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Toronto

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Le samedi 18 mars 2000

Proclamations

(Great Seal of Ontario)

HILARY M. WESTON

PROVINCE OF ONTARIO

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

PROCLAMATION

ONTARIO LOTTERY AND GAMING CORPORATION ACT, 1999

The *Ontario Lottery and Gaming Corporation Act, 1999* comes into force on Saturday, April 1, 2000.

WITNESS:

THE HONOURABLE
HILARY M. WESTON

LIEUTENANT GOVERNOR OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on March 8, 2000.

BY COMMAND

CHRIS HODGSON
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

HILARY M. WESTON

PROVINCE DE L'ONTARIO

ELIZABETH DEUX, par la grâce de Dieu, Reine du Royaume-Uni, du Canada et de ses autres royaumes et territoires, Chef du Commonwealth, Défenseur de la Foi.

PROCLAMATION

LOI DE 1999 SUR LA SOCIÉTÉ DES LOTERIES ET DES JEUX DE L'ONTARIO

La *Loi de 1999 sur la Société des loteries et des jeux de l'Ontario* entre en vigueur à compter du samedi 1^{er} avril 2000.

TÉMOIN :

L'HONORABLE
HILARY M. WESTON

LIEUTENANTE-GOUVERNEURE DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 8 mars 2000.

PAR ORDRE

CHRIS HODGSON
Président du Conseil de gestion du gouvernement
(6615) 12

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(Great Seal of Ontario)

HILARY M. WESTON

PROVINCE OF ONTARIO

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

PROCLAMATION

LIQUOR LICENCE AMENDMENT ACT, 1998

The following provisions of the ***Liquor Licence Amendment Act, 1998***, Statutes of Ontario, 1998, Chapter 24 come into force on March 30, 2000:

Sections 1 to and including 17, save and except for section 9.

WITNESS:

THE HONOURABLE
HILARY M. WESTON

LIEUTENANT GOVERNOR OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on March 8, 2000.

BY COMMAND

CHRIS HODGSON
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

HILARY M. WESTON

PROVINCE DE L'ONTARIO

ELIZABETH DEUX, par la grâce de Dieu, Reine du Royaume-Uni, du Canada et de ses autres royaumes et territoires, Chef du Commonwealth, Défenseur de la Foi.

PROCLAMATION

LOI DE 1998 MODIFIANT LA LOI SUR LES PERMIS D'ALCOOL

Les dispositions suivantes de la ***Loi de 1998 modifiant la Loi sur les permis d'alcool***, Lois de l'Ontario, 1998, chapitre 24 entrent en vigueur à compter du 30 mars 2000:

Les articles 1 à 17 inclusivement, à l'exception de l'article 9.

TÉMOIN :

L'HONORABLE
HILARY M. WESTON

LIEUTENANTE-GOUVERNEURE DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 8 mars 2000.

PAR ORDRE

CHRIS HODGSON
Président du Conseil de gestion du gouvernement

(6616) 12

(Great Seal of Ontario)

HILARY M. WESTON

PROVINCE OF ONTARIO

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

PROCLAMATION

RED TAPE REDUCTION ACT, 1998

The following provisions of the ***Red Tape Reduction Act, 1998***, come into force on March 31, 2000:

Sections 5, 6, 7, 9, 10, 11, 13, 15 and
16 of Schedule E

WITNESS:

THE HONOURABLE
HILARY M. WESTON

LIEUTENANT GOVERNOR OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on March 8, 2000.

BY COMMAND

CHRIS HODGSON
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

HILARY M. WESTON

PROVINCE DE L'ONTARIO

ELIZABETH DEUX, par la grâce de Dieu, Reine du Royaume-Uni, du Canada et de ses autres royaumes et territoires, Chef du Commonwealth, Défenseur de la Foi.

PROCLAMATION

LOI DE 1998 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Les dispositions suivantes de la ***Loi de 1998 visant à réduire les formalités administratives*** entrent en vigueur à compter du 31 mars 2000:

Les articles 5, 6, 7, 9, 10, 11, 13, 15 et 16 de
l'annexe E

TÉMOIN :

GIVEN at Toronto, Ontario, on March 8, 2000.

L'HONORABLE
HILARY M. WESTON

BY COMMAND

LIEUTENANTE-GOUVERNEURE DE NOTRE
PROVINCE DE L'ONTARIOCHRIS HODGSON
Chair of the Management Board of Cabinet

FAIT à Toronto (Ontario) le 8 mars 2000.

PAR ORDRE

(Great Seal of Ontario)

CHRIS HODGSON
Président du Conseil de gestion du gouvernement
(6617) 12

HILARY M. WESTON

PROVINCE DE L'ONTARIO

(Great Seal of Ontario)

HILARY M. WESTON

PROVINCE OF ONTARIO

ELIZABETH THE SECOND, by the Grace of God of the United
Kingdom, Canada and Her other Realms and Territories, Queen,
Head of the Commonwealth, Defender of the Faith.ELIZABETH DEUX, par la grâce de Dieu, Reine du Royaume-Uni, du
Canada et de ses autres royaumes et territoires, Chef du
Commonwealth, Défenseur de la Foi.

PROCLAMATION

CHILD AND FAMILY SERVICES AMENDMENT ACT
(CHILD WELFARE REFORM), 1999The *Child and Family Services Amendment Act (Child Welfare
Reform)*, 1999, Statutes of Ontario, 1999, chapter 2, comes into force
on March 31, 2000, except for:Subsection 2(3)
Section 11
Subsection 23(2)
Section 27
Section 28
Subsections 30(2), (3), (5)
Section 31
Subsection 33(2)Le paragraphe 2(3)
L'article 11
Le paragraphe 23(2)
L'article 27
L'article 28
Les paragraphes 30(2), (3), (5)
L'article 31
Le paragraphe 33(2)

TÉMOIN :

L'HONORABLE
HILARY M. WESTONLIEUTENANTE-GOUVERNEURE DE NOTRE
PROVINCE DE L'ONTARIO

WITNESS:

FAIT à Toronto (Ontario) le 8 mars 2000.

THE HONOURABLE
HILARY M. WESTON

PAR ORDRE

LIEUTENANT GOVERNOR OF OUR
PROVINCE OF ONTARIOCHRIS HODGSON
Président du Conseil de gestion du gouvernement
(6618) 12

Motor Vehicle Transport Act/Truck Transportation Act Loi sur les transports routiers/Loi sur le camionnage

The following are applications for operating licences under the *Truck Transportation Act*, R.S.O. 1990, Chapter T.22, and/or the *Motor Vehicle Transport Act*, 1987, Chapter 35. The applicants have met the fitness requirements pursuant to Section 6 of the *Truck Transportation Act* and/or Section 8(2) of the *Motor Vehicle Transport Act*, 1987 and the provincial transport board and/or the Registrar of Motor Vehicles proposes to issue the licences if no written objection is served on the applicant and filed with the Registrar of Motor Vehicles, within thirty days of this publication.

The following applicants have applied for Authority to offer a transportation service for the carriage of Goods:

On trouvera ci-après la liste des demandes de permis d'exploitation présentées en vertu de la *Loi sur le camionnage*, L.R.O. 1990, chapitre T.22, et/ou la *Loi de 1987 sur les transports routiers*, L.C. 1987, chapitre 35. On a jugé que les personnes ayant présenté ces demandes se conformaient aux critères d'aptitude prévus au paragraphe 8(2) de la *Loi de 1987 sur les transports routiers* et l'office des transports de l'Ontario et/ou le registrateur des véhicules automobiles dans les trente jours suivant la publication des présentes.

Les personnes suivantes ont demandé l'autorisation d'offrir des services de transport de marchandises à destination.

ASHLEE OILFIELD SERVICES LTD.
CHERRILL, AB

BACON, SANDI, LEE
PORT PERRY, ON

BLACKKNIGHT SHUTTLE SERVICE INC.
SCARBOROUGH, ON

BLAKE, NEVILLE, N.
SCARBOROUGH, ON

BLUE TOWER TRANSPORT INC.
CHOMEDEY LAVAL, QC

BOISJOLI, MARC
L-AVENIR, QC

BOTT, LAWRENCE, R
GORRIE, ON

ARNETT, GEORGE, E./
CAMPBELL, PAULINE, F.
DUNDAS, ON

TRANSPORT ALAIN DALLAIRE INC.
AUBERT GALLION, QC

DEBLOUW, SCOTT, E.
MACOMB, MI

TRANSPORT CLAUDE GAGNE INC.
ST. ISIDORE, QC

GILL, KASHMIRA, SINGH
ABBOTSFORD, BC

GREYSTONE HAULAGE INC.
MISSISSAUGA, ON

EARL HARDY TRUCKING INC.
DASHWOOD, ON

HARRIS, DANIEL
MISSISSAUGA, ON

HORIZON D'AMERIQUE INC.
NOTRE DAME DU MONT CARMEL, QC

D.J. KNOLL TRANSPORT LTD.
REGINA, SK

LOHARA INC.
GUELPH, ON

MARITIME AUTO BROKER INC.
CALGARY, AB

MAROL EXPRESS INC.
NOTRE DAME DES PINS, QC

MENDONCA, EMANUEL, L.
TORONTO, ON

MID WEST EXPRESS INC.
CALGARY, AB

MILLENNIUM LOGISTICS INC.
BARRIE, ON

LE FERMES ONSLOW-QUEBEC INC.
QUYON, QC

PAVE-RITE PAVING INC.
KINGSTON, ON

Q.S. OF ILLINOIS INC.
LOMBARD, IL

RATZEL, KELLEY, D.
REEDSBURGE, WI

SOHAL TRANSPORT LTD.
ETOBICOKE, ON

SPACE LINK EXPRESS LTD.
BRAMPTON, ON

STIDHAM TRUCKING INC.
YREKA, CA

TARPLINE EXPRESS INC.
WINNEPEG, MB

TIMBERLINE EXPRESS LTD.
SCOU DOUC, NB

TRANSPRO COURIER INC.
WEST BRIDGEWATER, MA

TREMBLAY, PAUL-HENRI
LANORAIE, QC

TRIPLE F EXPEDITING & LOGISTICS INC.
TAYLOR, MI

T & S TRANSPORTATION SYSTEMS INC.
SURREY, BC

TYALTA TRANSPORT LTD.
CROSSFIELD, AB

VALOIS, ROBERT, P.
COBOURG, ON

VASSOS, PETER, P.
NEWMARKET, ON

421205 ALBERTA LTD.
ST. ALBERT, AB

1027390 ONTARIO INC.
LIMOGE, ON

1185635 ONTARIO INC.
TECUMSEH, ON

1339823 ONTARIO INC.
BELLEVILLE, ON

1350349 ONTARIO INC
BARRIE, ON

1371668 ONTARIO INC.
CAISTOR CENTRE, ON

1397793 ONTARIO INC.
RICHMOND HILL, ON

3576485 CANADA INC.
MONTREAL, QC

9007-5375 QUEBEC INC.
ST-ANSELME, QC

9021-4925 QUEBEC INC.
ST. NICEPHORE, QC

9060-0305 QUEBEC INC.
CANTON DE GRANBY, QC

9060-4570 QUEBEC INC.
DOLLARD-DES-ORMEAUX, QC

9075-6644 QUEBEC INC.
ST. LOUIS DE FRANCE, QC

J Greig Beatty
Manager
Chef de Service

ONTARIO HIGHWAY TRANSPORT BOARD

NOTICE

Periodically, temporary applications are filed with the Board. Details of these applications can be made available at anytime to any interested parties by calling (416) 326-6732.

The following are applications for extra-provincial and public vehicle operating licenses filed under the *Motor Vehicle Transport Act, 1987*, and the *Public Vehicles Act*. All information pertaining to the applicant *i.e.* business plan, supporting evidence, etc. is on file at the Board and is available upon request.

Any interested person who has an economic interest in the outcome of these applications may serve and file an objection within 29 days of this publication. The objector shall:

1. complete a Notice of Objection Form,
2. serve the applicant with the objection,
3. file a copy of the objection and provide proof of service of the objection on the applicant with the Board,
4. pay the appropriate fee.

Serving and filing an objection may be effected by hand delivery, mail, courier or facsimile. Serving means the date received by a party and filing means the date received by the Board.

LES LIBELLÉS DES DEMANDES PUBLIÉES CI-DESSOUS SONT AUSSI DISPONIBLES EN FRANÇAIS SUR DEMANDE.

Red Beaver Bus Travel Inc.
173-P Daly Ave., Ottawa, ON K1N 6E8

45786

Applies for an extra provincial operating licence as follows:

For the transportation of passengers and their baggage using a 24 passenger bus equipped with 24 beds, and without washroom facilities, as a scheduled operation from Tsawwassen, British Columbia to Halifax, Nova Scotia and return with the right to pick up and drop off passengers in:

Vancouver, BC;	Kamloops, BC;	Revelstoke, BC;
Lake Louise, AB;	Banff, AB;	Calgary, AB;
Maple Creek, SK;	Regina, SK;	Winnipeg, MB;
Dryden, ON;	Thunder Bay, ON;	Sleeping Giant Provincial
Park, ON;	Wawa, ON;	Sault Ste. Marie, ON
Sudbury, ON;	Toronto, ON	Kingston, ON;
Ottawa, ON	Montreal, QC;	Quebec, QC
Riviere-du-Loup, QC;	Fredericton, NB;	Moncton, NB;
Wentworth, NS		

Restriction: This service will operate at a maximum frequency of one (1) departure per week in each direction.

Definition: A bed is a horizontal 6' x 2' surface fitted with a mattress.

Exception: In the event of mechanical breakdown, a rented or chartered passenger bus that is not equipped with beds may be used to transport up to twenty-four (24) passengers and their baggage, while repairs are carried out, for a period not exceeding two weeks. Tariffs will not be collected for the transportation of passengers using a bus not equipped with beds.

Sharp Bus Lines Limited
567 Oak Park Rd., Brantford, ON N3T 5L8

21605-A12

Applies for an extra provincial operating licence as follows:

For the transportation of passengers on a chartered trip from points in the Regional Municipality of Haldimand-Norfolk and the Cities of Woodstock and Tillsonburg to the Ontario/Quebec, Ontario/Manitoba and the Ontario/USA border crossings for furtherance to points as authorized by the relevant jurisdiction and for the return of the same passengers on the same chartered trip to point of origin.

PROVIDED that there shall be no pick-up or discharge of passengers except at point of origin.

21605-A13

Applies for a public vehicle operating licence as follows:

For the transportation of passengers on a chartered trip from points in the Regional Municipality of Haldimand-Norfolk and the Cities of Woodstock and Tillsonburg.

