerly limit of Lot 17, Concession 11, geographic Township of Maryborough, a distance of 302.875 metres, more or less, to the point of commencement. O. Reg. 938/93, Sched. 1.

Schedule 2

LAND TO BE ANNEXED TO THE TOWNSHIP OF MARYBOROUGH

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Village of Drayton, County of Wellington, and Province of Ontario, and being composed of all of lots 1 to 4, all and inclusive, lots 188 to 190, all and inclusive, Bolton's Plan of the Village of Drayton, and part of the original road allowance between concessions 10 and 11, geographic Township of Maryborough, also known as Wellington County Road No. 8, and Main Street in the Village of Drayton, and which said parcel of land is more particularly described as follows:

PREMISING that the limit between the townships of Maryborough and Peel, as being also the northwest limit of the original road allowance along the limit between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the southwest corner of Lot 188 on Bolton's Plan of the Village of Drayton, and being also the southwest corner of Lot 16, Concession 11, geographic Township of Maryborough, and the southwest corner of Part 14 on Plan 60R-1880;

THENCE north 29°, 43', 30" east, along the westerly limit of the Village of Drayton according to unregistered Wellington County By-law No. 214, being also the westerly limit of Lot 188, according to Bolton's Plan and the westerly limit of Lot 16, Concession 11, geographic Township of Maryborough, a distance of 133.978 metres to the northwest corner of Lot 188, Bolton's Plan of the Village of Drayton, being also at a corner in the limit of the Village of Drayton, according to By-law No. 214;

THENCE south 60°, 15', 10" east, along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of lots 188 and 189, Bolton's Plan, and being parallel with and distant 133.978 metres from and measured perpendicular to the southerly limit of lots 188 and 189, Bolton's Plan and the southerly limit of Lot 16, Concession 11, geographic Township of Maryborough, a distance of 611.301 metres, more or less, to a point in the limit between lots 189 and 190, Bolton's Plan, being also in the limit between lots 16 and 17, Concession 11, geographic Township of Maryborough;

THENCE south 60°, 36', 00" east, along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of Lot 190, according to Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 190, Bolton's Plan and the southerly limit of Lot 17, Concession 11, geographic Township of Maryborough, a distance of 304.793 metres, more or less, to a point, the said point being the limit between the east and west halves of Lot 17, Concession 11, and being at the northeast corner of Lot 190, according to Bolton's Plan;

THENCE south 29°, 47', 20" west, along the easterly limit of Lot 190, Bolton's Plan, a distance of 133.978 metres to the southeast corner of Lot 190, according to Bolton's Plan;

THENCE south 29°, 47', 20" west, a distance of 10.058 metres to a point in the centre line of the original road allowance between concessions 10 and 11, also known as Wellington County Road No. 8 and Main Street in the Village of Drayton;

THENCE south 60°, 36', 00" east, along the centre line of the original road allowance between concessions 10 and 11, also known as Wellington County Road No. 8 and Main Street in the Village of Drayton, a distance of 151.787 metres, more or less, to a point therein, the said point being at the intersection of the northerly production of the westerly limit of Lot 5 on Bolton's Plan for the Village of Drayton;

THENCE south 28°, 53', 20" west, along the northerly production of the westerly limit of Lot 5, on Bolton's Plan, a distance of 10.058 metres to a point in the southerly limit of the original road allowance between concessions 10 and 11, geographic Township of Maryborough, being also in the southerly limit of Main Street in the Village of Drayton, the said point being the northeast corner of Lot 4, Bolton's Plan, also known as the northwest corner of Lot 5 on Bolton's Plan, and the northeast corner of Part 18 on Plan 60R-1880;

THENCE south 28°, 53', 20" west, along the limit between lots 4 and 5, Bolton's Plan, a distance of 133.978 metres to a point, the said point being at the southeast corner of Lot 4 on Bolton's Plan, and at the southwest corner of Lot 5 on Bolton's Plan;

THENCE north 60°, 36', 00" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the southerly limit of Lot 4 on Bolton's Plan, and being parallel with and distant 133.978 metres from and measured perpendicular to the northerly limit of Lot 4, Bolton's Plan and the northerly limit of Lot 17, Concession 10, geographic Township of Maryborough, a distance of 455.614 metres, more or less, to the southwest corner of Lot 4 of Bolton's Plan, and also in the limit between lots 16 and 17, Concession 10, geographic Township of Maryborough;

THENCE north 60°, 15', 10" west, continuing along the limit of The Corporation of the Village of Drayton, according to unregistered County of Wellington By-law No. 214, being the southerly limit of lots 1, 2 and 3, according to Bolton's Plan, and being parallel with and distant

133.978 metres from and measured perpendicular to the northerly limit of lots 1, 2 and 3, Bolton's Plan and the northerly limit of Lot 16, Concession 10, geographic Township of Maryborough, a distance of 611.832 metres, more or less, to a point in the westerly limit of Lot 16, Concession 10, geographic Township of Maryborough, being also at the southwest corner of Lot 1, Bolton's Plan;

THENCE north 28°, 46', 50" east, along the limit of the boundary of the Village of Drayton, according to By-law No. 214, being also along the westerly limit of Lot 1 on Bolton's Plan, and the easterly limit of the original road allowance between lots 15 and 16, Concession 10, geographic Township of Maryborough, a distance of 133.997 metres to the northwest corner of Lot 1, Bolton's Plan of the Village, the said point being also the northwest corner of Lot 16, Concession 10, geographic Township of Maryborough, and the northwest corner of Part 1 on Plan 60R-1881;

THENCE north 28°, 46', 50" east, continuing along the limit of The Corporation of the Village of Drayton, according to By-law No. 214, a distance of 10.060 metres, more or less, to the centre line of the original road allowance between Concessions 10 and 11, geographic Township of Maryborough, known as Wellington County Road No. 8 and Main Street in the Village of Drayton;

THENCE north 29°, 43', 30" east, continuing along the limit of The Corporation of the Village of Drayton, a distance of 10.058 metres, more or less, to the point of commencement. O. Reg. 938/93, Sched. 2.