Felix D'Mello
 Board Secretary/
 Secrétaire de la Commission

Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

Certificates of Dissolution Certificats de dissolution

NOTICE IS HEREBY GIVEN that a certificate of dissolution under the *Business Corporations Act*, has been endorsed: The effective date precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément à la *Loi sur les compagnies*, un certificat de dissolution a été inscrit pour les compagnies suivantes : la date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
---	--

1999-8-25	
TIMETRAK TIME AND ATTENDANCE SOLUTIONS INC.	1202614
675920 ONTARIO LTD.	675920
1999-10-6	
MORBERT INVESTMENTS INC.	463817
2000-1-14	
312064 ONTARIO LIMITED	312064
2000-1-20	
HEILONGJIANG MISHAN CITY KAISU ECONOMIC TRADING (CANADA) INC.	1381769
RICHMOND BELLWOODS INC.	1097950
360528 ONTARIO LIMITED	360528
941724 ONTARIO INC.	941724
943010 ONTARIO LTD.	943010
964987 ONTARIO INC.	964987
1079953 ONTARIO INC.	1079953
2000-1-21	
ALL FOUR KIDS LTD.	1129220
2000-1-24	
ROGERS NEIGHBOURHOOD COUNTRY MARKET LTD.	1177707
VLEDDER MECHANICAL LIMITED.	1291275
853834 ONTARIO LIMITED	853834

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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2000-1-25	
ALLISTON ELECTRIC MOTORS LIMITED	604513
2000-1-25	
EJK TUTORIALS INC.	1250203
ICON MEDIA SYSTEMS INC.	1110905
KIN & E CO. LTD.	1074223
STANLEY CHAN CONSULTING CO. LTD.	1203548
397332 ONTARIO LIMITED.	397332
2000-2-21	
E & M REAL ESTATE HOLDINGS CORPORATION.	1233987
PROFESSIONAL SYSTEM MANAGEMENT INC.	1132591
810192 ONTARIO LIMITED.	810192
2000-2-22	
JAMES HOWE CONSULTING INC.	977503
712627 ONTARIO INC.	712627
1196048 ONTARIO INC.	1196048
2000-2-23	
1219707 ONTARIO INC.	1219707
544059 ONTARIO INC.	544059
2000-2-24	
BERNARD GARAND ENTERPRISES LTD.	340154
KNUDSON PAINTERS & DECORATORS LIMITED.	87425
REGINA BAY MARINE LIMITED.	436698
SIMPSON TOWING LIMITED.	151040
1213360 ONTARIO LTD.	1213360
2000-2-25	
BAKNAP INC.	805697
ELEVEN JONES (ONTARIO) INC.	882190
ROSEWOOD LAWN CARE LTD.	744617
TRANPLAN ASSOCIATES LTD.	480239
2000-2-28	
DYNAMO HI-TECH ELECTRIC MOTORS INC.	788907
LOCKING FAMILY HOLDINGS INC.	875109
SUCCESS SKILLS INTERNATIONAL INC.	995398

Name of Corporation:	Ontario Corporation Number
Dénomination sociale	Numéro de la
de la compagnie :	compagnie en Ontario

450334 ONTARIO LIMITED.....	450334
2000-2-29	
CLARK'S JEWELLERS TWEED LIMITED	246626
COBEAN PAINTING & DECORATING LTD.....	730477
HERVE, RENE, MAURICE COMPANY LIMITED	1039412
NORTH AMERICAN CRUISE RECRUITERS INC.	1328390
PENHALE TRAVEL AGENCY LTD.	420621
SCOTT & FETZER (CANADA) LTD.....	35895
W.C. EAKET INSURANCE BROKERS INC.....	823386
WELLCOM TECHNOLOGY INC.	1245520
1292527 ONTARIO INC.	1292527
2000-3-1	
GOLDEN BOXWOOD LTD.	1214430
MAGIC ONLINE SERVICES INTERNATIONAL INC.....	1092415
MARINE XYU ENCOUNTERS INC.	579691
RECKON DIRECT MARKETING INC.	1231066
RUDY'S WELDING LTD.	355267
STELLAR RESOURCES LTD.....	559891
2000-3-2	
ALTANNAN CO. LTD.....	1302866
DERBY TERRAZZO & TILE CO. LTD.....	222076
INTERNATIONAL CHILDREN EDUCATION CENTRE	
(TORONTO) INC.....	1334698
SAI SHARAN SOLUTIONS INC.....	1365880
747264 ONTARIO LIMITED.....	747264
901987 ONTARIO INC.	901987
1299042 ONTARIO INC.	1299042

12/00

CAROL D. KIRSH,
Director, Companies Branch
Directrice, Direction des compagnies

Cancellations for Cause (Business Corporations Act) Annulation à juste titre (Loi sur les sociétés par actions)

NOTICE IS HEREBY GIVEN that, by orders under Section 240 of the *Business Corporations Act*, the certificates set out hereunder have been cancelled for cause and in the case of certificates of incorporation the corporations have been dissolved: The effective date of cancellation precedes the corporation listing.

AVIS EST DONNÉ PAR LES PRÉSENTES qu'en vertu de l'article 240 de la *Loi sur les sociétés par actions*, les certificats des sociétés énumérées ont été annulés pour un motif suffisant et, dans le cas de certificats de constitution, les sociétés ont été dissoutes. La dénomination sociale des compagnies concernées est précédée de la date de prise d'effet de l'annulation.

Name of Corporation:	Ontario Corporation Number
Dénomination sociale	Numéro de la
de la compagnie :	compagnie en Ontario

2000-3-3	
CI EXPOBAC INC.....	1378336
HOHMANS' ULTRATEC INCORPORATED.....	1086701
M & T CUSTOM FABRICATION INC.	1142815
RODNEY CONSTRUCTION (1992) LIMITED	980387
SOURCE 4 LEASING INC.	1282801
THE GREENPARK PRODUCTS LTD.	1097661
TRANSCANADIAN MAINTENANCE LTD.....	1170631
WENDELL J. SMITH ENTERPRISES LIMITED	249007
1264197 ONTARIO LIMITED.....	1264197
1290487 ONTARIO LIMITED.....	1290487
1363915 ONTARIO LTD.....	1363915

Name of Corporation:	Ontario Corporation Number
Dénomination sociale	Numéro de la
de la compagnie :	compagnie en Ontario

1364573 ONTARIO INC.	1364573
1376817 ONTARIO INC.	1376817

12/00

CAROL D. KIRSH,
Director, Companies Branch
Directrice, Direction des compagnies

Notice of Default in Complying with the Corporations Tax Act Avis d'inobservation de la loi sur les corporations

The Director has been notified by the Minister of Revenue that the following corporations are in default in complying with the *Corporations Tax Act*.

NOTICE IS HEREBY GIVEN under subsection 241 (1) of the *Business Corporations Act*, that unless the corporations listed hereunder comply with the requirements of the *Corporations Tax Act* within 90 days of this notice, orders will be made dissolving the defaulting corporations. All enquiries concerning this notice are to be directed to Corporations Tax Branch, Ministry of Revenue, 33 King Street West, Oshawa, Ontario, L1H 8H6.

Le ministre du Revenu a informé l'administrateur unique que les compagnies suivantes n'avaient pas respecté la *Loi sur l'imposition des personnes morales*.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (1) de la *Loi sur les compagnies*, si les compagnies citées ci-dessous ne se conforment pas aux prescriptions énoncées par la Loi sur l'imposition des personnes morales dans un délai de 90 jours suivant la réception du présent avis, lesdites compagnies se verront dissoutes par décision. Pour tout renseignement relatif au présent avis, veuillez vous adresser à la Direction de l'imposition des compagnies, ministère du Revenu, 33, rue King ouest, Oshawa (Ontario) L1H 8H6.

Name of Corporation:	Ontario Corporation Number
Dénomination sociale	Numéro de la
de la compagnie :	compagnie en Ontario

HIGH LOCH INVESTMENTS LIMITED	257666
JT FLOORCRAFT LTD.....	933368

12/00

CAROL D. KIRSH,
Director, Companies Branch
Directrice, Direction des compagnies

Cancellation of Certificates of Incorporation (Corporations Tax Act Defaulters) Annulation de certificats de constitution en personne morale (Non-respect de la loi sur l'imposition des personnes morales)

NOTICE IS HEREBY GIVEN that, under subsection 241 (4) of the *Business Corporations Act*, the Certificates of Incorporation of the corporations named hereunder have been cancelled by an order dated 21st February, 2000 for default in complying with the provisions of the *Corporations Tax Act*, and the said corporations have been dissolved on that date.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241(4) de la *Loi sur les compagnies*, les certificats de constitution en personne morale des compagnies dont les noms apparaissent ci-dessous ont été annulés par décision datée du 21 février 2000 pour non-respect des dispositions de la *Loi sur l'imposition des personnes morales* et que la dissolution des compagnies concernées prend effet à la date susmentionnée :

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
MORELS INC.	564386
728795 ONTARIO INC.	728795

CAROL D. KIRSH,
Director, Companies Branch
Directrice, Direction des compagnies

12/00

Cancellation of Certificates of Incorporation (Business Corporations Act) Annulation de certificat de constitution en personne morale (Loi sur les sociétés par actions)

NOTICE IS HEREBY GIVEN that by orders under subsection 241 (4) of the *Business Corporations Act*, the certificates of incorporation set out hereunder have been cancelled and corporation(s) have been dissolved. The effective date of cancellation precedes the corporation listing.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (4) de la *Loi sur les sociétés par actions*, les certificats présentés ci-dessous ont été annulés et les compagnies ont été dissoutes. La dénomination sociale des compagnies concernées est précédée de la date de prise d'effet de l'annulation.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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2000-3-3
IRON DUKES INC..... 1343031

CAROL D. KIRSH,
Director, Companies Branch
Directrice, Direction des compagnies

12/00

Municipal Act Loi sur les municipalités

ORDER MADE UNDER THE
MUNICIPAL ACT
R.S.O. 1990, CHAPTER M. 45

COUNTY OF GREY

TOWN OF DURHAM, TOWNSHIP OF WEST GREY (TOWNSHIP OF BENTINCK, TOWNSHIP OF GLENELG TOWNSHIP OF NORMANBY, VILLAGE OF NEUSTADT)

Whereas the Corporation of the Township of Bentinck, The Corporation of the Township of Glenelg, The Corporation of the Township of Normanby and the Village of Neustadt were ordered amalgamated as

The Corporation of Township of West Grey by Minister's Order effective January 1, 2000;

And whereas the Corporation of the Township of Bentinck, The Corporation of the Township of Glenelg, The Corporation of the Township of Normanby, The Corporation of the Village of Neustadt and The Corporation of the Town of Durham submitted a proposal to the Minister in 1999 to amalgamate The Corporation of the Township of West Grey and The Corporation of The Town of Durham effective January 1, 2001.

Definitions

1. "County" means The Corporation of the County of Grey;

"former municipalities" means The Corporation of the Township of West Grey and The Corporation of the Town of Durham as they exist prior to January 1, 2001;

"former Town of Durham" means The Corporation of the Town of Durham as it exists prior to January 1, 2001;

"new municipality" means the municipality established under subsection 2(1);

"former Township of West Grey" means The Corporation of the Township of West Grey established by Minister's Order on January 1, 2000 as it exists prior to January 1, 2001.

Municipal Restructuring

2. (1) On January 1, 2001, the former Township of West Grey and the former Town of Durham are amalgamated as a township municipality under the name of The Corporation of the Township of West Grey;
- (2) The terms of office of the members of council of the former municipalities are extended until December 31, 2000.

Representation

3. (1) Effective January 1, 2001, the council of the new municipality shall be composed of nine members consisting of,
 - (a) a head of council, to be known as the mayor, and a deputy head of council to be known as the deputy mayor, both of whom shall be elected by a general vote of the electors of the new municipality; and
 - (b) seven additional members, to be elected by a general vote of the electors of the new municipality.
- (2) Each member of council shall have one vote.
- (3) The mayor and the deputy mayor shall sit on the council of the County.
- (4) The number of votes that the head of council and the deputy mayor shall have on County council shall be determined in accordance with the *County of Grey Act, 1993*, as though the head of council were the reeve of the new municipality and the deputy mayor were the deputy reeve of the new municipality.
- (5) Despite subsection 2(2), the mayor and deputy mayor shall assume office at County council on December 1, 2000 as if the new municipality was already established.

Elections

4. (1) The 2000 regular elections shall be conducted as if the amalgamation under subsection 2(1), and the composition of the council of the new municipality under section 3 were already established.

- (2) The clerk and council of the former Township of West Grey shall be the clerk and council for the purposes of the *Municipal Elections Act, 1996*.

Hydro Electric Commission

5. (1) On January 1, 2001, The Durham Hydro Electric Commission, unless earlier dissolved, is dissolved and all assets, liabilities, rights and obligations, including employees, and all by-laws and resolutions, of the commission become the assets, liabilities, rights and obligations, including employees, and by-laws and resolutions, of the new municipality.
- (2) Nothing in this section has the effect of authorizing The Durham Hydro Electric Commission or the new municipality to generate, transmit, distribute or retail electricity after November 7, 2000, in contravention of section 144 of the *Electricity Act, 1998*.
- (3) If assets of The Durham Hydro Electric Commission are sold or if shares of a corporation, as defined in the *Business Corporations Act*, that provides hydro service to the former Town of Durham are sold, any proceeds of the sale that are received by the new municipality shall be paid into a special reserve to be established and maintained by the new municipality and, subject to subsection (5) the reserve shall be used only for the benefit of the ratepayers in the geographic area of the former Town of Durham.
- (4) Proceeds of a sale mentioned in subsection (3) that have been received and paid into a separate reserve by the former Town of Durham and that become the assets of the new municipality under section 11 shall be deemed to be proceeds received by the new municipality for the purpose of subsection (3).
- (5) Liabilities of The Durham Hydro Electric Commission that become the liabilities of the new municipality shall be charged first against the reserve under subsection (3) established by the new municipality.

Library Boards

6. (1) On January 1, 2001, The Corporation of the Township of West Grey Public Library Board and the Town of Durham Public Library Board are dissolved.
- (2) On January 1, 2001, a public library board is established for the new municipality bearing the name "The Corporation of the Township of West Grey Public Library Board".
- (3) The operation and composition of the library board established under subsection (2) shall be in accordance with the *Public Libraries Act*.
- (4) The assets and liabilities of the library boards dissolved under subsection (1) shall be deemed to be assets and liabilities of the library board established under subsection (2).
- (5) All by-laws, rules, regulations and fees passed or established by the library boards dissolved under subsection (1) shall be continued and deemed to be by-laws, rules, regulations and fees of the library board established under subsection (2).

Cemetery

7. The Durham Cemetery Board is continued as a local board of the new municipality.

Community Recreation Centres

8. The committees of management of the community recreation centres that exist on December 31, 2000, are continued on January 1, 2001, as committees of management of those recreation centres for the new municipality and members shall be appointed to the committees by the council of the new municipality in accordance with the *Community Recreation Centres Act*.

Police Services Board

9. (1) The police services board of the former Town of Durham is dissolved on January 1, 2001.
- (2) A new police services board for the new municipality to be known as the "The Police Services Board of the Township of West Grey" is established on January 1, 2001.
- (3) The operation and composition of the police services board established under subsection (2) shall be in accordance with the *Police Services Act*.
- (4) On January 1, 2001, the police services board established under subsection (2) stands in the place of the police services board dissolved under subsection (1).
- (5) The new municipality stands in the place of the former municipalities for all purposes related to policing.
- (6) The assets and liabilities under the control and management of the police services board dissolved under subsection (1) become assets and liabilities under the control management of the police services board established under the subsection (2).
- (7) On January 1, 2001, all by-laws and resolutions of the police services board dissolved under subsection (1) shall be deemed to be by-laws or resolutions of the police services board established under subsection (2) and shall remain in force in the area of the former municipality until they are amended or repealed.
- (8) Nothing in this section repeals or authorizes the repeal of by-laws or regulations conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by a police services board dissolved under subsection (1).

Area Rating

10. The new municipality may provide for a special tax rate adjustment upon the rateable property located in the area of the former municipalities for the purpose of providing police services if those services were provided on December 31, 2000.

Assets and Liabilities

11. On January 1, 2001, all assets and liabilities, rights and obligations, including employees, of the former municipalities and their local boards become the assets and liabilities, rights and obligations, including employees, of the new municipality and its local boards.

Municipal By-laws

12. (1) On January 1, 2001, all by-laws and resolutions of the former municipalities and their local boards are continued and are deemed to be by-laws and resolutions of the new municipality and its local boards and are applicable to the same geographic area that they applied to on December 31, 2000.
- (2) On January 1, 2001, an official plan of a former municipality approved under the *Planning Act*, or a predecessor of that Act, shall be deemed to be an official plan of the new municipality.

- (3) If a former municipality has commenced procedures to adopt an official plan or an amendment to an official plan under the *Planning Act* or to enact a by-law under the *Planning Act*, and the official plan, official plan amendment or the by-law is not in force on January 1, 2001, the new municipality may continue the procedures to adopt the official plan or the amendment to the official plan or to enact the by-law.