3/94

ONTARIO REGULATION 939/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

**VILLAGE OF DRAYTON, TOWNSHIP OF
PEEL BOUNDARY**

1.—(1) On January 1, 1994, the portion of the Township of Peel described in Schedule 1 is annexed to the Village of Drayton.

(2) On January 1, 1994, the portion of the Village of Drayton described in Schedule 2 is annexed to the Township of Peel.

2.—(1) All real property of The Corporation of the Township of Peel situate in the area to be annexed to the Village of Drayton vests in The Corporation of the Village of Drayton on January 1, 1994.

(2) All real property of The Corporation of the Village of Drayton situate in the area to be annexed to the Township of Peel vests in The Corporation of the Township of Peel on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Village of Drayton extend to the area to be annexed to the Village of Drayton and the by-laws of The Corporation of the Township of Peel cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Peel,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Village of Drayton;

- (b) by-laws of The Corporation of the Township of Peel passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Peel.

4.—(1) On January 1, 1994, the by-laws of The Corporation of the Township of Peel extend to the area to be annexed to the Township of Peel and the by-laws of The Corporation of the Village of Drayton cease to apply to such area, except,

- (a) by-laws of The Corporation of the Village of Drayton,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Township of Peel;

- (b) by-laws of The Corporation of the Village of Drayton passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Village of Drayton.

5.—(1) The clerk of The Corporation of the Township of Peel shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Village of Drayton a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Village of Drayton up to and including December 31, 1993 and the persons assessed therefor.

(2) The clerk of The Corporation of the Village of Drayton shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Township of Peel a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the area to be annexed to the Township of Peel up to and including December 31, 1993 and the persons assessed therefor.

6.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

(2) On or before April 1, 1994, The Corporation of the Village of Drayton shall pay to The Corporation of the Township of Peel an amount equal to the amount of all real property taxes that The Corporation of the Village of Drayton is entitled to collect in the area to be annexed to the Village of Drayton under subsection (1), that were due but unpaid on January 1, 1994.

7.—(1) All real property taxes levied under any general or special Act and uncollected in the area to be annexed to the Township of Peel that are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Township of Peel and may be collected by The Corporation of the Township of Peel.

(2) On or before April 1, 1994, The Corporation of the Township of Peel shall pay to The Corporation of the Village of Drayton an amount equal to the amount of all real property taxes that The Corporation of the Township of Peel is entitled to collect in the area to be annexed to the Township of Peel under subsection (1), that were due but unpaid on January 1, 1994.

8.—(1) All business taxes levied and uncollected in the area to be annexed to the Village of Drayton that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Township of Peel and may be collected by The Corporation of the Township of Peel.

(2) All business taxes levied and uncollected in the area to be annexed to the Township of Peel that are due and unpaid on December 31, 1993 shall continue after that date to be taxes due and payable to The Corporation of the Village of Drayton and may be collected by The Corporation of the Village of Drayton.

9.—(1) For the purposes of the assessment roll to be prepared for the Village of Drayton under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 1 shall be deemed to be a part of the Village of Drayton.

(2) For the purposes of the assessment roll to be prepared for the Township of Peel under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the area described in Schedule 2 shall be deemed to be a part of the Township of Peel.

10. The Corporation of the Township of Peel shall pay to The Corporation of the Village of Drayton the sum of \$7,542.00 of which \$2,514.00 is payable on or before December 1 in each of 1994, 1995 and 1996.

11. The agreements between The Corporation of the Village of Drayton and The Corporation of the Township of Peel entered into on July 19, 1993 and August 3, 1993 are hereby given effect. O. Reg. 939/93.

Schedule 1

LAND TO BE ANNEXED TO VILLAGE OF DRAYTON

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the Township of Peel, County of Wellington and Province of Ontario, and being composed of all of those portions of Lot 1, Concession 10, all that part of Lot 532, shown on Bolton's Plan of the Village of Drayton, lying to the east of the limit of The Corporation of the Village of Drayton, part of lots 1 and 2, Concession 11, and part of the original road allowance along the boundary between the townships of Maryborough and Peel, which are more particularly described as follows:

FIRSTLY

Consisting of part of Lot 1, Concession 10, and a portion of the original road allowance along the boundary between the townships of Maryborough and Peel;

PREMISING that the westerly limit of Lot 1, Concession 10, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at a point in the easterly limit of Lot 1, Concession 10, at a distance of 313.792 metres, measured on a course of north 29°, 22', 00" east, from the southeast corner of Lot 1, Concession 10, the said point of commencement being at the intersection of the southeasterly production of the southerly limit of a parcel of land that is illustrated as Part 3 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington, and assigned Registration No. 60R-2090 with the said lot limit, and being also distant 116.967 metres measured along the east limit of Lot 1, Concession 10, on a course of south 29°, 22', 00" west, from the southeast corner of a parcel of land that is illustrated as Part 3 on Plan 60R-3256;