Employees

13. (1) An employee who held a non-bargaining unit position with a former municipality or one of its local boards and who will be employed by the new municipality or one of its local boards, in a non-bargaining unit position, will be credited with seniority at a rate of one hundred percent of the employee's length of service at the former municipality or its local boards.
- (2) An employee who held a bargaining unit position with a former municipality or one of its local boards and who will be employed by the new municipality or one of its local boards, in a bargaining unit position, will be credited with seniority at a rate of one hundred percent of the employee's length of service at the former municipality or its local boards.

Taxes, Charges, Rates

14. (1) All taxes, charges and rates levied or imposed by a former municipality under any general or special Act that are due and unpaid on December 31, 2000, shall be deemed to be taxes, charges and rates due and payable to the new municipality and may be collected by the new municipality.
- (2) If a former municipality has commenced procedures under the *Municipal Tax Sales Act* and the procedures are not completed by January 1, 2001, the new municipality may continue the procedures.

Reserves

15. (1) Reserves and reserve funds and amounts owing to reserve funds, excluding working fund reserves shall become the reserves and reserve funds of the new municipality and shall be used for the purpose for which they were designated by the former municipality on or before December 31, 2000 for the benefit of the ratepayers of the former municipality.
- (2) Prior to January 1, 2001, the former Town of Durham shall contribute to a working fund reserve for the new municipality in the amount of \$1,400.00 per \$1,000,000.00 of total weighted assessment in the former Town of Durham for the 2000 taxation year.

Transition Board

16. (1) On the date of this Order, a transition board is established and is constituted a body corporate.
- (2) The transition board established under section (1) shall consist of three members of the interim council of the former Township of West Grey, two members of the council of the former Town of Durham, and one member of the council of the County who shall act as the Chair of the transition board.
- (3) Each member of the transition board shall have one vote.
- (4) As soon as practicable, the transition board shall adopt procedural rules and financial and administrative controls to govern its activities.
- (5) The amount of any per diem rate to be paid to a member of the transition board shall be determined and paid by

the former municipality or the County that appointed the member to the board.

- (6) The transition board established under subsection (1) may exercise the following powers:
- (a) allocate costs for transition activities, including direct and indirect costs for the operation of the board, the new municipality, employee voluntary exit payments and severance payments made in 2000 to the former municipalities according to each municipality's share of the cost based on the total weighted assessment, except where the board determines that a cost has been incurred to benefit solely one, but not both of the former municipalities, in which case, the cost should be attributed on a proportional basis to the benefitting municipality;
 - (b) establish and adopt transition plans for 2000, including a budget for implementing those plans;
 - (c) conduct studies, research and consultations regarding municipal functions, organizations, staffing, standards and performance;
 - (d) require production of financial and other data, information and statistics from each of the former municipalities and their local boards;
 - (e) adopt and establish organizational structures, administrative and management systems, positions, preliminary job definitions, job descriptions, policies, and adopt by-laws and budgets, and other documents for the new municipality;
 - (f) offer employment to permanent employees of the former municipalities and their local boards with the new municipality and its local boards, which may include inducements to terminate employment, severance allowances, training assistance or such other benefits as are necessary to fill the positions in the new municipality and its local boards, or to meet the requirements of the budget of the new municipality for 2001;
 - (g) in the absence of a suitable candidate among the permanent employees of the former municipalities and their local boards, offer employment with the new municipality and its local boards to persons other than those mentioned in clause (f);
 - (h) issue notices of layoff or provide for severance or compensation in lieu of notice or both notice or compensation as required;
 - (i) negotiate and enter into agreements where necessary with employees and groups of employees of the former municipalities and the new municipality;
 - (j) approve the negotiations of, and contracts of a former municipality with its employees or groups of employees, and with professional assistance from the human resources area, if necessary, establish uniform policies relating to offers of employment for positions in the new municipality, or termination of employment and ensure their fair application;
 - (k) determine and establish the locations of all work sites for the new municipality;
 - (l) prepare a report for the consideration of the council of the new municipality regarding the integration of all local boards and committees, either as independent boards or committees, or merged with the

new municipality, as the case may be, in order to ensure fully operational bodies which shall become the new local boards or committees, or part of the new municipality;

- (m) approve the financial expenditures of the former municipalities in excess of \$10,000 that are not included in the approved municipal operating or capital budgets for 2000, including non-cash transactions such as the exchange of assets with external parties.
- (7) Notwithstanding the powers the transition board may exercise under subsection (6)(a) through (1), the powers of the transition board are restricted to advisory only to the new council from the date of the municipal elections to December 31, 2000.
- (8) The transition board ceases to exist on December 31, 2000.

Dispute Resolution

- 17. (1) A dispute arising out of the interpretation of the Minister's Order may be resolved through mediation.
- (2) The mediator must be approved by a majority of the members of the transition board established under subsection 16(1).
- (3) If the former municipalities are unable to select a mediator or to resolve the dispute through the mediation process, the matter shall be referred to an arbitrator, whose decision shall be final, and the appointment of the arbitrator and the conduct of the arbitration will be governed by the *Arbitration Act, 1991*.
- (4) The costs associated with mediation or arbitration shall be shared equally between the two former municipalities.

TONY CLEMENT,
Minister of Municipal Affairs and Housing.

Dated at Toronto this 21st day of February, 2000.

ORDER MADE UNDER THE MUNICIPAL ACT R.S.O. 1990, c. M.45

COUNTY OF LAMBTON

TOWNSHIP OF SOMBRA AND THE TOWNSHIP OF MOORE

Definitions

- 1. In this Order,
"County" means The Corporation of the County of Lambton;
"former municipality" means The Corporation of the Township of Sombra as it exists prior to January 1, 2001 or The Corporation of the Township of Moore as it exists prior to January 1, 2001, as the context requires;
"former municipalities" means The Corporation of the Township of Sombra and The Corporation of the Township of Moore as they exist prior to January 1, 2001;
"former Township of Sombra" means The Corporation of the Township of Sombra as it exists prior to January 1, 2001;

"former Township of Moore" means The Corporation of the Township of Moore as it exists prior to January 1, 2001;

"new Township" means the municipality established under section 2.

Municipal Restructuring

- 2. On January 1, 2001, The Corporation of the Township of Sombra and The Corporation of the Township of Moore are amalgamated as a township municipality under the name of "The Corporation of the Township of St. Clair".

Name Change

- 3. (1) The name of the new Township may be changed by order by the Minister upon a request to the Minister made by the transition board established under section 17 following the adoption of a resolution by the transition board approving the name being requested.
- (2) The name of a local board established or continued under this Order may be changed by order by the Minister, to reflect a change in the name of the new Township made under subsection (1), upon a request to the Minister made by the transition board established under section 17 following the adoption of a resolution by the transition board approving the name being requested.

Wards

- 4. On January 1, 2001, the new Township is divided into two wards to be named Moore Ward and Sombra Ward, which are described as follows:
 - 1. Moore Ward shall be composed of the area encompassed by the former Township of Moore.
 - 2. Sombra Ward shall be composed of the area encompassed by the former Township of Sombra.

Representation

- 5. (1) Effective January 1, 2001, the council of the new Township shall be composed of seven members consisting of:
 - 1. a head of council, to be known as the mayor, who shall be elected by general vote of the electors of the new Township;
 - 2. a deputy mayor, who shall be elected by general vote of the electors of the new Township;
 - 3. five members, three to be elected from Moore Ward and two to be elected from Sombra Ward.
- (2) Each member of council shall have one vote.
- (3) The mayor and the deputy mayor of the new Township shall sit on County council.
- (4) The mayor shall have 3 votes and the deputy mayor shall have 2 votes on County council.

Elections

- 6. (1) The 2000 regular municipal election shall be conducted as if the wards under section 4 and the composition of the council of the new Township under section 5 had already been established.
- (2) The clerk and the council of the former Township of Moore shall be the clerk and the council responsible for conducting the 2000 regular municipal election for the new Township under the *Municipal Elections Act, 1996*.

Terms of Office

7. (1) The terms of office of the members of the current councils for the former Township of Moore and the former Township of Sombra and their local boards shall be extended to December 31, 2000.
- (2) The terms of office of the members of the new Township elected at the 2000 regular municipal election shall commence on January 1, 2001.
- (3) Despite subsection (2), the mayor and the deputy mayor of the new Township shall assume office as members of County council at its inaugural meeting following the 2000 regular municipal election as if the new Township was already established.

Community Recreation Centres

8. On January 1, 2001, the Wilkesport Community Centre Board, the Port Lambton Memorial Hall Board, the Sombra Community Hall Board, the Sombra Athletic Field Board, the Wilkesport Park Board, the Port Lambton Parks Board, the Brigden Community Hall Board and the Courtright Community Hall Board are dissolved.

Police Services Board

9. (1) On January 1, 2001, the police services board for the former Township of Moore is dissolved.
- (2) On January 1, 2001, a police services board for the new Township, to be known as the "Township of St. Clair Police Services Board", is established.
- (3) The operation and composition of the police services board established under subsection (2) shall be in accordance with the *Police Services Act*.
- (4) On January 1, 2001 the police services board established under subsection (2) stands in place of the police services board dissolved under subsection (1).
- (5) The new Township stands in the place of the former municipalities for all purposes related to policing.
- (6) The assets and liabilities under the control and management of the police services board dissolved under subsection (1) become assets and liabilities under the control and management of the police services board established under subsection (2).
- (7) On January 1, 2001 all by-laws and resolutions of the police services board dissolved under subsection (1) shall be deemed to be by-laws or resolutions of the police services board established under subsection (2) and shall remain in force in the area of the former municipality to which they applied until they are amended or repealed.
- (8) Nothing in this section repeals or authorizes the repeal of by-laws or resolutions conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the police services board dissolved under subsection (1).

Moore Cemetery Board

10. On January 1, 2001, the "Township of Moore Cemetery Board" is continued.

By-Laws and Resolutions

11. (1) On January 1, 2001, all by-laws and resolutions of the former municipalities and their local boards are continued and are deemed to be by-laws and resolutions

of the new Township and its local boards in respect of the area to which they apply.

- (2) On January 1, 2001, an official plan or by-law of a former municipality approved under the *Planning Act*, or a predecessor of that Act, shall be deemed to be an official plan or by-law of the new Township and shall remain in force until amended or repealed.
- (3) If a former municipality has commenced procedures to enact a by-law under any Act, or to adopt an official plan or an amendment to an official plan under the *Planning Act*, or a predecessor of that Act, and the by-law, official plan or official plan amendment is not in force on January 1, 2001, the new Township may continue the procedures.

Taxes, Charges and Rates

12. (1) All taxes, charges and rates levied or imposed by a former municipality under any general or special Act that are due and unpaid on December 31, 2000, shall be deemed to be taxes, charges and rates due and payable to the new Township and may be collected by the new Township in the same manner as if they had been levied or imposed by the new Township.
- (2) If a former municipality has commenced procedures under the *Municipal Tax Sales Act* and the procedures are not completed by January 1, 2001, the new Township may continue the procedures.

Assets and Liabilities etc.

13. All assets, liabilities, rights and obligations, including employees, of the former municipalities and their local boards become the assets, liabilities, rights and obligations, including employees, of the new Township and its local boards.

Employees

14. (1) Employees who held non-bargaining unit positions with a former municipality or its local boards and who will be employed with the new Township or its local boards in a non-bargaining unit position will be credited with seniority at a rate of one hundred percent of the employee's length of service with the former municipality or its local boards.
- (2) Employees who held non-bargaining unit positions with a former municipality or its local boards and who are offered employment with and will be employed with the new Township or its local boards in a bargaining unit position shall be credited with seniority at a rate of one hundred percent of the employee's length of service with the former municipality or its local board as if the position held with the former municipality or its local boards had been a bargaining unit position with the new Township or its local boards.

Reserve and Reserve Funds

15. The reserves and reserve funds, excluding working fund reserves, of a former municipality that are designated by the former municipality for specific purposes, upon being transferred to the new Township under section 13, shall be used only for the benefit of the ratepayers of the geographic area of the former municipality to which they relate and only for the purposes for which they were designated.

Special Rate Adjustments

16. The new Township shall provide for a special tax rate adjustment upon the rateable property located in the area of a former municipality to pay for:

- i) any surplus or deficit, in an amount exceeding twenty thousand and one dollars (\$20,001), attributable to the former municipality prior to January 1, 2001; and
- ii) any debts created by the former municipality prior to January 1, 2001 until the debt is retired.

Transition Board

17. (1) On the date of this Order a transition board is established and is constituted as a body corporate.
- (2) The transition board established under subsection (1) shall cease to exist on December 31, 2000.
- (3) The transition board shall be composed of the mayors and all members of council of the former municipalities.
- (4) The mayors of the former municipalities shall be co-chairs of the transition board.
- (5) The transition board established under subsection (1) shall adopt procedural rules and systems of controls to govern its activities.

Transition Board Powers

18. (1) The transition board established under section 17 may exercise the powers specified in subsection (3) that the former municipalities have on the date of this Order and that the new Township will have on January 1, 2001.
- (2) The councils of the former municipalities shall not exercise the powers specified in clauses (3)(k), (n), (p), (t) and (u) without the approval of the transition board.
- (3) The transition board may exercise the following powers:
- (a) establish and adopt a transition plan for the period from the establishment of the board until and including December 31, 2000 including a budget for implementing that plan;
 - (b) allocate costs for transition activities, including direct and indirect costs for the operation of the transition board, the new Township, employee voluntary exit payments and severance payments made prior to January 1, 2001, to the former municipality's share of the cost based on assessment except where the transition board determines that a cost has been incurred to benefit solely one of the former municipalities in which case the cost shall be allocated to the benefitting municipality;
 - (c) identify and establish the staff positions necessary for interim municipal administration during 2000;
 - (d) conduct studies, research and consultations regarding municipal functions, organizations, staffing, standards and performance;
 - (e) require the production of financial and other data, information and statistics from each of the former municipalities and their local boards;
 - (f) adopt and establish organizational structures, administrative and management systems, positions, preliminary job definitions, job descriptions, policies, and adopt by-laws and budgets and other documents for the new Township;
 - (g) establish a fully operational municipal organization which shall, on January 1, 2001, become the new Township;

- (h) appoint municipal employees from the former municipalities to positions with the new Township for the purpose of organizing and implementing a fully operational municipal organization;
- (i) determine and establish the locations of all work sites for the new Township;
- (j) approve those expenditures, execute such contracts and act as the employer for each of the former municipalities for transition purposes;
- (k) approve the negotiations of any contracts of a former municipality with its employees or groups of employees and, with professional assistance from the human resources area, if necessary, establish uniform policies relating to offers of employment for positions in the new Township or termination of employment and ensure their fair application;
- (l) negotiate, and enter into agreements where necessary, with employees and groups of employees of the former municipalities and the new Township;
- (m) identify, select and appoint employees to the new Township and establish mechanisms for carrying out these functions;
- (n) offer employment or approve the offers of employment of permanent full time employees of the former municipalities with the new Township or offer inducements to terminate employment, severance allowances, training assistance or such other benefits as are necessary, to fill the positions in the new Township or to meet the requirements of the budget of the new Township for 2001;
- (o) offer employment, where positions exist within the new Township and its local boards, to permanent employees of the former municipalities and their local boards who are currently employed by the former municipalities and their local boards;
- (p) review and approve all financial expenditures of the former municipalities in excess of \$25,000 that are not included in the approved municipal operating or capital budgets of 1999-2000, including non-cash transactions such as the exchange of assets with external parties;
- (q) purchase, lease or dispose of any asset of a former municipality or, if time does not permit the board to purchase, lease or dispose of any asset of a former municipality, recommend the purchase, lease or disposal of any asset of a former municipality to the council of the new Township;
- (r) establish an electronic or manual information system, records and books of accounts for the new Township and for the operation of the transition board;
- (s) establish and implement communication plans for employees and the public;
- (t) approve any debentures issued by a former municipality;
- (u) approve the disposal or transfer of any reserves, reserve funds or working fund reserves of a former municipality which existed on the date of this Order;
- (v) prepare a draft 2001 budget for the consideration of the council of the new Township;

- (w) prepare a report for the consideration of the council of the new Township regarding the integration of all local boards and committees, either as independent boards or committees or merged with the new Township, as the case may be, in order to ensure fully operational bodies which shall become the new local boards or committees or part of the new Township;
- (x) retain employees, advisors and consultants for the purposes of the transition board and accrue expenses on behalf of the transition board and its employees, advisors and consultants; and
- (y) request a change to the name of the new Township, or a local board of the new Township, in accordance with section 3.

Dispute Resolution

19. Where a dispute arises with respect to any issue arising out of the interpretation of this Order, either of the former municipalities may,
- (a) refer the matter in dispute to arbitration in accordance with the provisions of the *Arbitration Act, 1991*; or
 - (b) defer the matter to the council of the new Township subsequent to January 1, 2001, for resolution.

TONY CLEMENT,
Minister of Municipal Affairs and Housing.

Dated at Toronto this 21st day of February, 2000.

ORDER MADE UNDER THE MUNICIPAL ACT, R.S.O. 1990, CHAPTER M. 45

COUNTY OF HURON

TOWNSHIP OF MORRIS, TOWNSHIP OF TURNBERRY

Definitions

1. In this Order,
- “County” means The Corporation of the County of Huron;
- “former municipalities” means The Corporation of the Township of Morris and The Corporation of the Township of Turnberry as they exist prior to January 1, 2001;
- “former Township of Morris” means The Corporation of the Township of Morris as it exists prior to January 1, 2001;
- “former Township of Turnberry” means The Corporation of the Township of Turnberry as it exists prior to January 1, 2001; and
- “new municipality” means the township municipality established under section 2.

Municipal Restructuring

2. On January 1, 2001, The Corporation of the Township of Morris and The Corporation of the Township of Turnberry are amalgamated as a township municipality under the name of “The Corporation of the Municipality of Morris-Turnberry”.

Wards

3. Effective January 1, 2001, the new municipality is divided into two wards which may be described as follows:

- (a) Ward M consists of the former Township of Morris; and
- (b) Ward T consists of the former Township of Turnberry.

Representation

4. (1) Effective January 1, 2001, the council of the new municipality shall be composed of seven members, consisting of,
- (a) a head of council, to be known as the mayor, who shall be elected by general vote of the electors of the new municipality; and
 - (b) six additional members:
 - (i) three of whom shall be elected from Ward T; and
 - (ii) three of whom shall be elected from Ward M to be known as councillors.
 - (c) a deputy head of council, to be known as the deputy mayor, who shall hold the qualification as set out in subsection (5), and who shall be appointed by the council under subsection 69(3) of the *Municipal Act* from among the members of council elected under clause 4(1)(b)(i) or 4(1)(b)(ii).
- (3) Each member of the council of the new municipality shall have one vote.
- (4) The mayor and, subject to the provisions of the County council representation by-law, the deputy mayor and any additional members of council shall sit on County council.
- (5) The qualifications that must be satisfied for a member of council to act in the place of the head of council are that:
- (a) the member must not reside in the same ward in which the head of council resides; and
 - (b) the member shall be the one who polled the largest number of votes in the ward during the last regular municipal election.
- (6) In the absence of the member qualified under subsection 4(2)(c), or where all candidates for the ward identified in subsection 4(5)(a) are acclaimed to office, the deputy mayor shall be appointed by the council under subsection 69(3) of the *Municipal Act* from among the members qualified under subsection 4(5)(a).

Terms

5. (1) The terms of office of the members of the council of the new municipality elected at the 2000 regular election shall commence on January 1, 2001.
- (2) The terms of office of the members of the former municipalities and their local boards are extended until December 31, 2000.
- (3) Despite subsections (1) and (2), for the sole purpose of representing the new municipality on County council, the terms of the members of council as set out in subsection 4(4) shall on commence on December 1, 2000.

Election

6. (1) The 2000 regular election in the former municipalities shall be conducted as if the restructuring under section 2

and the division of the new municipality into wards under section 3 had already occurred.

- (2) The clerk and the council of the former Township of Morris shall be the clerk and the council responsible for conducting the 2000 regular election for the new municipality under the *Municipal Elections Act, 1996*.

Local Boards

7. (1) The Bluevale Cemetery Board and the Blyth Union Cemetery Board are continued as cemetery boards of the new municipality.
- (2) The Belgrave Community Centre Board, the Belmore Arena Committee, the Bluevale Hall Board, the Bluevale Recreation Association, the Brussels, Morris and Grey Community Centre Board and the Blyth and District Community Centre Board are continued as local boards of the new municipality.

Fire Departments

8. The new municipality may have more than one fire department and may have a fire chief for each department.

By-laws and Resolutions

9. (1) On January 1, 2001, subject to subsections (2), (3) and (4), all by-laws and resolutions of the former municipalities and their local boards are continued and deemed to be by-laws and resolutions of the new municipality and unless earlier repealed or amended or unless they earlier expire.
- (2) On January 1, 2001, zoning by-laws and official plans of the former municipalities approved under the *Planning Act* are deemed to be zoning by-laws and official plans of the new municipality and shall remain in force until amended or repealed under the *Planning Act*.
- (3) Nothing in this section authorizes the amendment or repeal of a by-law or resolution that could not have been amended or repealed by the former municipality or local board that passed it.
- (4) If a former municipality has commenced procedures to enact a by-law under any Act or adopt an official plan or amendment to an official plan under the *Planning Act*, and the by-law, official plan, or official plan amendment is not in force on January 1, 2001, the new municipality may continue the procedures.

Assets and Liabilities

10. On January 1, 2001, the assets, liabilities, rights and obligations, including employees, of the former municipalities and their local boards become the assets, liabilities, rights and obligations, including employees, of the new municipality.

Taxes

11. (1) All taxes, charges and rates levied, imposed or assessed under any Act, that are due and unpaid on December 31, 2000, shall be deemed to be taxes, charges and rates due and payable to the new municipality and may be collected by the new municipality in the same manner as if they had been levied, imposed or assessed by the new municipality.
- (2) If a former municipality has commenced procedures under the *Municipal Tax Sales Act* and the procedures are not completed by January 1, 2001, the new municipality may continue the procedures.

Reserves and Reserve Funds

12. (1) Reserves and reserve funds, excluding the working fund reserve, of the former municipalities shall become reserves and reserve funds of the new municipality and shall be used on or before December 31, 2003, for the purpose for which they were designated by the former municipalities on or before December 31, 2000, for the benefit of the ratepayers of the former municipalities.
- (2) The total amount of the working fund reserve of a former municipality as of December 31, 2000 shall be increased or decreased by the amount of any surplus or deficit of the former municipality for the fiscal year ending December 31, 2000.
- (3) On January 1, 2001, a working capital reserve of \$300,000 shall be established for the new municipality, and will be funded by each of the former municipalities equally.
13. The amount by which the working capital reserve for each of the former municipalities exceeds the amount to be funded, as defined in paragraph (3) above, shall be used by the municipality for the benefit of the ratepayers in the area of that former municipality.
14. If the amount contributed by a former municipality toward the working capital reserve of the new municipality is less than that required in paragraph (3), the new municipality shall provide for a special tax rate adjustment upon the rateable property located in the area of the former municipality to pay the balance of the contribution amount.

Transition Board

15. (1) On the date of this Order a transition board is established and is constituted as a body corporate.
- (2) The transition board shall cease to exist on December 31, 2000.
- (3) The transition board shall be composed of ten members, being all the members of the councils of the former municipalities.
- (4) The transition board may exercise the powers specified in subsection (6) that the former municipalities have and that the new municipality will have on and after January 1, 2001.
- (5) The councils of the former municipalities shall not exercise the powers specified in clauses (h), (k) and (o) of subsection (6) without the approval of the transition board.
- (6) The transition board may exercise the following powers:
 - (a) adopt transition plans for 2000, including preliminary budgets to establish a fully operational municipal organization which shall, on January 1, 2001, become the new municipal organization;
 - (b) conduct studies, research and consultation regarding municipal functions, organizations, staffing, standards and performance;
 - (c) establish organizational structures, administrative and management systems, positions, preliminary job definitions, job descriptions and policies, and adopt the necessary by-laws and other documents for the new municipality;
 - (d) approve expenditures, execute contracts and act as the employer for each of the former municipalities where necessary for transition purposes;

- (e) establish the positions and offices necessary for transition purposes for municipal administration;
- (f) establish electronic or manual information systems, records and books of accounts for the new municipality and for its own operations;
- (g) establish and implement communication plans for employees and the public;
- (h) purchase, lease or dispose of any assets of a former municipality or approve the exercise of this power by a former municipality where the asset has a value in excess of \$5,000 except where provided for in the 1999 or 2000 municipal budget;
- (i) require the production of financial and other data, information and statistics from each of the former municipalities and their local boards;
- (j) retain employees, officers and advisors on behalf of the transition board and incur expenses in connection with the transition board's operations and its employees' and agents' board-related employment duties and activities;
- (k) issue debentures on behalf of the former municipalities or approve the exercise of this power by a former municipality;
- (l) attribute costs for transitional activities, including direct and indirect costs for the operation of the transition board and the new municipality, employee voluntary exit payments and severance payments made in 1999 and 2000, to the former municipalities in equal shares, except where the transition board determines that:
 - (i) a cost has been incurred to benefit one of the former municipalities solely, in which case costs shall be attributed, as determined by the transition board, to the benefitting municipality, or
 - (ii) a cost has been incurred that is administrative in nature which shall be equally divided and equally paid by each former municipality.
- (m) give notices to layoff, or provide for severance or compensation in lieu of notice or both notice and compensation, as required;
- (n) establish mechanisms for identifying, selecting and appointing employees to the new municipality;
- (o) negotiate and enter into agreements with employees and groups of employees of the former municipalities, or approve the exercise of this power by a former municipality;
- (p) establish uniform policies relating to offers of employment or termination of employment and ensure their fair application by December 30, 2000, including ensuring that employees that held non-bargaining unit positions with a former municipality or its local boards and will be employed by the new municipality or its local boards, in a non-bargaining unit position, will be credited with seniority at a rate of one hundred percent of the employee's length of service;
- (q) ensure that employees of the former municipalities and their local boards as of December 30, 2000, shall become employees of the new municipality or its local boards.

Dispute Resolution

16. If a dispute arises with respect to any issue arising out of the interpretation of this Order any of the parties may,
 - (a) refer the matter in dispute to arbitration in accordance with the provisions of the *Arbitration Act, 1991*; or
 - (b) defer the matter to the council of the new municipality subsequent to January 1, 2001, for resolution.

TONY CLEMENT,
Minister of Municipal Affairs and Housing.

Dated at Toronto this 21st day of February, 2000.

ORDER MADE UNDER THE MUNICIPAL ACT, R.S.O. 1990, CHAPTER M. 45

COUNTY OF HURON

TOWNSHIP OF ASHFIELD TOWNSHIP OF WEST WAWANOSH TOWNSHIP OF COLBORNE

Definitions

1. In this Order,
 - "County" means The Corporation of the County of Huron;
 - "former municipalities" means The Corporation of the Township of Ashfield, The Corporation of the Township of West Wawanosh and The Corporation of The Township of Colborne as they exist prior to January 1, 2001;
 - "former Township of Ashfield" means The Corporation of the Township of Ashfield as it exists prior to January 1, 2001;
 - "former Township of Colborne" means The Corporation of the Township of Colborne as it exists prior to January 1, 2001;
 - "former Township of West Wawanosh" means The Corporation of the Township of West Wawanosh as it exists prior to January 1, 2001; and
 - "new municipality" means the township municipality established under section 2.

Municipal Restructuring

2. On January 1, 2001, The Corporation of the Township of Ashfield, The Corporation of the Township of West Wawanosh and The Corporation of the Township of Colborne are amalgamated as a township municipality under the name of "The Corporation of the Township of Ashfield-Colborne-Wawanosh"

Wards

3. Effective January 1, 2001, the new municipality is divided into three wards which may be described as follows:
 - (a) The Ashfield Ward consists of the former Township of Ashfield;
 - (b) The Colborne Ward consists of the former Township of Colborne; and
 - (c) The Wawanosh Ward consists of the former Township of West Wawanosh.

Representation

4. (1) Effective January 1, 2001, the council of the new municipality shall be composed of seven members, consisting of,
 - (a) a head of council, to be known as the reeve, who shall be elected by general vote of the electors of the new municipality; and
 - (b) six additional members, two of whom shall be elected from each of the Ashfield, Colborne and Wawanosh Wards, to be known as councillors.
- (2) A deputy head of council, to be known as the deputy reeve, shall be appointed by council under subsection 69(3) of the *Municipal Act* from among the members of council elected under clause 4(1)(b), to act from time to time in place of the head of council when the head of council is absent from the new municipality or absent through illness or when the office is vacant.
- (3) Each member of the council of the new municipality shall have one vote.
- (4) The reeve and, subject to the provisions of the County council representation by-law, the deputy reeve and any additional members of council shall sit on County council.

Terms

5. (1) The terms of office of the members of the council of the new municipality elected at the 2000 regular election shall commence on January 1, 2001.
- (2) The terms of office of the members of council of the former municipalities are extended until December 31, 2000.
- (3) Despite subsections (1) and (2), for the sole purpose of representing the new municipality on County council, the terms of office of the members of council as set out in subsection 4(4) shall on commence on December 1, 2000.

Election

6. (1) The 2000 regular election in the former municipalities shall be conducted as if the restructuring under section 2 and the division of the new municipality into wards under section 3 had already occurred.
- (2) The clerk and the council of the former Township of Ashfield shall be the clerk and the council responsible for conducting the 2000 regular election for the new municipality under the *Municipal Elections Act, 1996*.

Local Boards

7. (1) The terms of office of members of local boards from the former municipalities are extended to December 31, 2000.
- (2) The Colborne Cemetery Board is continued as a cemetery board of the new municipality.
- (3) On January 1, 2001, the Dunganon Recreation Board, the Recreation Committee of the former Township of Ashfield and the Recreation Committee of the former Township of Colborne are dissolved.

Fire Departments

8. The new municipality may have more than one fire department and may have a fire chief for each department.

By-laws and Resolutions

9. (1) On January 1, 2001, subject to subsections (2), (3) and (4), all by-laws and resolutions of the former municipalities and their local boards are continued and deemed to be by-laws and resolutions of the new municipality until repealed or amended by the council of the new municipality or until they expire.
- (2) On January 1, 2001, zoning by-laws and official plans of the former municipalities approved under the *Planning Act* are deemed to be zoning by-laws and official plans of the new municipality and shall remain in force until amended or repealed under the *Planning Act*.
- (3) Nothing in this section authorizes the amendment or repeal of a by-law or resolution that could not have been amended or repealed by the former municipality or local board that passed it.
- (4) If a former municipality has commenced procedures to enact a by-law under any Act or adopt an official plan or amendment to an official plan under the *Planning Act*, and the by-law, official plan, or official plan amendment is not in force on January 1, 2001, the new municipality may continue the procedures.

Assets and Liabilities

10. On January 1, 2001, the assets, liabilities, rights and obligations, including employees, of the former municipalities and their local boards become the assets, liabilities, rights and obligations, including employees, of the new municipality.

Taxes

11. (1) All taxes, charges and rates levied, imposed or assessed under any Act, that are due and unpaid on December 31, 2000, shall be deemed to be taxes, charges and rates due and payable to the new municipality and may be collected by the new municipality in the same manner as if they had been levied, imposed or assessed by the new municipality.
- (2) If a former municipality has commenced procedures under the *Municipal Tax Sales Act* and the procedures are not completed by January 1, 2001, the new municipality may continue the procedures.