THENCE north 60°, 14', 00" west, along the southeasterly production of the southerly limit of Part 3 on Plan 60R-2090, a distance of 123.754 metres, more or less, to the most southerly corner of Part 3 on Plan 60R-2090;

THENCE north 60°, 14', 00" west, along the southerly limit of Part 3 on Plan 60R-2090, a distance of 385.231 metres, more or less, to a point therein, the said point being at the southeast corner of Part 6 on Reference Plan 60R-2090;

THENCE north 60°, 40', 30" west, along the southerly limit of parts 5 and 6 on Reference Plan 60R-2090, a distance of 94.835 metres, more or less, to a point in the westerly limit of Lot 1, Concession 10, the said point being also in the easterly limit of the original road allowance along the limit between the townships of Maryborough and Peel, and at the southwest corner of Part 5 on Reference Plan 60R-2090;

THENCE north 60°, 40', 30" west, a distance of 20.117 metres, more or less, to a point in the westerly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, also known as Wellington Street in the Village of Drayton and Wellington County Road No. 11;

THENCE north 29°, 23', 30" east, along the westerly limit of the aforesaid original road allowance, being also along the easterly limit of Lot 19, Concession 10, Township of Maryborough, a distance of 141.466 metres to a point, the said point being at the southeast corner of Part 1 on Plan 60R-1147;

THENCE north 29°, 23', 30" east, continuing along the limit between the townships of Maryborough and Peel, being also along the westerly limit of the aforesaid original road allowance, a distance of 290.282 metres, more or less, to a point, the said point being in the southerly limit of The Corporation of the Village of Drayton, as more particularly described in unregistered Wellington County By-law No. 214, being also at the southeast corner of Lot 547, according to Bolton's Plan, and the southeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1203;

THENCE south 60°, 36', 30" east, along the easterly production of the southwest limit of Lot 547, according to Bolton's Plan, being also the south limit of Part 1 on Plan 60R-1203, a distance of 20.117 metres, more or less, to a point in the easterly limit of the original road allowance along the limit between the townships of Maryborough and Peel;

THENCE south 29°, 23', 30" west, along the easterly limit of the aforesaid original road allowance, being the limit of The Corporation of the Village of Drayton, as more particularly described in Wellington County By-law No. 214, a distance of 234.562 metres, more or less, to a point therein, the said point being the southwest corner of Lot 548, Bolton's Plan of the Village of Drayton, and being also at the southwest corner of a parcel of land that is illustrated as Part 4 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington, and assigned Registration No. 60R-1959;

THENCE south 60°, 47', 30" east, along the limit of The Corporation of the Village of Drayton, according to Wellington County By-law No. 214, being also along the southerly limit of Part 4 on Reference Plan 60R-1959, the southerly limit of Lot 42 on Registered Plan 418, and along the southerly limit of Registered Plan 425, a distance of 301.470 metres, to the southeast corner of Block 37 on Registered Plan 425;

THENCE north 29°, 24', 10" east, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of Registered Plan 425, a distance of 176.404 metres, to the northeast corner of Lot 25 on Registered Plan 425, being also the southeast corner of Block 43 on Registered Plan 418;

THENCE north 29°, 24', 10" east, continuing along the limit of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of Block 43, according to Registered Plan No. 418, a distance of 291.876 metres, to the northeast corner of Block 43, according to Registered Plan No. 418, being also the

southeast corner of a parcel of land that is illustrated as Part 1 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-1959;

THENCE north 29°, 24', 10" east, continuing along the limit of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of Part 1 on Reference Plan 60R-1959, a distance of 33.833 metres, to a point, the said point being at the southwest corner of Block 40, on Registered Plan 422, and at the northwest corner of Part 1 on Reference Plan 60R-3256;

THENCE south 61°, 53', 50" east, along the limit of the Village of Drayton, according to Ontario Municipal Board Order M-7628, registered as Instrument No. 44476-D, being also along the southerly limit of Registered Plan No. 422, a distance of 200.507 metres, to the southeast corner of Lot 10 on Registered Plan 422, being also at the southwest corner of Lot 1, according to Registered Plan 424;

THENCE south 61°, 53', 50" east, along the limit of the Village of Drayton according to Ontario Regulation 519/89, being also the southerly limit of Registered Plan 424, a distance of 101.233 metres, to the southeast corner of Lot 4, on Registered Plan 424, being also at the northeast corner of Part 1 on Reference Plan 60R-3256, in the limit between lots 1 and 2, Concession 10, in the Township of Peel;

THENCE south 29°, 22', 00" west, along the easterly limit of Lot 1, Concession 10, being also along the easterly limit of a parcel of land that is illustrated as Part 1 on Reference Plan 60R-3256, a distance of 507.933 metres, to a point therein, the said point being at the southeast corner of Part 1 on Reference Plan 60R-3256, and in the southeast limit of Part 3 on Plan 60R-2090;

THENCE south 29°, 22', 00" west, continuing along the easterly limit of Lot 1, Concession 10, being also along the easterly limit of a parcel of land that is illustrated as parts 2 and 3 on Reference Plan 60R-2090, a distance of 202.316 metres, more or less, to the point of commencement.

SECONDLY

Consisting of all that part of Lot 532, shown on Bolton's Plan of the Village of Drayton, lying to the east of the limit of The Corporation of the Village of Drayton, and part of lots 1 and 2, Concession 11, and part of the original road allowance along the limit between the townships of Maryborough and Peel.

PREMISING that the westerly limit of Lot 1, Concession 10, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090 and relating all bearings herein thereto;

COMMENCING at the northwest corner of Lot 1, Concession 11, Township of Peel, being also the northwest corner of Part 2 on a Plan of Survey that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-2099;

THENCE south 60°, 37', 30" east, along the limit between concessions 11 and 12, being also along the northerly limit of parts 2 and 3 on Plan 60R-2099, a distance of 206.044 metres to a point therein, the said point being the northeast corner of Part 3 on Plan 60R-2099;

THENCE south 60°, 14', 50" east, continuing along the limit between concessions 11 and 12, a distance of 416.700 metres, to the northeast corner of Lot 1, Concession 11, in the Township of Peel, the said point being the northwest corner of Lot 2, Concession 11;

THENCE south 60°, 46', 50" east, along the limit between concessions 11 and 12, a distance of 144.870 metres to a point therein;

THENCE south 30°, 18', 55" west, a distance of 1,086.856 metres, more or less, to a point, being a corner in the limit of The Corporation of the Village of Drayton, according to Ontario Regulation 393/88, being also the northeast corner of a parcel of land that is illustrated as Part 1 on a Plan that has been deposited in the Registry Office for the Registry Division of Wellington and assigned Registration No. 60R-2021;

THENCE north 60°, 28', 05" west, along the limit of The Corporation of the Village of Drayton, according to Ontario Regulation 393/88, being also along the northerly limit of Part 1 on Plan 60R-2021, a distance of 145.588 metres, to a point in the easterly limit of Lot 522, Bolton's Plan, the said point being also at the northwest corner of Part 1 on Plan 60R-2021;

THENCE north 29°, 53', 30" east, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the easterly limit of lots 487 and 488, lots 517 to 522, all and inclusive, a distance of 412.518 metres to a point therein, the said point being at the northeast corner of Lot 487, Bolton's Plan, being also in the limit between the north and south halves of Lot 1, Concession 11;

THENCE north 60°, 41', 25" west, along the limit between the north and south halves of Lot 1, Concession 11, being also along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being along the northerly limit of lots 486 and 487, Bolton's Plan, a distance of 301.728 metres, more or less, to a point therein, the said point being the northwest corner of Lot 486 on Bolton's Plan, and being also the northeast corner of Lot 455 on Bolton's Plan;

THENCE north 59°, 26', 50" west, continuing along the limit between the north and south halves of Lot 1, Concession 11, being also along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being also along the northerly limit of Lot 455, and a portion of Lot 454, Bolton's Plan, a distance of 96.741 metres to a point therein;

THENCE north 61°, 03', 10" west, continuing along the limit between the north and south halves of Lot 1, Concession 11, being also along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being along the northerly limit of a portion of Lot 454, Bolton's Plan, a distance of 25.677 metres, more or less, to a point therein, the said point being distant 185.707 metres, measured on a course of south 60°, 27', 40" east from the easterly limit of the original road allowance along the boundary between the townships of Maryborough and Peel;

THENCE north 29°, 32', 20" east, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the southerly production of the easterly limit of lots 537, 544 and 546, across Lot 532, Bolton's Plan, and continuing along the easterly limit of lots 537, 544 and 546, Bolton's Plan, a distance of 523.037 metres, more or less, to a point, the said point being the northeast corner of Lot 544, Bolton's Plan;

THENCE north 60°, 27', 40" west, along the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also the northerly limit of Lot 544, Bolton's Plan, a distance of 185.707 metres to a point in the westerly limit of Lot 1, Concession 11, being also the northwest corner of Lot 544, Bolton's Plan, and being in the easterly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, also known as Wellington Street in the Village of Drayton, and Wellington County Road No. 11;

THENCE north 63°, 48', 30" west, a distance of 20.152 metres to the westerly limit of the original road allowance along the boundary between the townships of Maryborough and Peel, being also known as Wellington Street in the Village of Drayton, and Wellington County Road No. 11;

THENCE north 29°, 32', 20" east, along the westerly limit of the original road allowance on the boundary between the townships of Maryborough and Peel, known also as Wellington Street in the Village of Drayton, and Wellington County Road No. 11, a distance of 152.310 metres to a point therein, the said point being at the intersection of the westerly production of the limit between concessions 11 and 12;

THENCE south 60°, 37', 30" east, a distance of 20.117 metres, more or less, to the point of commencement. O. Reg. 939/93, Sched. 1.

Schedule 2

LAND TO BE ANNEXED TO TOWNSHIP OF PEEL

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Village of Drayton, County of Wellington and Province of Ontario, and being composed of all of that part of lots 49 and 50, all of lots 51 to 56, all and inclusive, part of Lot 241, all of lots 242, 243 and 244, Bolton's Plan of the Village of Drayton, and part of the original road allowance between concessions 10 and 11, geographic Township of Peel, also known as Wellington County Road No. 8, and Main Street in the Village of Drayton, and which said parcel of land is more particularly described as follows:

PREMISING that the limit between the townships of Maryborough and Peel, being also the westerly limit of the original road allowance along the limit between the townships of Maryborough and Peel, has an astronomic bearing of north 29°, 23', 30" east, as shown on Reference Plan 60R-2090, and relating all bearings herein thereto;