Tax Rate Adjustment

12. The new municipality shall provide for a tax rate adjustment in respect of the rateable property located in the geographic area of a former municipality to pay for the debt of the former municipality that was assumed by the new municipality under section 10 if payment of the debt had been provided for out of the general local municipality levy of the former municipality or would have been provided for out of that levy if the restructuring had not occurred.

Reserves and Reserve Funds

13. (1) Reserves and reserve funds, excluding the working fund reserve, of the former municipalities shall become reserves and reserve funds of the new municipality and shall be used on or before December 31, 2003, for the purpose for which they were designated by the former municipalities on or before December 31, 2000, for the benefit of the ratepayers of the former municipalities.
- (2) The total amount of the working fund reserve of a former municipality as of December 31, 2000 shall be increased or decreased by the amount of any surplus or deficit of the former municipality for the fiscal year ending December 31, 2000.

- (3) On January 1, 2001, a working capital reserve of \$645,000 shall be established for the new municipality, and will be funded by the former municipalities based on the percentage of their weighted taxable assessment for the 2001 taxation year.
- (4) The amount by which the working capital reserve for each of the former municipalities exceeds the amount to be funded, as defined in subsection (3) above, shall be used by the municipality for the benefit of the ratepayers in the area of that former municipality.
- (5) If the amount contributed by a former municipality toward the working capital reserve of the new municipality is less than that required in paragraph (3), the new municipality shall provide for a special tax rate adjustment upon the rateable property located in the area of the former municipality to pay the balance of the contribution amount.

Transition Board

- 14. (1) On the date of this order a transition board is established and is constituted as a body corporate.
- (2) The transition board shall cease to exist on December 31, 2000.
- (3) The transition board shall be composed of six members, being the reeve of each of the former municipalities and one member from the council of each of the former municipalities appointed by the council of that municipality.
- (4) The transition board may exercise the powers specified in subsection (6) that the former municipalities have and that the new municipality will have on and after January 1, 2001.
- (5) The councils of the former municipalities shall not exercise the powers specified in clauses (h), (k) and (o) of subsection (6) without the approval of the transition board.
- (6) The transition board may exercise the following powers:
 - (a) adopt transition plans for 2000, including preliminary budgets to establish a fully operational municipal organization which shall, on January 1, 2001, become the new municipal organization;
 - (b) conduct studies, research and consultation regarding municipal functions, organizations, staffing, standards and performance;
 - (c) establish organizational structures, administrative and management systems, positions, preliminary job definitions, job descriptions and policies, and adopt the necessary by-laws and other documents for the new municipality;
 - (d) approve expenditures, execute contracts and act as the employer for each of the former municipalities where necessary for transition purposes;
 - (e) establish the positions and offices necessary for transition purposes for municipal administration;
 - (f) establish electronic or manual information systems, records and books of accounts for the new municipality and for its own operations;
 - (g) establish and implement communication plans for employees and the public;

- (h) purchase, lease or dispose of any assets of a former municipality or approve the exercise of this power by a former municipality where the asset has a value in excess of \$25,000, except where provided for in the 1999 or 2000 municipal budget;
- (i) require the production of financial and other data, information and statistics from each of the former municipalities and their local boards;
- (j) retain employees, officers and advisors on behalf of the transition board and incur expenses in connection with the transition board's operations and its employees' and agents' board related employment duties and activities;
- (k) issue debentures on behalf of the former municipalities or approve the exercise of this power by a former municipality including approval of any non budgeted debt exceeding \$10,000. Debentures issued for tile drainage loans shall not need the approval of the board.
- (l) attribute costs for transition activities, including direct and indirect costs for the operation of the transition board and the new municipality, employee voluntary exit payments and severance payments made in 2000, to the former municipalities based on the percentage of their weighted taxable assessment for the 2000 taxation year, except where the transition board determines that:
 - (i) a cost has been incurred to benefit one of the former municipalities solely, in which case costs shall be attributed, as determined by the transition board, to the benefitting municipality, or
 - (ii) a cost has been incurred to benefit more than one but not all of the former municipalities, in which case costs as determined by the transition board shall be attributed in equal shares to the benefitting municipalities, or
 - (iii) a cost has been incurred that is administrative in nature which shall be equally divided and equally paid by each former municipality.
- (m) give notices to layoff, or provide for severance or compensation in lieu of notice or both notice and compensation, as required;
- (n) establish mechanisms for identifying, selecting and appointing employees to the new municipality including ensuring that employees that held non-bargaining unit positions with a former municipality or its local boards and will be employed by the new municipality or its local boards, in a non-bargaining unit position, will be credited with seniority at a rate of one hundred percent of the employee's length of service;
- (o) negotiate and enter into agreements with employees and groups of employees of the former municipalities, or approve the exercise of this power by a former municipality;
- (p) establish uniform policies relating to offers of employment or termination of employment and ensure their fair application by December 31, 2000;
- (q) ensure that employees of the former municipalities and their local boards as of December 31, 2000 shall become employees of the new municipality or its local boards.

- (r) appoint all senior staff of the new municipality. A senior staff appointment requires a majority vote of the transition board plus one vote. In the absence of a majority plus one decision, the transition board shall engage the services of a neutral party(s) from outside the County, with sufficient knowledge of the position(s) to assist in the evaluation of the best qualified candidate and shall make the appropriate recommendations to the board.

Dispute Resolution

15. If a dispute arises with respect to any issue arising out of the interpretation of this order any of the parties may,
- (a) refer the matter in dispute to arbitration in accordance with the provisions of the *Arbitration Act, 1991*; or
 - (b) defer the matter to the council of the new municipality subsequent to January 1, 2001, for resolution.

TONY CLEMENT,
Minister of Municipal Affairs and Housing.

Dated at Toronto this 21st day of February, 2000.

(6614) 12

Applications to Provincial Parliament — Private Bills Demandes au Parlement provincial — Projets de loi d'intérêt privé

PUBLIC NOTICE

The rules of procedure and the fees and costs related to applications for Private Bills are set out in the Standing Orders of the Legislative Assembly. Copies of the Standing Orders may be obtained from:

Committees Branch
Room 1405, Whitney Block, Queen's Park
Toronto, Ontario M7A 1A2

Telephone: 416/325-3500 (Collect calls will be accepted.)

Applicants should note that consideration of applications for Private Bills that are received after the first day of September in any calendar year may be postponed until the first regular Session in the next following calendar year.

(8699) T.F.N. CLAUDE L. DESROSIERS,
Clerk of the Legislative Assembly.

Applications to Provincial Parliament Demandes au Parlement provincial

1264030 ONTARIO INC.

NOTICE IS HEREBY GIVEN that on behalf of Graeme Bews and Howard Morrison, application will be made to the Legislative Assembly of the Province of Ontario, for an Act reviving 1264030 Ontario Inc. an Ontario Corporation which Corporation was dissolved on January 28th, 1998.

The application will be considered by the Standing Committee on Regulations and Private Bills. Any person who has an interest in the application and who wishes to make submissions, for or against the application, to the Standing Committee on Regulations and Private

Bills should notify, in writing, the Clerk of the Legislative Assembly, Legislative Building, Queen's Park, Toronto, Ontario M7A 1A2.

Dated at Sudbury, this 9th day of February, 2000.

(3182) 9-12 LACROIX FOREST DEL FRATE,
Per: André Lacroix, Q.C.
Signing on behalf of the applicant.

Sheriff's Sale of Lands Ventes de terrains par le shérif

UNDER AND BY VIRTUE OF an execution issued out of the Superior Court of Justice to me directed, against the lands and tenements of ROBERT THOMPSON at the suit of AMERICO SILVESTRO, I have seized and taken in execution, the right, title, interest and equity of ROBERT THOMPSON in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situate as part of Lot 26 Concession 3 being Part 1 on Plan 5R-11010 in the Township of Rideau (formerly the Township of North Gower) (PIN: 03915-0093®) (the Lands) in the Regional Municipality of Ottawa Carleton, known municipally as 6937 4th Line Road, North Gower, Ontario.

ALL OF WHICH said right, title, interest and equity of redemption of the said ROBERT THOMPSON in the said lands and tenements, I shall offer for sale by Public Auction, in my office, Room 2076, Court House, 161 Elgin Street, Ottawa, Ontario on Friday, April 28, 2000 at 10:00 a.m.

TERMS: Cash or certified cheque.
Deposit of 10% of bid price at time of sale.
Ten days to arrange financing.
Delivery only upon payment in full.

This sale is subject to cancellation up to the time of sale without any further notice.

NOTE: No employee of the Ministry of the Attorney General may purchase, any goods, chattels, lands or tenements exposed by a Sheriff for sale under legal process, either directly or indirectly.

Dated at Ottawa, this 6th day of March, 2000.

(3206) 12 GENEVIEVE BLAIS,
Sheriff,
Regional Municipality of Ottawa
Carleton.

Sales of Lands for Tax Arrears by Public Tender Ventes de terrains par appel d'offres pour arriéré d'impôt

MUNICIPAL TAX SALES ACT
R.S.O. 1990, c. M.60, s. 9 (2) (d) R.R.O. 1990, Reg. 824

THE CORPORATION OF THE CITY OF NORTH BAY

TAKE NOTICE that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on April 7, 2000 at City Hall (Council Chambers).

The tenders will then be opened in public on the same day at 3:30 p.m.

Description of Land(s)	Minimum Tender Amount
Jet Avenue Part of Lots 21, 22, 23, 24 and 25 Part of Railway Street Being Parts 1 and 2 Plan 36R-10819 Registered Plan 38.	\$60,400.00

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank, trust corporation or Province of Ontario Savings Office payable to the municipality or board and representing at least 20 per cent of the tender amount.

The Municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Tax Sales Act* and the *Municipal Tax Sales Rules* made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and the relevant land transfer tax.

For further information regarding this sale and a copy of the prescribed form of tender, contact:

TRUDY DEKKER,
Deputy Tax Collector,
The Corporation of the
City of North Bay,
P.O. Box 360, 200 McIntyre Street East,
North Bay, Ontario P1B 8H8,
705 474-0400

(3207) 12

MUNICIPAL TAX SALES ACT

THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

TAKE NOTICE that tenders are invited for the purchase, individually, of the lands described below and will be received until 3:00 p.m. local time, on Thursday, March 30, 2000, at 315 George Street, Wiarton, Ontario.

The tenders will then be opened in public on the same day at 3:15 p.m. local time.

File #	Description of Land(s)	Minimum Tender Amount
98-32	Part of Lot 15, Concession 7 Town of South Bruce Peninsula (Formerly Township of Amabel) As in Instrument No. 179749 866 Bruce Road 14	\$15,219.63

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank, trust company or Province of Ontario Savings Office payable to the Town of South Bruce Peninsula and representing at least 20 per cent of the tender amount.

The Town of South Bruce Peninsula makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Tax Sales Act* being chapter M.60 of the Revised Statutes of Ontario 1990 and the *Municipal Tax Sales Rules* made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and the relevant land transfer tax.

For further information regarding this sale and a copy of the prescribed form of tender, contact:

PATRICK J. STOCK,
Treasurer/Tax Collector,
Town of South Bruce Peninsula,
315 George Street,
Box 310, Wiarton,
Ontario N0H 2T0
Phone: (519) 534-1400
Fax: (519) 534-4862

(3208) 12

MUNICIPAL TAX SALES ACT

THE CORPORATION OF THE TOWN OF IROQUOIS FALLS

TAKE NOTICE that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on Friday, April 14, 2000, at Town Hall, 253 Main Street, Iroquois Falls, Ontario P0K 1G0.

The tenders will then be opened in public on April 17, 2000 at 7:00 p.m. in Council Chambers.

Description of Land(s)	Minimum Tender Amount
98-17: Parcel 12261 SEC, South Part Lot 6, Concession 4, Township of Walker	\$3,805.92
98-18: Parcel 14823 SEC, North Part Lot 1, Concession 4, Township of Clergue	\$5,163.00
98-19: Parcel 928 SEC, Plan M152 NB, Lot 134, Township of Clergue	\$1,255.58
98-20: Parcel 16803 SEC, Plan M152 NB, Lot 67, Township of Clergue	\$1,243.86
98-21: Parcel 11987 SEC, North Part Lot 6, Concession 2, Township of Dundonald	\$4,277.73
98-22: 13 Driftwood Lane Pcl 113 SEC, Plan M156 NB, Lot 4, Twp of Walker.	\$2,747.72
98-24: Parcel 1569 SEC, Plan M157 NB, Lot 46, Township of Clergue	\$4,584.53
98-25: 375 Main Street, Pcls 2838, 2954, 992, 7066 NEC, Plan M37T, Lots 1, 2, 3, Township of Calvert.	\$21,624.00

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank, trust company or Province of Ontario Savings Office payable to the Town of Iroquois Falls and representing at least 20 per cent of the tender amount.

The Municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Tax Sales Act* being chapter M.60 of the Revised Statutes of Ontario 1990 and the *Municipal Tax Sales Rules* made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and the relevant land transfer tax.

For further information regarding this sale and a copy of the prescribed form of tender, contact:

MICHELLE LAROSE,
Accounting Assistant,
Town of Iroquois Falls,
253 Main Street, P.O. Box 230,
Iroquois Falls, Ontario P0K 1G0,
Telephone (705) 232-5700,
email: larosem@mistweb.com

(3209) 12

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2000—03—18

ONTARIO REGULATION 141/00 made under the ONTARIO ENERGY BOARD ACT, 1998

Made: March 1, 2000
Filed: March 1, 2000

Amending O. Reg. 161/99
(Definitions and Exemptions)

Note: Ontario Regulation 161/99 has previously been amended by Ontario Regulation 516/99.

1. Ontario Regulation 161/99 is amended by adding the following section:

4.1 (1) In this section,

“low-volume consumer” means a person who annually uses less than 150,000 kilowatt hours of electricity;

“municipal electric utility” means a municipal electric utility as defined in section 88 of the *Electricity Act, 1998*;

“subsidiary” has the same meaning as in the *Business Corporations Act*.

(2) Clause 57 (d) of the Act does not apply to a person that does not retail electricity to any low-volume consumers.

(3) Clause 57 (d) of the Act does not apply to a distributor that,

(a) is not a municipal electric utility; and

(b) is not a subsidiary of Ontario Hydro Services Company Inc.

(4) Clause 57 (d) of the Act does not apply to an affiliate of a distributor referred to in subsection (3).

(5) Subsections (3) and (4) do not apply to a distributor or an affiliate of a distributor if, after clause 57 (d) of the Act comes into force, the distributor or affiliate contracts with a low-volume consumer to sell electricity that is to be provided on or after the day subsection 26 (1) of the *Electricity Act, 1998* comes into force.

(6) This section does not apply after June 30, 2000.

12/00

ONTARIO REGULATION 142/00 made under the SOCIAL HOUSING FUNDING ACT, 1997

Made: March 1, 2000
Filed: March 2, 2000

Amending O. Reg. 488/97
(General)

Note: Since the end of 1998, Ontario Regulation 488/97 has been amended by Ontario Regulations 44/99, 111/99, 134/99, 500/99 and 545/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsection 5 (2) of Ontario Regulation 488/97 is revoked and the following substituted:

(2) Provincial social housing costs incurred or to be incurred in administering programs described in clause 2 (1) (b) of the Act, other than the portion of such costs that is described as recoverable in subsection (2.1), are prescribed as provincial social housing costs that are not to be recovered for the purpose of clause 4 (1) (b) of the Act.

(2.1) For each entity set out in Column 1 of Table 2, the portion of provincial social housing costs incurred or to be incurred in administering programs described in clause 2 (1) (b) of the Act that is recoverable in each billing period is the amount set out opposite that entity in Column 2 of Table 2 and, for the purpose of applying section 6 to the recovery of the amounts set out in Column 2 of Table 2, those amounts shall be deemed to be provincial social housing costs incurred or to be incurred in the billing period,

RÈGLEMENT DE L'ONTARIO 142/00 pris en application de la LOI DE 1997 SUR LE FINANCEMENT DU LOGEMENT SOCIAL

pris le 1^{er} mars 2000
déposé le 2 mars 2000

modifiant le Règl. de l'Ont. 488/97
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 488/97 a été modifié par les Règlements de l'Ontario 44/99, 111/99, 134/99, 500/99 et 545/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Le paragraphe 5 (2) du Règlement de l'Ontario 488/97 est abrogé et remplacé par ce qui suit :

(2) Les coûts du logement social engagés par la province, ou qui doivent l'être, pour l'administration des programmes visés à l'alinéa 2 (1) b) de la Loi, à l'exclusion de la partie de ces coûts décrite comme étant recouvrable au paragraphe (2.1), sont prescrits comme étant des coûts du logement social engagés par la province qui ne doivent pas être recouverts pour l'application de l'alinéa 4 (1) b) de la Loi.

(2.1) Pour chacune des entités énoncées à la colonne 1 du tableau 2, la partie des coûts du logement social engagés par la province, ou qui doivent l'être, pour l'administration des programmes visés à l'alinéa 2 (1) b) de la Loi qui est recouvrable dans chaque période de facturation est la somme indiquée en regard de l'entité à la colonne 2 du tableau 2 et, aux fins de l'application de l'article 6 au recouvrement des sommes indiquées à cette colonne, ces sommes sont réputées des coûts du logement social engagés par la province, ou qui doivent l'être, dans la période de facturation concernant ce qui suit :

- (a) with respect to housing within the geographic area over which the entity has jurisdiction, in the case of The Regional Municipality of Durham, The Regional Municipality of Halton, The Regional Municipality of Peel, the City of Toronto and The Regional Municipality of York; and
- (b) with respect to housing within the geographic area for which the entity is the delivery agent under Ontario Regulation 136/98, in all other cases.

2. Paragraph 36 of subsection 6 (1.1) of the Regulation is revoked and the following substituted:

36. District of Sudbury-Manitoulin Social Services Administration Board.

3. The Regulation is amended by adding the following Table:

TABLE 2

COLUMN 1	COLUMN 2
Regional Municipality of Durham	\$ 16,576
Regional Municipality of Halton	9,318
Regional Municipality of Peel	20,096
City of Toronto	177,058
Regional Municipality of York	18,620
Regional Municipality of Haldimand-Norfolk	2,551
Regional Municipality of Hamilton-Wentworth	19,113
Regional Municipality of Niagara	26,964
Regional Municipality of Ottawa-Carleton	26,366
Regional Municipality of Sudbury	15,578
Regional Municipality of Waterloo	15,187
District Municipality of Muskoka	2,142
City of Brantford	7,375
County of Bruce	1,212
Municipality of Chatham-Kent	5,327
City of Cornwall	3,880
County of Dufferin	2,274
County of Grey	4,522
County of Hastings	5,673
County of Huron	860
City of Kingston	5,029
County of Lambton	2,206
County of Lanark	2,273
United Counties of Leeds and Grenville	1,746
County of Lennox and Addington	1,795
City of London	23,773
County of Northumberland	2,805
County of Oxford	2,921
City of Peterborough	5,990
United Counties of Prescott and Russell	2,497
County of Renfrew	1,770
County of Simcoe	9,537
City of Stratford	1,900
City of St. Thomas	4,310
County of Victoria	2,745

- a) des logements situés dans la zone géographique relevant de la compétence de l'entité, dans le cas de la municipalité régionale de Durham, de la municipalité régionale de Halton, de la municipalité régionale de Peel, de la cité de Toronto et de la municipalité régionale de York;

- b) des logements situés dans la zone géographique à l'égard de laquelle l'entité est désignée comme agent de prestation des services aux termes du Règlement de l'Ontario 136/98, dans les autres cas.

2. La disposition 36 du paragraphe 6 (1.1) du Règlement est abrogée et remplacée par ce qui suit :

36. Le conseil d'administration de district des services sociaux de Sudbury-Manitoulin.

3. Le Règlement est modifié par adjonction du tableau suivant :

TABLEAU 2

COLONNE 1	COLONNE 2
Municipalité régionale de Durham	16 576 \$
Municipalité régionale de Halton	9 318
Municipalité régionale de Peel	20 096
Cité de Toronto	177 058
Municipalité régionale de York	18 620
Municipalité régionale de Haldimand-Norfolk	2 551
Municipalité régionale de Hamilton-Wentworth	19 113
Municipalité régionale de Niagara	26 964
Municipalité régionale d'Ottawa-Carleton	26 366
Municipalité régionale de Sudbury	15 578
Municipalité régionale de Waterloo	15 187
Municipalité de district de Muskoka	2 142
Cité de Brantford	7 375
Comté de Bruce	1 212
Municipalité de Chatham-Kent	5 327
Cité de Cornwall	3 880
Comté de Dufferin	2 274
Comté de Grey	4 522
Comté de Hastings	5 673
Comté de Huron	860
Cité de Kingston	5 029
Comté de Lambton	2 206
Comté de Lanark	2 273
Comtés unis de Leeds et Grenville	1 746
Comté de Lennox et Addington	1 795
Cité de London	23 773
Comté de Northumberland	2 805
Comté d'Oxford	2 921
Cité de Peterborough	5 990
Comtés unis de Prescott et Russell	2 497
Comté de Renfrew	1 770
Comté de Simcoe	9 537
Cité de Stratford	1 900
Cité de St. Thomas	4 310
Comté de Victoria	2 745

COLUMN 1	COLUMN 2
County of Wellington	\$ 8,843
City of Windsor	16,199
District of Algoma Social Services Administration Board	1,164
District of Cochrane Social Services Administration Board	4,301
District of Kenora Social Services Administration Board	4,002
District of Nipissing Social Services Administration Board	8,436
District of Parry Sound Social Services Administration Board	705
District of Rainy River Social Services Administration Board	837
District of Sault Ste. Marie Social Services Administration Board	5,416
District of Sudbury-Manitoulin Social Services Administration Board	796
District of Thunder Bay Social Services Administration Board	11,080
District of Timiskaming Social Services Administration Board	1,029

4. The Regulation, as it read immediately before April 1, 2000, continues to apply to the recovery of provincial social housing costs in respect of billing periods that end before April 1, 2000.

5. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 1, 3 and 4 come into force on April 1, 2000.

12/00

ONTARIO REGULATION 143/00
made under the
TENANT PROTECTION ACT, 1997

Made: March 1, 2000
Filed: March 2, 2000

Amending O. Reg. 194/98
(General)

Note: Since the end of 1998, Ontario Regulation 194/98 has been amended by Ontario Regulation 76/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 1 of Ontario Regulation 194/98 is amended by adding the following paragraphs:

7. If the Tribunal permits an application to be filed in an electronic format by electronic means, "sign" for the purposes of subsections 172 (1) and (2) and 173 (2) of the Act means to type one's name on the application, and "signed" and "signs" have a corresponding meaning.
8. If the Tribunal permits an application to be filed in an electronic format by electronic means, "shall be accompanied by the prescribed information" in subsection 172 (1) of the Act shall be

COLONNE 1	COLONNE 2
Comté de Wellington	8 843 \$
Cité de Windsor	16 199
Conseil d'administration de district des services sociaux d'Algoma	1 164
Conseil d'administration de district des services sociaux de Cochrane	4 301
Conseil d'administration de district des services sociaux de Kenora	4 002
Conseil d'administration de district des services sociaux de Nipissing	8 436
Conseil d'administration de district des services sociaux de Parry Sound	705
Conseil d'administration de district des services sociaux de Rainy River	837
Conseil d'administration de district des services sociaux de Sault Ste. Marie	5 416
Conseil d'administration de district des services sociaux de Sudbury-Manitoulin	796
Conseil d'administration de district des services sociaux de Thunder Bay	11 080
Conseil d'administration de district des services sociaux de Timiskaming	1 029

4. Le Règlement, tel qu'il existait immédiatement avant le 1^{er} avril 2000, continue de s'appliquer au recouvrement des coûts du logement social engagés par la province à l'égard des périodes de facturation qui se terminent avant cette date.

5. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) Les articles 1, 3 et 4 entrent en vigueur le 1^{er} avril 2000.

RÈGLEMENT DE L'ONTARIO 143/00
pris en application de la
**LOI DE 1997 SUR LA PROTECTION
DES LOCATAIRES**

pris le 1^{er} mars 2000
déposé le 2 mars 2000

modifiant le Règl. de l'Ont. 194/98
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 194/98 a été modifié par le Règlement de l'Ontario 76/00. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. L'article 1 du Règlement de l'Ontario 194/98 est modifié par adjonction des dispositions suivantes :

7. Si le Tribunal autorise le dépôt d'une requête par des moyens électroniques sur support électronique, «signer», pour l'application des paragraphes 172 (1) et (2) et 173 (2) de la Loi, s'entend du fait de dactylographier son nom sur la requête. Les termes «signée» et «signe» ont un sens correspondant.
8. Si le Tribunal autorise le dépôt d'une requête par des moyens électroniques sur support électronique, l'expression «est accompagnée des renseignements prescrits» au paragraphe 172 (1) de

interpreted as requiring the mailing, faxing or delivery of the prescribed information such that it is received by the Tribunal, or is deemed under the Act to have been given to the Tribunal, within five days following the day on which the application was filed electronically with the Tribunal.

9. In the Act, for greater certainty, “sublet” refers to the situation in which,
 - i. the tenant vacates the rental unit,
 - ii. the tenant gives one or more other persons the right to occupy the rental unit for a term ending on a specified date before the end of the tenant’s term or period, and
 - iii. the tenant has the right to resume occupancy of the rental unit on that specified date.

2. Subsection 17 (2) of the Regulation is amended by striking out “The factor for the purposes of subparagraph v of paragraph 5 of section 22, subparagraph iv of paragraph 6 of section 22, subparagraph iii of paragraph 1 of subsection 24 (1), subparagraph iii of paragraph 2 of subsection 24 (1), paragraph 2 of subsection 24 (2) and subparagraph ii of paragraph 1 of section 25 is” at the beginning and substituting “The factor for the purposes of subparagraph 5 v of section 22, subparagraph 6 iv of section 22, subparagraphs 1 v and 2 iii of subsection 24 (1), paragraph 4 of subsection 24 (2) and subparagraph 1 ii of section 25 is”.

3. (1) Subparagraphs 1 i.1, ii and iii of subsection 24 (1) of the Regulation are revoked and the following substituted:

- ii. If municipal taxes and charges for a tax year are increased as a result of an appeal of a tax assessment, add to the base year costs for municipal taxes and charges the amount of the increase resulting from the appeal.
- iii. If a tax notice respecting the reference year municipal taxes and charges is issued on or after December 1 of the base year,
 - A. add to the base year costs for municipal taxes and charges the amount, if any, by which the reference year municipal taxes and charges exceed the municipal taxes and charges for the year preceding the reference year, and
 - B. if the reference year municipal taxes and charges are increased as a result of an appeal of a tax assessment, the amount of the increase resulting from the appeal,
 1. shall be included in determining the amount by which the reference year municipal taxes and charges exceed the municipal taxes and charges for the year preceding the reference year for the purpose of sub-subparagraph A, and
 2. shall not be added under subparagraph ii.
- iv. Subtract the reference year costs for municipal taxes and charges, as adjusted under subparagraph i, from the base year costs for municipal taxes and charges, as adjusted under subparagraphs ii and iii.
- v. Multiply the amount determined in subparagraph iv by the factor determined under subsection 17 (2).

la Loi s’interprète comme exigeant l’envoi par la poste ou par télécopie ou la livraison des renseignements prescrits de sorte qu’ils soient reçus par le Tribunal, ou qu’ils soient réputés, aux termes de la Loi, lui avoir été remis, dans les cinq jours qui suivent le jour où la requête a été déposée électroniquement auprès de lui.

9. Dans la Loi, il est entendu que «sous-louer» s’entend de la situation où les conditions suivantes sont réunies :
 - i. le locataire quitte le logement locatif,
 - ii. le locataire donne à une ou à plusieurs autres personnes le droit d’occuper le logement locatif pendant une durée qui se termine à une date précisée, antérieure au terme de la location ou à l’expiration de la période de location,
 - iii. le locataire a le droit de recommencer à occuper le logement locatif à cette date.

2. Le paragraphe 17 (2) du Règlement est modifié par substitution de «Le facteur pour l’application de la sous-disposition 5 v de l’article 22, de la sous-disposition 6 iv de l’article 22, des sous-dispositions 1 v et 2 iii du paragraphe 24 (1), de la disposition 4 du paragraphe 24 (2) et de la sous-disposition 1 ii de l’article 25 est» à «Le facteur pour l’application de la sous-disposition v de la disposition 5 de l’article 22, de la sous-disposition iv de la disposition 6 de l’article 22, de la sous-disposition iii de la disposition 1 du paragraphe 24 (1), de la sous-disposition iii de la disposition 2 du paragraphe 24 (1), de la disposition 2 du paragraphe 24 (2) et de la sous-disposition ii de la disposition 1 de l’article 25 est» au début du paragraphe.

3. (1) Les sous-dispositions 1 i.1, ii et iii du paragraphe 24 (1) du Règlement sont abrogées et remplacées par ce qui suit :

- ii. Si les redevances et impôts municipaux d’une année d’imposition sont augmentés par suite d’un appel portant sur une cotisation d’impôt, ajouter aux frais pour l’année de base pour la catégorie de frais d’exploitation que sont les redevances et impôts municipaux le montant de l’augmentation qui résulte de l’appel.
- iii. Si un avis d’imposition concernant les redevances et impôts municipaux de l’année de référence est délivré le 1^{er} décembre de l’année de base ou par la suite :
 - A. ajouter aux frais pour l’année de base pour la catégorie de frais d’exploitation que sont les redevances et impôts municipaux le montant éventuel de l’excédent des redevances et impôts municipaux de l’année de référence sur ceux de l’année précédant cette dernière,
 - B. si les redevances et impôts municipaux de l’année de référence sont augmentés par suite d’un appel portant sur une cotisation d’impôt, le montant de l’augmentation qui résulte de l’appel :
 1. d’une part, est compris dans le calcul du montant de l’excédent des redevances et impôts municipaux de l’année de référence sur ceux de l’année précédant cette dernière pour l’application de la sous-sous-disposition A,
 2. d’autre part, ne doit pas être ajouté aux termes de la sous-disposition ii.
- iv. Soustraire les frais pour l’année de référence pour la catégorie de frais d’exploitation que sont les redevances et impôts municipaux, rajustés aux termes de la sous-disposition i, des frais pour l’année de base pour la catégorie de frais d’exploitation que sont les redevances et impôts municipaux, rajustés aux termes des sous-dispositions ii et iii.
- v. Multiplier la somme obtenue aux termes de la sous-disposition iv par le facteur déterminé aux termes du paragraphe 17 (2).

(2) Paragraphs 1, 1.1 and 2 of subsection 24 (2) of the Regulation are revoked and the following substituted:

1. If municipal taxes and charges for a tax year are increased as a result of an appeal of a tax assessment, add to the base year costs for municipal taxes and charges the amount of the increase resulting from the appeal.
2. If a tax notice respecting the reference year municipal taxes and charges is issued on or after December 1 of the base year,
 - i. add to the base year costs for municipal taxes and charges the amount, if any, by which the reference year municipal taxes and charges exceed the municipal taxes and charges for the year preceding the reference year, and
 - ii. if the reference year municipal taxes and charges are increased as a result of an appeal of a tax assessment, the amount of the increase resulting from the appeal,
 - A. shall be included in determining the amount by which the reference year municipal taxes and charges exceed the municipal taxes and charges for the year preceding the reference year for the purpose of subparagraph i, and
 - B. shall not be added under paragraph 1.
3. Subtract the reference year costs for municipal taxes and charges from the base year costs for municipal taxes and charges, as adjusted under paragraphs 1 and 2.
4. Multiply the amount determined under paragraph 3 by the factor determined under subsection 17 (2).