COMMENCING at the southeast corner of Lot 244 on Bolton's Plan of the Village of Drayton, and being also the southeast corner of Lot 3, Concession 11, geographic Township of Peel, and the southeast corner of Part 7 on Plan 60R-1132;

THENCE north 29°, 48', 00" east, along the easterly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also the easterly limit of Lot 244, according to Bolton's Plan, and the easterly limit of Lot 3, Concession 11, geographic Township of Peel, a distance of 133.978 metres to the northeast corner of Lot 244, Bolton's Plan of the Village of Drayton, according to By-law No. 214;

THENCE north 60°, 06', 30" west, along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of lots 243 and 244, Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 3, Concession 11, geographic Township of Peel, a distance of 615.329 metres, more or less, to a point in the limit between lots 2 and 3, Concession 11, geographic Township of Peel, and also the northwest corner of Lot 243, Bolton's Plan of the Village of Drayton;

THENCE north 60°, 27', 00" west, continuing along the northerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also along the northerly limit of lots 241 and 242, according to Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the southerly limit of Lot 2, Concession 11, geographic Township of Peel, a distance of 464.923 metres, more or less, to a point in the easterly limit of Part 1, Plan 60R-2021, and being at the southeast corner of the lands of The Corporation of the Village of Drayton, according to Ontario Regulation 393/88, and distant 29.544 metres, measured on a course of north 29°, 53', 30" east, from the southeast corner of Part 1, Plan 60R-2021;

THENCE south 29°, 53', 30" west, along the easterly limit of Part 1, Plan 60R-2021, a distance of 29.544 metres to the southeast corner of Part 1, Plan 60R-2021;

THENCE south 29°, 08', 40" west, a distance of 104.441 metres, more or less, to a point in the northerly limit of the original road allowance between concessions 10 and 11, (geographic Township of Peel), known as Wellington County Road No. 8 and Main Street in the Village of Drayton, being also the southwest corner of Part 8 on Plan 60R-1132;

THENCE south 29°, 08', 40" west, a distance of 10.059 metres to a point in the centre line of the original road allowance between concessions 10 and 11, geographic Township of Peel;

THENCE north 60°, 27', 00" west, along the centre line of the original road allowance between concessions 10 and 11, geographic Township of Peel, a distance of 108.631 metres, more or less, to a point therein, the

said point being at the intersection with the northerly production of the easterly limit of Part 1 on Plan 61R-6029;

THENCE south 29°, 26', 50" west, along the northerly production of the easterly limit of Part 1 on Plan 61R-6029, a distance of 10.058 metres to a point in the southerly limit of the original road allowance between concessions 10 and 11, geographic Township of Peel;

THENCE south 29°, 26', 50" west, continuing along the northerly production of the easterly limit of Part 1, Plan 61R-6029, a distance of 5.182 metres to a point, being at the northeast corner of Part 1 on Plan 61R-6029;

THENCE south 29°, 26', 50" west, along the easterly limit of Part 1 on Plan 61R-6029, a distance of 76.200 metres to a point, being the southeast corner of Part 1 on Plan 61R-6029;

THENCE north 60°, 27', 00" west, along the southerly limit of Part 1 on Plan 61R-6029, a distance of 40.234 metres to a point in the easterly limit of Lot 186, Bolton's Plan and the westerly limit of Lot 50, Bolton's Plan, and being the southwest corner of Part 1 on Plan 61R-6029;

THENCE south 29°, 26', 50" west, along the easterly limit of lots 186 and 187, Bolton's Plan, and the westerly limit of Lot 50, Bolton's Plan, a distance of 52.596 metres, more or less, to a point at the southwest corner of Lot 50, Bolton's Plan, the said point being in the limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being at a point distant 133.978 metres measured southerly and perpendicular to the northerly limit of Lot 49, Bolton's Plan and the northerly limit of Lot 2, Concession 10, geographic Township of Peel;

THENCE south 60°, 27', 00" east, along the southerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, and being also the southerly limit of lots 50, 51 and 52, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the northerly limit of Lot 2, Concession 10, geographic Township of Peel, a distance of 612.210 metres, more or less, to a point, being the southeast corner of Lot 52, Bolton's Plan and the southwest corner of Lot 55, Bolton's Plan, and in the limit between lots 2 and 3, Concession 10, geographic Township of Peel;

THENCE south 60°, 06', 30" east, continuing along the southerly limit of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, being also the southerly limit of lots 55 and 56, Bolton's Plan, and being parallel with, and distant 133.978 metres from, and measured perpendicular to the northerly limit of Lot 3, Concession 10, geographic Township of Peel, a distance of 615.569 metres, more or less, to a point in the easterly limit of Lot 3, Concession 10, geographic Township of Peel, and also in the westerly limit of the original road allowance between lots 3 and 4, and being at the southeast corner of Lot 56, Bolton's Plan of the Village of Drayton;

THENCE north 29°, 28', 10" east, along the easterly limit of Lot 56, and also being the easterly limit of Lot 3, Concession 10, geographic Township of Peel, a distance of 133.982 metres to a point, being the northeast corner of Lot 56, Bolton's Plan, and the northeast corner of Lot 3, Concession 10, geographic Township of Peel, and also the northeast corner of Part 17 on Plan 60R-1132;

THENCE north 29°, 28', 10" east, continuing along the easterly boundary of The Corporation of the Village of Drayton, according to unregistered Wellington County By-law No. 214, a distance of 10.059 metres, more or less, to a point in the centre line of the original road allowance between concessions 10 and 11, geographic Township of Peel;

THENCE north 29°, 48', 00" east, continuing along the easterly boundary of the Village of Drayton, a distance of 10.059 metres, more or less, to the point of commencement. O. Reg. 939/93, Sched. 2.

ONTARIO REGULATION 940/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

**TOWNSHIP OF GOSFIELD SOUTH, TOWNSHIP OF
GOSFIELD NORTH BOUNDARY**

1. On January 1, 1994, the portion of the Township of Gosfield North described as Parts 1 to 7, inclusive, on Reference Plan 12R-12942 is annexed to the Township of Gosfield South.

2. All real property of The Corporation of the Township of Gosfield North situate in the annexed area vests in The Corporation of the Township of Gosfield South on January 1, 1994.

3. On January 1, 1994, the by-laws of The Corporation of the Township of Gosfield South extend to the annexed area and the by-laws of The Corporation of the Township of Gosfield North cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Gosfield North,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Township of Gosfield South;

- (b) by-laws of The Corporation of the Township of Gosfield North passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Gosfield North.

4. The clerk of The Corporation of the Township of Gosfield North shall as soon as practicable prepare and furnish to the clerk of The Corporation of the Township of Gosfield South a special collector's roll showing all arrears of real property taxes or special rates assessed against the land in the annexed area up to and including December 31, 1993 and the persons assessed therefor.

5.—(1) All real property taxes levied under any general or special Act and uncollected in the annexed area which are due and unpaid on December 31, 1993 shall be deemed on January 1, 1994 to be taxes due and payable to The Corporation of the Township of Gosfield South and may be collected by The Corporation of the Township of Gosfield South.

(2) On or before April 1, 1994, The Corporation of the Township of Gosfield South shall pay to The Corporation of the Township of Gosfield North an amount equal to the amount of all deemed taxes that The Corporation of the Township of Gosfield South is entitled to collect in the annexed area under subsection (1), that were due but unpaid on December 31, 1993.

6. All business taxes levied under and uncollected in the annexed area which are due and unpaid on December 31, 1993 continue after that date to be taxes due and payable to The Corporation of the Township of Gosfield North and may be collected by The Corporation of the Township of Gosfield North.

7. For the purposes of the assessment roll to be prepared for the

Township of Gosfield South under subsection 14 (1) of the *Assessment Act* for the 1994 taxation year, the annexed area shall be deemed to be a part of the Township of Gosfield South.

8. The agreement between The Corporation of the Township of Gosfield South and The Corporation of the Township of Gosfield North entered into on April 13, 1992 is hereby given effect. O. Reg. 940/93.

3/94

ONTARIO REGULATION 941/93
made under the
MUNICIPAL BOUNDARY NEGOTIATIONS ACT

Made: December 15, 1993
Filed: December 20, 1993

**TOWN OF BLENHEIM, TOWNSHIP OF
HARWICH BOUNDARY**

1. On January 1, 1994, the portion of the Township of Harwich described in the Schedule is annexed to the Town of Blenheim.

2. All real property including any highway, street fixture, waterline, easement and restrictive covenant running with the land of The Corporation of the Township of Harwich situate in the annexed area vests in The Corporation of the Town of Blenheim on January 1, 1994.

3.—(1) On January 1, 1994, the by-laws of The Corporation of the Town of Blenheim extend to the annexed area and the by-laws of The Corporation of the Township of Harwich cease to apply to such area, except,

- (a) by-laws of The Corporation of the Township of Harwich,
 - (i) that were passed under section 34 or 42 of the *Planning Act* or a predecessor of those sections,
 - (ii) that were kept in force by subsection 13 (3) of *The Municipal Amendment Act, 1941*, or
 - (iii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of The Corporation of the Town of Blenheim;

- (b) by-laws of The Corporation of the Township of Harwich passed under section 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections; and
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of The Corporation of the Township of Harwich.

(2) Despite subsection (1), if The Corporation of the Township of Harwich has commenced procedures to enact a by-law under any Act or to adopt an official plan or amendment thereto under the *Planning Act*, and that by-law, official plan or amendment would apply to the annexed area and is not in force on January 1, 1994, The Corporation of the Town of Blenheim may continue the procedure to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

4. The clerk of The Corporation of the Township of Harwich shall promptly prepare and furnish to the clerk of The Corporation of the Town of Blenheim a special collector's roll showing all arrears of taxes or special rates assessed against the lands in the annexed area up to and including December 31, 1993 and the persons assessed therefor.

5.—(1) All real property taxes levied under any general or special Act

**PART II
CONTRACT OF EMPLOYMENT**

12. This Part applies to the former municipalities of the Township of Orillia, the Township of Matchedash and the Village of Coldwater. O. Reg. 953/93, s. 12.

13. A provision in a contract of employment entered into between an employee of a former municipality and the former municipality which provides for compensation, including severance payments, to the employee as a result of the employee terminating his or her employment with the Township of Severn or a local board thereof is repealed. O. Reg. 953/93, s. 13.

14. Nothing in this Part affects the rights or obligations of a person or the Township of Severn under any Act, the common law or a pension plan. O. Reg. 953/93, s. 14.

**PART III
WARDS**

15.—(1) The Town of New Tecumseth is divided into five wards.

(2) Each ward consists of the land described in Appendix 1.

(3) One member of council shall be elected from each of wards 2, 3 and 4.