(3) Subsection 24 (3) of the Regulation is revoked and the following substituted:

(3) An increase in municipal taxes and charges as a result of an appeal of a tax assessment shall not be considered under subparagraph 1 ii or iii of subsection (1) or paragraph 1 or 2 of subsection (2) if,

- (a) the increase is for a tax year before 1996; or
- (b) the application for the rent increase was filed more than 12 months after the decision on the appeal was issued.

4. Section 28.2 of the Regulation is amended by adding the following subsection:

(2) Despite subsection (1), if the lawful rent for the rental units in a residential complex is reduced under subsection 136 (1) of the Act as a result of the 1997 municipal property tax for the complex exceeding the 1998 municipal property tax for the complex by more than the percentage prescribed in subsection 28.1 (1), the prescribed date on which the rent reduction takes effect for a rental unit for the purposes of subsection 136 (2) of the Act is May 31, 1999 if,

- (a) the tax notice effecting the reduction in the 1998 municipal property tax for the residential complex by more than the prescribed percentage is issued on or after December 1, 1999; and
- (b) the tenant, former tenant, prospective tenant or subtenant of the rental unit has not applied to the Tribunal under section 144 of the Act on or before December 30, 1999 for an order for the repayment of any rent paid in excess of the amount to which the lawful rent is reduced under subsection 136 (1) of the Act.

(2) Les dispositions 1, 1.1 et 2 du paragraphe 24 (2) du Règlement sont abrogées et remplacées par ce qui suit :

1. Si les redevances et impôts municipaux d'une année d'imposition sont augmentés par suite d'un appel portant sur une cotisation d'impôt, ajouter aux frais pour l'année de base pour la catégorie de frais d'exploitation que sont les redevances et impôts municipaux le montant de l'augmentation qui résulte de l'appel.
2. Si un avis d'imposition concernant les redevances et impôts municipaux de l'année de référence est délivré le 1^{er} décembre de l'année de base ou par la suite :
 - i. ajouter aux frais pour l'année de base pour la catégorie de frais d'exploitation que sont les redevances et impôts municipaux le montant éventuel de l'excédent des redevances et impôts municipaux de l'année de référence sur ceux de l'année précédant cette dernière,
 - ii. si les redevances et impôts municipaux de l'année de référence sont augmentés par suite d'un appel portant sur une cotisation d'impôt, le montant de l'augmentation qui résulte de l'appel :
 - A. d'une part, est compris dans le calcul du montant de l'excédent des redevances et impôts municipaux de l'année de référence sur ceux de l'année précédant cette dernière pour l'application de la sous-disposition i,
 - B. d'autre part, ne doit pas être ajouté aux termes de la disposition 1.
3. Soustraire les frais pour l'année de référence pour la catégorie de frais d'exploitation que sont les redevances et impôts municipaux des frais pour l'année de base pour la catégorie de frais d'exploitation que sont les redevances et impôts municipaux, rajustés aux termes des dispositions 1 et 2.
4. Multiplier la somme obtenue aux termes de la disposition 3 par le facteur déterminé aux termes du paragraphe 17 (2).

(3) Le paragraphe 24 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) Il ne doit pas être tenu compte aux termes de la sous-disposition 1 ii ou iii du paragraphe (1) ou de la disposition 1 ou 2 du paragraphe (2) d'une augmentation des redevances et impôts municipaux qui résulte d'un appel portant sur une cotisation d'impôt si, selon le cas :

- a) l'augmentation vise une année d'imposition antérieure à 1996;
- b) la requête en augmentation du loyer a été déposée plus de 12 mois après qu'a été rendue la décision à l'issue de l'appel.

4. L'article 28.2 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Malgré le paragraphe (1), si le loyer légal des logements locatifs d'un ensemble d'habitation est réduit aux termes du paragraphe 136 (1) de la Loi du fait que les impôts fonciers municipaux de 1997 prélevés sur l'ensemble dépassent ceux de 1998 à l'égard de celui-ci d'un pourcentage supérieur au pourcentage prescrit au paragraphe 28.1 (1), la date prescrite à laquelle la réduction de loyer prend effet à l'égard d'un logement locatif pour l'application du paragraphe 136 (2) de la Loi est le 31 mai 1999 si :

- a) d'une part, l'avis d'imposition qui donne effet à la réduction des impôts fonciers municipaux de 1998 à l'égard de l'ensemble d'habitation d'un pourcentage supérieur au pourcentage prescrit est délivré le 1^{er} décembre 1999 ou par la suite;
- b) d'autre part, au plus tard le 30 décembre 1999, le locataire, l'ancien locataire, le locataire éventuel ou le sous-locataire du logement locatif n'a pas demandé par requête au Tribunal, aux termes de l'article 144 de la Loi, de rendre une ordonnance prévoyant le remboursement de la tranche de loyer qu'il a payée en sus du montant auquel le loyer légal est ramené aux termes du paragraphe 136 (1) de la Loi.

5. Subsection 28.4 (2) of the Regulation is revoked and the following substituted:

- (2) An application referred to in subsection (1) shall be made,
 - (a) if a notice of rent reduction is required under subsection 136 (3) of the Act, on or before the later of,
 - (i) the ninetieth day following the day on which the notice of rent reduction is issued, and
 - (ii) March 31 of the year following the year in which the rent reduction takes effect; and
 - (b) if a notice of rent reduction is not required under subsection 136 (3) of the Act, on or before the later of,
 - (i) the ninetieth day following the day on which the tax notice effecting the reduction in the municipal property tax and forming the basis of the rent reduction is issued, and
 - (ii) March 31 of the year following the year in which the rent reduction takes effect.
- (3) Despite subsection (2), an application referred to in subsection (1) shall be made on or before May 31, 2000, if the rent reduction sought to be varied is based on,
 - (a) a reduction in the 1998 municipal property tax effected by a tax notice issued on or after December 1, 1999; or
 - (b) a reduction in the 1999 municipal property tax.

6. (1) The definition of "adjusted costs" in subsection 31 (1) of the Regulation is revoked.

(2) Section 31 of the Regulation is amended by adding the following subsection:

(1.1) For the purpose of this section, the adjusted costs for municipal taxes and charges for the base year shall be calculated in the following manner:

- 1. If municipal taxes and charges for a tax year are decreased as a result of an appeal of a tax assessment, subtract from the base year costs for municipal taxes and charges the amount of the decrease resulting from the appeal.
- 2. If a tax notice respecting the reference year municipal taxes and charges is issued on or after December 1 of the base year,
 - i. subtract from the base year costs for municipal taxes and charges the amount, if any, by which the municipal taxes and charges for the year preceding the reference year exceed the reference year municipal taxes and charges, and
 - ii. if the reference year municipal taxes and charges are decreased as a result of an appeal of a tax assessment, the amount of the decrease resulting from the appeal,
 - A. shall be taken into account in determining the amount by which the municipal taxes and charges for the year preceding the reference year exceed the reference year municipal taxes and charges for the purpose of subparagraph i, and
 - B. shall not be subtracted under paragraph 1.
- 3. A decrease in municipal taxes and charges as a result of an appeal of a tax assessment shall not be considered under paragraph 1 or 2 if,

5. Le paragraphe 28.4 (2) du Règlement est abrogé et remplacé par ce qui suit :

- (2) La requête visée au paragraphe (1) est présentée :
 - a) si un avis de réduction du loyer est exigé aux termes du paragraphe 136 (3) de la Loi, au plus tard au dernier en date des jours suivants :
 - (i) le 90^e jour qui suit la date où est délivré l'avis de réduction du loyer,
 - (ii) le 31 mars de l'année qui suit celle où la réduction du loyer prend effet;
 - b) si un avis de réduction du loyer n'est pas exigé aux termes du paragraphe 136 (3) de la Loi, au plus tard au dernier en date des jours suivants :
 - (i) le 90^e jour qui suit la date où est délivré l'avis d'imposition qui donne effet à la réduction des impôts fonciers municipaux et sur lequel la réduction de loyer est fondée,
 - (ii) le 31 mars de l'année qui suit celle où la réduction du loyer prend effet.
- (3) Malgré le paragraphe (2), une requête visée au paragraphe (1) est présentée au plus tard le 31 mai 2000 si la réduction de loyer dont une personne veut faire modifier le montant est fondée, selon le cas :
 - a) sur une réduction des impôts fonciers municipaux de 1998 à laquelle donne effet un avis d'imposition délivré le 1^{er} décembre 1999 ou par la suite;
 - b) sur une réduction des impôts fonciers municipaux de 1999.

6. (1) La définition de «frais rajustés» au paragraphe 31 (1) du Règlement est abrogée.

(2) L'article 31 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Pour l'application du présent article, les frais rajustés à l'égard des redevances et impôts municipaux de l'année de base sont calculés de la manière suivante :

- 1. Si les redevances et impôts municipaux d'une année d'imposition sont réduits par suite d'un appel portant sur une cotisation d'impôt, soustraire des frais pour l'année de base pour la catégorie de frais d'exploitation que sont les redevances et impôts municipaux le montant de la réduction qui résulte de l'appel.
- 2. Si un avis d'imposition concernant les redevances et impôts municipaux de l'année de référence est délivré le 1^{er} décembre de l'année de base ou par la suite :
 - i. soustraire des frais pour l'année de base pour la catégorie de frais d'exploitation que sont les redevances et impôts municipaux le montant éventuel de l'excédent des redevances et impôts municipaux de l'année précédant l'année de référence sur ceux de l'année de référence,
 - ii. si les redevances et impôts municipaux de l'année de référence sont réduits par suite d'un appel portant sur une cotisation d'impôt, le montant de la réduction qui résulte de l'appel :
 - A. d'une part, est compris dans le calcul du montant de l'excédent des redevances et impôts municipaux de l'année précédant l'année de référence sur ceux de l'année de référence pour l'application de la sous-disposition i,
 - B. d'autre part, ne doit pas être soustrait aux termes de la disposition 1.
- 3. Il ne doit pas être tenu compte aux termes de la disposition 1 ou 2 d'une réduction des redevances et impôts municipaux qui résulte d'un appel portant sur une cotisation d'impôt si, selon le cas :

- i. the decrease is for a tax year before 1996, or
- ii. the application for the rent reduction was filed more than 12 months after the decision on the appeal was issued.

(3) Subsections 31 (4.1) and (4.2) of the Regulation are revoked.

- i. la réduction vise une année d'imposition antérieure à 1996,
- ii. la requête en réduction du loyer a été déposée plus de 12 mois après qu'a été rendue la décision à l'issue de l'appel.

(3) Les paragraphes 31 (4.1) et (4.2) du Règlement sont abrogés.

12/00

ONTARIO REGULATION 144/00
made under the
PENSION BENEFITS ACT

Made: March 1, 2000
Filed: March 3, 2000

Amending Reg. 909 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 909 has been amended by Ontario Regulation 115/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 1 (1) of Regulation 909 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“locked-in retirement income fund” means an RRIF that meets the requirements set out in Schedule 2; (“fonds de revenu de retraite immobilisé”)

(2) The definition of “going concern valuation” in subsection 1 (2) of the Regulation is revoked and the following substituted:

“going concern valuation” means a valuation of the assets and liabilities of a pension plan using methods and actuarial assumptions that are consistent with accepted actuarial practice for the valuation of a continuing pension plan; (“évaluation à long terme”)

(3) The definition of “Ontario assets” in subsection 1 (2) of the Regulation is amended by striking out “clause 30 (2) (c)” and substituting “clause 30 (2) (e)”.

2. The Regulation is amended by adding the following section:

2. An application under subsection 9 (1) of the Act for registration of a pension plan must be made within 90 days after the pension plan is established.

3. Section 3 of the Regulation is amended by adding the following subsection:

(1.1) Subsection (1) does not apply with respect to a pension plan where all the pension benefits provided under the plan are defined contribution benefits.

4. (1) Subsection 4 (6) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(6) The Superintendent may cause a report on a plan to be prepared where,

.

(2) Subsection 4 (7) of the Regulation is revoked and the following substituted:

(7) A report under subsection (6) must contain the information required by section 3, 13 or 14, whichever applies.

(7.1) A report under subsection (6) must be prepared by an actuary chosen by the Superintendent and must be submitted by the actuary to the Superintendent.

RÈGLEMENT DE L'ONTARIO 144/00
pris en application de la
LOI SUR LES RÉGIMES DE RETRAITE

pris le 1^{er} mars 2000
déposé le 3 mars 2000

modifiant le Règl. 909 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement 909 a été modifié par le Règlement de l'Ontario 115/00. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) Le paragraphe 1 (1) du Règlement 909 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la définition suivante :

«fonds de revenu de retraite immobilisé» FERR qui satisfait aux exigences énoncées à l'annexe 2. («locked-in retirement income fund»)

(2) La définition de «évaluation à long terme» au paragraphe 1 (2) du Règlement est abrogée et remplacée par ce qui suit :

«évaluation à long terme» Évaluation de l'actif et du passif d'un régime selon des hypothèses actuarielles et des méthodes qui sont compatibles avec les normes actuarielles reconnues pour l'évaluation d'un régime qui continue d'exister. («going concern valuation»)

(3) La définition de «actif ontarien» au paragraphe 1 (2) du Règlement est modifiée par substitution de «l'alinéa 30 (2) e)» à «l'alinéa 30 (2) c)».

2. Le Règlement est modifié par adjonction de l'article suivant :

2. La demande d'enregistrement d'un régime visée au paragraphe 9 (1) de la Loi est présentée dans les 90 jours qui en suivent l'établissement.

3. L'article 3 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Le paragraphe (1) ne s'applique pas à l'égard des régimes dont toutes les prestations de retraite sont des prestations à cotisation déterminée.

4. (1) Le paragraphe 4 (6) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(6) Le surintendant peut faire préparer un rapport sur un régime lorsque :

.

(2) Le paragraphe 4 (7) du Règlement est abrogé et remplacé par ce qui suit :

(7) Le rapport prévu au paragraphe (6) renferme les renseignements exigés par l'article 3, 13 ou 14, selon celui de ces articles qui s'applique.

(7.1) Le rapport prévu au paragraphe (6) est préparé et présenté au surintendant par l'actuaire de son choix.

(3) Subsection 4 (12) of the Regulation is revoked.

5. (1) Subsection 5 (16) of the Regulation is amended by striking out “Subject to subsections (13), (14) and (15) and subsection 5.1 (5)” at the beginning and substituting “Subject to subsections (13), (14), (15), (16.1) and 5.1 (5)”.

(2) Section 5 of the Regulation is amended by adding the following subsection:

(16.1) For a report filed under section 3 or 14 or submitted under section 4 that has a valuation date of December 31, 1998 or later, the prior year credit balance may be reduced to an amount that is,

- (a) less than the amount otherwise determined in accordance with subsection (16); and
- (b) not less than zero.

6. The Regulation is amended by adding the following sections:

NOTICES AND SUMMARIES RE CONTRIBUTIONS

6.1 Notice under subsection 56 (2) of the Act that a contribution was not paid when it became due must be given to the Superintendent within 60 days after the day on which the required contribution became due.

6.2 (1) A summary under subsection 56.1 (1) of the Act of the contributions required to be made in respect of a pension plan for a fiscal year must be given to the persons specified by that subsection,

- (a) within 90 days after the plan is established, for the first fiscal year; and
- (b) within 60 days after the beginning of the second fiscal year and of each subsequent fiscal year of the plan.

(2) If there is a change in the summary of contributions, the administrator shall give the persons specified by subsection 56.1 (1) of the Act a revised summary within 60 days after the administrator becomes aware of the change.

(3) The summary or revised summary must be in a form approved by the Superintendent.