(4) Two members of council shall be elected from each of wards 1 and 5. O. Reg. 953/93, s. 15.

16.—(1) The Town of Bradford West Gwillimbury is divided into five wards.

(2) Each ward consists of the land described in Appendix 2.

(3) One member of council shall be elected from each of wards 3, 4 and 5.

(4) Two members of council shall be elected from each of wards 1 and 2. O. Reg. 953/93, s. 16.

17.—(1) The Town of Innisfil is divided into seven wards.

(2) Each ward consists of the land described in Appendix 3.

(3) One member of council shall be elected from each ward. O. Reg. 953/93, s. 17.

18.—(1) The Township of Adjala-Tosorontio is divided into five wards.

(2) Each ward consists of the land described in Appendix 4.

(3) One member of the council shall be elected from each ward. O. Reg. 953/93, s. 18.

19.—(1) The Township of Essa is divided into three wards.

(2) Each ward consists of the land described in Appendix 5.

(3) One member of council shall be elected from each ward. O. Reg. 953/93, s. 19.

20.—(1) The Township of Clearview is divided into seven wards.

(2) Each ward consists of the land described in Appendix 6.

(3) One member of council shall be elected from each ward. O. Reg. 953/93, s. 20.

21.—(1) The Township of Springwater is divided into seven wards.

(2) Each ward consists of the land described in Appendix 7.

(3) One member of council shall be elected from each ward. O. Reg. 953/93, s. 21.

22.—(1) The Township of Oro-Medonte is divided into five wards.

(2) Each ward consists of the land described in Appendix 8.

(3) One member of council shall be elected from each ward. O. Reg. 953/93, s. 22.

23.—(1) The Town of Penetanguishene is divided into two wards.

(2) Each ward consists of the land described in Appendix 9.

(3) Three members of council shall be elected from Ward 1.

(4) Four members of council shall be elected from Ward 2. O. Reg. 953/93, s. 23.

24.—(1) The Town of Midland is divided into two wards.

(2) Each ward consists of the land described in Appendix 10.

(3) Four members of council shall be elected from Ward 1.

(4) Three members of council shall be elected from Ward 2. O. Reg. 953/93, s. 24.

25.—(1) The Township of Tay is divided into four wards.

(2) Each ward consists of the land described in Appendix 11.

(3) Two members of council shall be elected from each of wards 1, 2 and 3.

(4) One member of council shall be elected from Ward 4. O. Reg. 953/93, s. 25.

26.—(1) The Township of Severn is divided into five wards.

(2) Each ward consists of the land described in Appendix 12.

(3) One member of council shall be elected from each ward. O. Reg. 953/93, s. 26.

27.—(1) The Township of Ramara is divided into five wards.

(2) Each ward consists of the land described in Appendix 13.

(3) One member shall be elected from each ward. O. Reg. 953/93, s. 27.

28. The Appendices referred to in this Part are contained in a document prepared by the Ministry of Municipal Affairs entitled "Wards of Local Municipalities in the County of Simcoe as of December 1, 1994" and filed with the clerk of each affected local municipality. O. Reg. 953/93, s. 28.

**PART IV
DEVELOPMENT CHARGES**

29.—(1) In this Part, "development charges by-law" means a by-law passed by a former municipality under section 3 of the *Development Charges Act* on or before December 31, 1993.

(2) In respect of a development charges by-law, a reference to a clerk of a local municipality in this Part or in section 4 of the *Development Charges Act* means the clerk of the local municipality which includes the majority of the area of the former municipality which passed the by-law. O. Reg. 953/93, s. 29.

30.—(1) If the hearing of an appeal of a development charges by-law under section 4 of the *Development Charges Act* has not been held or has not been completed and, as a result of the amalgamations and annexations under the Act, any part of the land affected by the by-law is

located in a local municipality other than the local municipality which includes the majority of the area of the former municipality which passed the by-law, the clerk of the local municipality shall,

- (a) forward a copy of the notice of appeal and record with respect to the by-law to each affected local municipality at the same time those documents are forwarded to the Ontario Municipal Board under subsection 4 (7) of the *Development Charges Act*, or
- (b) if documents described in clause (a) have already been forwarded to the Municipal Board, immediately forward a copy of those documents to each affected local municipality.

(2) Each affected local municipality is entitled to be a party at the hearing of the appeal of the by-law. O. Reg. 953/93, s. 30.

31.—(1) If the appeal period under subsection 4 (4) of the *Development Charges Act* with respect to a development charges by-law has not expired as of December 31, 1993, the appeal period under that subsection is extended until twenty days after written notice under subsection (2) is given.

(2) The clerk of the local municipality shall, not later than January 15, 1994, give written notice of the by-law and the extended appeal period in accordance with subsection 4 (3) of the *Development Charges Act*. O. Reg. 953/93, s. 31.

32.—(1) The Ontario Municipal Board shall consider an appeal of a development charges by-law under section 4 of the *Development Charges Act* as if the amalgamations and annexations under the Act had not occurred.

(2) Despite subsection (1), the Municipal Board may consider the amalgamations and annexations under the Act when making a decision to reduce a development charge imposed by the development charges by-law on all or any part of the land affected by the by-law.

(3) A decision of the Municipal Board under subsection 4 (11) of the *Development Charges Act* with respect to a development charges by-law shall set out,

- (a) the decision of the Municipal Board made as if the amalgamations and annexations under the Act had not occurred; and
- (b) the reductions, if any, in the development charges imposed by the by-law which the Municipal Board considers appropriate after considering the annexations under the Act. O. Reg. 953/93, s. 32.

**PART V
NOTICE REQUIREMENTS**

33.—(1) Notice under subsection 15 (10) of the Act of a public meeting to inform the public of a proposed by-law shall be in Form 1.

(2) Notice under subsection 15 (13) of the Act of the passing of a by-law shall be in Form 2. O. Reg. 953/93, s. 33.

34. Notice under section 33 shall be given,

- (a) by publication in a newspaper or newspapers that are, in the opinion of the clerk, of sufficiently general circulation in the local municipality to give the public reasonable notice of the meeting or the passing of the by-law; and
- (b) by personal service or prepaid first class mail,
 - (i) to every person that has given the clerk of the local municipality a written request, including the person's address, to receive notice of the public meeting or of the passing of the by-law,
 - (ii) to the clerk of each local municipality any part of which

is within one kilometre of the area to which the by-law applies,

- (iii) to the secretary of every municipal or other corporation operating an electric utility in the local municipality,
- (iv) to the manager of the Willowdale field management office of the Ministry of Municipal Affairs,
- (v) to the vice-president of regions of Ontario Hydro, and
- (vi) to the deputy minister of the Ministry of Environment and Energy. O. Reg. 953/93, s. 34.

**PART VI
MISCELLANEOUS**

35. Ontario Regulations 682/90, 709/91, 776/91, 95/92, 763/92 and 585/93 are revoked.

36. Ontario Regulation 149/91 is revoked on December 1, 1994.

37.—(1) This Regulation, except Part III, comes into force on January 1, 1994.

(2) Part III comes into force on December 1, 1994.

(3) Despite subsection (2), the regular election held in 1994 shall be conducted as if Part III was in force.

Form 1

County of Simcoe Act, 1993

**NOTICE OF A PUBLIC MEETING REGARDING
A PROPOSED BY-LAW OF**

THE CORPORATION OF THE

TAKE NOTICE that a public meeting regarding a proposed by-law of

the under section 15 of the *County*
(name of municipality)

of *Simcoe Act, 1993* shall be held at o'clock on the day

of, 19..... at
(location of meeting)

Any person who has an interest in the proposed by-law may appear and make submissions in person or through an agent.

An explanation of the purpose and effect of the proposed by-law, a description of the lands to which the proposed by-law would apply and a key map showing the location of the lands to which the proposed by-law would apply (or alternatively, an explanation as to why a key map is not provided) are attached. The proposed by-law is available for inspection in my office during regular office hours.

.....
Municipal Clerk

Dated at, on, 19

O. Reg. 953/93, Form 1.

Form 2

County of Simcoe Act, 1993

NOTICE OF THE PASSING OF A BY-LAW

BY THE CORPORATION OF THE



TAKE NOTICE that the Council of the
(name of municipality)

passed a by-law on the day of, 19.....
under section 15 of the *County of Simcoe Act, 1993*.

AND TAKE NOTICE that any person may appeal to the Ontario
Municipal Board in respect of the by-law by filing with the Clerk of
the not later than the day of
(name of municipality)

....., 19..... a notice of appeal setting out the objection to
the by-law and the reasons in support of objection.

An explanation of the purpose and effect of the by-law, a description
of the lands to which the by-law applies and a key map showing the
location of the lands to which the by-law applies (or alternatively, an
explanation as to why a key map is not provided) are attached. The
complete by-law is available for inspection in my office during regular
office hours.

.....
Municipal Clerk

O. Reg. 953/93, Form 2.

ED PHILIP
Minister of Municipal Affairs

Dated at Toronto on December 23, 1993.

3/94

5-



TABLE OF REGULATIONS

TABLE DES RÈGLEMENTS

1990-1993



TABLE OF REGULATIONS

The Table of Regulations shows the regulations contained in Revised Regulations of Ontario, 1990 and those made after December 31, 1990 and before January 1, 1994. It also shows the amendments to those regulations.

Most of the listings are in English only. Some regulations have an official French version. Bilingual regulations are indicated by a bilingual title.

Occasionally numerical, typographical or other clerical errors are made in the publication of the text of regulations. Corrections are published in *The Ontario Gazette*. A schedule of the dates these corrections were published is included at the end of this Table.

The dates on which regulations were published in *The Ontario Gazette* are set out in a table immediately following this Table.

The abbreviation "Rev." means revoked.

The abbreviation "Exp." means expired.

TABLE DES RÈGLEMENTS

La Table des règlements énumère tous les règlements contenus dans les Règlements refondus de l'Ontario de 1990 ou pris après le 31 décembre 1990 mais avant le 1^{er} janvier 1994. Elle indique également les modifications apportées à ces règlements.

La plupart des entrées ne figurent qu'en anglais. Quelques règlements ont une version officielle en français et leur titre est indiqué dans les deux langues.

À l'occasion, des erreurs d'écritures, notamment d'ordre numérique ou typographique, se glissent dans le texte des règlements qui sont publiés. Des corrections sont publiées dans la *Gazette de l'Ontario*. Les dates auxquelles ces corrections ont été faites figurent dans l'annexe qui se trouve à la fin de cette Table.

Les dates auxquelles les règlements ont été publiés dans la *Gazette de l'Ontario* figurent dans la table qui suit celle-ci.

L'abréviation «Rev.» indique que le règlement est abrogé.

L'abréviation «Exp.» indique que le règlement est périmé.

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