(4) Notice under subsection 56.1 (2) of the Act that a person was not given the summary of contributions in accordance with subsection 56.1 (1) of the Act must be given to the Superintendent within 30 days after the day on which the summary was required to be given.

(5) Notice under subsection 56.1 (3) of the Act that a contribution was not paid when it became due must be given to the Superintendent within 60 days after the day on which the contribution became due.

(6) This section comes into force on July 1, 2000.

7. Section 12 of the Regulation is revoked and the following substituted:

12. (1) This section applies when a report required under section 3 or 14 is filed with the Superintendent or a report prepared under section 4 or 13 is submitted to the Superintendent.

(2) Within 60 days after the report is filed or submitted, the employer shall pay into the pension fund,

- (a) all amounts due under the report on the date the report is filed or submitted; and
- (b) interest on those amounts calculated at the going concern interest rate or the solvency valuation interest rate, whichever applies in the circumstances.

(3) The actuary who prepares the report shall calculate the amount of interest that is payable under clause (2) (b).

8. (1) Subsection 13 (1.1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(3) Le paragraphe 4 (12) du Règlement est abrogé.

5. (1) Le paragraphe 5 (16) du Règlement est modifié par substitution de «Sous réserve des paragraphes (13), (14), (15), (16.1) et 5.1 (5)» à «Sous réserve des paragraphes (13), (14) et (15) et du paragraphe 5.1 (5)» au début du paragraphe.

(2) L'article 5 du Règlement est modifié par adjonction du paragraphe suivant :

(16.1) Dans le cas d'un rapport qui est déposé aux termes de l'article 3 ou 14 ou présenté aux termes de l'article 4 et dont la date d'évaluation tombe le 31 décembre 1998 ou après cette date, le solde créditeur de l'exercice antérieur peut être ramené à un montant qui :

- a) d'une part, est inférieur au montant calculé par ailleurs conformément au paragraphe (16);
- b) d'autre part, n'est pas inférieur à zéro.

6. Le Règlement est modifié par adjonction des articles suivants :

AVIS ET SOMMAIRES CONCERNANT LES COTISATIONS

6.1 L'avis portant qu'une cotisation n'a pas été payée à sa date d'exigibilité, que prévoit le paragraphe 56 (2) de la Loi, est donné au surintendant dans les 60 jours qui suivent cette date.

6.2 (1) Le sommaire des cotisations qui doivent être versées à l'égard d'un régime pour un exercice, que prévoit le paragraphe 56.1 (1) de la Loi, est remis aux personnes précisées à ce paragraphe :

- a) dans les 90 jours qui suivent l'établissement du régime, dans le cas du premier exercice;
- b) dans les 60 jours qui suivent le début du deuxième exercice du régime et celui de chacun de ses exercices ultérieurs.

(2) En cas de modification du sommaire des cotisations, l'administrateur remet un sommaire révisé aux personnes précisées au paragraphe 56.1 (1) de la Loi dans les 60 jours qui suivent celui où il prend connaissance de la modification.

(3) Le sommaire ou le sommaire révisé est rédigé sous la forme approuvée par le surintendant.

(4) L'avis portant que le sommaire des cotisations n'a pas été remis à une personne conformément au paragraphe 56.1 (1) de la Loi, que prévoit le paragraphe 56.1 (2) de la Loi, est donné au surintendant dans les 30 jours qui suivent celui où le sommaire aurait dû être remis.

(5) L'avis portant qu'une cotisation n'a pas été payée à sa date d'exigibilité, que prévoit le paragraphe 56.1 (3) de la Loi, est donné au surintendant dans les 60 jours qui suivent cette date.

(6) Le présent article entre en vigueur le 1^{er} juillet 2000.

7. L'article 12 du Règlement est abrogé et remplacé par ce qui suit :

12. (1) Le présent article s'applique lorsqu'un rapport exigé par l'article 3 ou 14 est déposé auprès du surintendant ou qu'un rapport préparé aux termes de l'article 4 ou 13 lui est présenté.

(2) Dans les 60 jours qui suivent le dépôt ou la présentation du rapport, l'employeur verse à la caisse de retraite :

- a) les sommes dues selon le rapport à la date à laquelle il est déposé ou présenté;
- b) les intérêts sur ces sommes, calculés au taux d'intérêt de l'évaluation à long terme ou au taux d'intérêt de l'évaluation de solvabilité, selon celui qui s'applique dans les circonstances.

(3) L'actuaire qui prépare le rapport calcule les intérêts qui sont payables aux termes de l'alinéa (2) b).

8. (1) Le paragraphe 13 (1.1) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(1.1) The report shall also set out, on the basis of a solvency valuation,

(2) Section 13 of the Regulation is amended by adding the following subsection:

(4) This section does not apply with respect to a pension plan where all the pension benefits provided under the plan are defined contribution benefits.

9. (1) Section 14 of the Regulation is amended by adding the following subsection:

(0.1) This section does not apply with respect to a pension plan where all the pension benefits provided under the plan are defined contribution benefits.

(2) Subsection 14 (8) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(8) Each report under this section shall also set out, on the basis of a solvency valuation,

(3) Clause 14 (8) (e) of the Regulation is revoked and the following substituted:

(e) if a Guarantee Fund assessment is required to be paid, the PBGF assessment base;

(e.1) if a Guarantee Fund assessment is required to be paid and if the PBGF assessment base is greater than zero, the PBGF liabilities and, if applicable, the amount described in subclause 37 (4) (a) (ii);

10. (1) Subsection 15 (1) of the Regulation is revoked and the following substituted:

(1) The reports and certificates required under section 70 of the Act and under subsection 3 (1) and sections 13 and 14 must be prepared by an actuary.

(2) Subsection 15 (2) of the Regulation is amended by inserting at the beginning “Despite subsection (1)”.

11. Subsection 16 (1) of the Regulation is revoked and the following substituted:

(1) An actuary preparing a report under section 70 of the Act or under section 3, 5.3, 13 or 14 shall use methods and actuarial assumptions that are consistent with accepted actuarial practice and with the requirements of the Act and this Regulation.

12. The Regulation is amended by adding the following sections:

16.1 (1) Beginning on July 1, 2000, a report filed under section 3 or 14 or submitted under section 4 or 13 must be accompanied by an actuarial information summary.

(2) The actuarial information summary must be signed by the actuary who signs the report.

(3) The actuarial information summary must be prepared in a form approved by the Superintendent.

16.2 If an agent of the administrator of a pension plan is responsible for receiving contributions under the plan, the administrator shall give the agent a copy of every report submitted under section 13 or filed under section 14.

13. The Regulation is amended by adding the following section after the heading “Commutated Value and Portability of Pension Benefits”:

18.1 For the purposes of paragraph 2.1 of subsection 39 (5) of the Act (exclusions from entitlement to excess amount),

(1.1) Le rapport précise également, d’après une évaluation de solvabilité, les éléments suivants :

(2) L’article 13 du Règlement est modifié par adjonction du paragraphe suivant :

(4) Le présent article ne s’applique pas à l’égard des régimes dont toutes les prestations de retraite sont des prestations à cotisation déterminée.

9. (1) L’article 14 du Règlement est modifié par adjonction du paragraphe suivant :

(0.1) Le présent article ne s’applique pas à l’égard des régimes dont toutes les prestations de retraite sont des prestations à cotisation déterminée.

(2) Le paragraphe 14 (8) du Règlement est modifié par substitution de ce qui suit au passage qui précède l’alinéa a) :

(8) Le rapport prévu au présent article précise également, d’après une évaluation de solvabilité, les éléments suivants :

(3) L’alinéa 14 (8) e) du Règlement est abrogé et remplacé par ce qui suit :

e) si une cotisation au Fonds de garantie doit être versée, la base de cotisation au Fonds de garantie;

e.1) si une cotisation au Fonds de garantie doit être versée et que la base de cotisation au Fonds de garantie est supérieure à zéro, le passif du Fonds de garantie et, le cas échéant, le montant visé au sous-alinéa 37 (4) a) (ii);

10. (1) Le paragraphe 15 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Les rapports et les certificats exigés par l’article 70 de la Loi ainsi que par le paragraphe 3 (1) et les articles 13 et 14 sont préparés par un actuaire.

(2) Le paragraphe 15 (2) du Règlement est modifié par insertion de «Malgré le paragraphe (1),» au début du paragraphe.

11. Le paragraphe 16 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) L’actuaire qui prépare un rapport prévu à l’article 70 de la Loi ou à l’article 3, 5.3, 13 ou 14 utilise des hypothèses actuarielles et des méthodes compatibles avec les normes actuarielles reconnues ainsi qu’avec les exigences de la Loi et du présent règlement.

12. Le Règlement est modifié par adjonction des articles suivants :

16.1 (1) À compter du 1^{er} juillet 2000, les rapports déposés aux termes de l’article 3 ou 14 ou présentés aux termes de l’article 4 ou 13 sont accompagnés d’un résumé des renseignements actuariels.

(2) Le résumé des renseignements actuariels est signé par l’actuaire qui signe le rapport.

(3) Le résumé des renseignements actuariels est préparé sous la forme qu’approuve le surintendant.

16.2 Si un mandataire de l’administrateur d’un régime est responsable de la réception des cotisations prévues par celui-ci, l’administrateur lui remet une copie des rapports présentés aux termes de l’article 13 ou déposés aux termes de l’article 14.

13. Le Règlement est modifié par adjonction de l’article suivant après l’intertitre «Valeur de rachat et transférabilité des prestations de retraite» :

18.1 La définition qui suit s’applique à la disposition 2.1 du paragraphe 39 (5) de la Loi (exclusions : droit au surplus).

“benefits that result from voluntary contributions for past service” means, with respect to a member of a pension plan, pension benefits credited to the member as a result of his or her election on or after March 3, 2000 under the plan to make voluntary contributions in order to purchase pension benefits relating to a period of employment before the date on which the member made the election.

14. Subsection 19 (1.2) of the Regulation is revoked and the following substituted:

(1.2) For purposes other than those of subsection 42 (1) of the Act and subsection 29 (2), the commuted value of a pension, deferred pension or ancillary benefit shall be calculated using methods and actuarial assumptions that are consistent with accepted actuarial practice.

15. (1) Subsection 21 (1.1) of the Regulation is amended by adding the following paragraph:

1.1 A locked in retirement income fund.

(2) Subsections 21 (1.2), (1.3), (1.4) and (1.5) of the Regulation are revoked and the following substituted:

(1.2) If the amount to be transferred does not exceed the amount prescribed for such a transfer under the *Income Tax Act* (Canada), it must be transferred into a life income fund, a locked-in retirement income fund or a locked-in retirement account.

(1.3) Section 22.2 applies if the amount to be transferred is greater than the amount prescribed for such a transfer under the *Income Tax Act* (Canada). In that circumstance, the amount prescribed must be transferred into a life income fund, a locked-in retirement income fund or a locked-in retirement account.

(3) Clauses 21 (2) (a), (b), (c) and (d) of the Regulation are revoked and the following substituted:

(a) money in the account will not be withdrawn in whole or in part except,

(i) to transfer it to the pension fund of a registered pension plan,

(ii) to transfer it to another locked-in retirement account,

(iii) to purchase an immediate or deferred life annuity described in subsection (2.1) that is provided by a person authorized under the laws of Canada or a province to sell annuities as defined in section 248 of the *Income Tax Act* (Canada) under an insurance contract that meets the requirements of section 22,

(iv) to transfer it to a life income fund or a locked-in retirement income fund, or

(v) to pay it in accordance with section 49 or 67 of the Act or sections 22.2 to 22.4;

(b) money in the account will not be assigned, charged, anticipated or given as security except as permitted by subsection 65 (3) of the Act;

(c) any transaction purporting to assign, charge, anticipate or give as security money in the account, except as permitted by subsection 65 (3) of the Act, is void;

(d) except as permitted in section 49 or 67 of the Act or in sections 22.2 to 22.4, money in the account will not be commuted, withdrawn or surrendered, in whole or in part, during the lifetime of the member or former member;

(4) The English version of clause 21 (2) (h) of the Regulation is amended by striking out “holder” in the first line and substituting “owner”.

«prestations qui résultent de cotisations facultatives au titre des services antérieurs» À l'égard d'un participant à un régime, s'entend des prestations de retraite portées au crédit du participant par suite du choix qu'il fait le 3 mars 2000 ou après cette date, en vertu du régime, de verser des cotisations facultatives en vue de constituer des prestations de retraite se rapportant à une période d'emploi antérieure à la date du choix.

14. Le paragraphe 19 (1.2) du Règlement est abrogé et remplacé par ce qui suit :

(1.2) Pour d'autres fins que celles du paragraphe 42 (1) de la Loi et du paragraphe 29 (2), la valeur de rachat d'une pension, d'une pension différée ou d'une prestation accessoire est calculée en utilisant des hypothèses actuarielles et des méthodes compatibles avec les normes actuarielles reconnues.

15. (1) Le paragraphe 21 (1.1) du Règlement est modifié par adjonction de la disposition suivante :

1.1 Les fonds de revenu de retraite immobilisés.

(2) Les paragraphes 21 (1.2), (1.3), (1.4) et (1.5) du Règlement sont abrogés et remplacés par ce qui suit :

(1.2) Si le montant à transférer n'est pas supérieur au montant prescrit dans le cas d'un tel transfert aux termes de la *Loi de l'impôt sur le revenu* (Canada), il est transféré dans un fonds de revenu viager, un fonds de revenu de retraite immobilisé ou un compte de retraite avec immobilisation des fonds.

(1.3) L'article 22.2 s'applique si le montant à transférer est supérieur au montant prescrit dans le cas d'un tel transfert aux termes de la *Loi de l'impôt sur le revenu* (Canada). Dans ce cas, le montant prescrit est transféré dans un fonds de revenu viager, un fonds de revenu de retraite immobilisé ou un compte de retraite avec immobilisation des fonds.

(3) Les alinéas 21 (2) a), b), c) et d) du Règlement sont abrogés et remplacés par ce qui suit :

a) les sommes qui se trouvent dans le compte n'en seront pas retirées en totalité ou en partie, sauf :

(i) pour les transférer à la caisse de retraite d'un régime enregistré,

(ii) pour les transférer à un autre compte de retraite avec immobilisation des fonds,

(iii) pour constituer une rente viagère immédiate ou différée visée au paragraphe (2.1) qui est offerte par une personne autorisée en vertu des lois du Canada ou d'une province à offrir des rentes, au sens de l'article 248 de la *Loi de l'impôt sur le revenu* (Canada), aux termes d'un contrat d'assurance qui satisfait aux exigences de l'article 22,

(iv) pour les transférer dans un fonds de revenu viager ou un fonds de revenu de retraite immobilisé,

(v) pour les payer conformément à l'article 49 ou 67 de la Loi ou aux articles 22.2 à 22.4;

b) les sommes qui se trouvent dans le compte ne seront pas cédées, grevées, escomptées ni données en garantie, sauf de la façon permise par le paragraphe 65 (3) de la Loi;

c) toute opération qui se présente comme pouvant céder, grever, escompter ou donner en garantie les sommes qui se trouvent dans le compte est nulle, sauf l'opération permise par le paragraphe 65 (3) de la Loi;

d) sauf de la façon permise par l'article 49 ou 67 de la Loi ou les articles 22.2 à 22.4, les sommes qui se trouvent dans le compte ne seront pas rachetées, retirées ni cédées, en totalité ou en partie, du vivant du participant ou de l'ancien participant;

(4) La version anglaise de l'alinéa 21 (2) h) du Règlement est modifiée par substitution de «owner» à «holder» à la première ligne.

(5) Subsections 21 (3) and (4) of the Regulation are revoked and the following substituted:

(3) An immediate or deferred life annuity that is purchased with funds from a life income fund, a locked-in retirement income fund or a locked-in retirement account shall not differentiate on the basis of the sex of the beneficiary if the commuted value of the pension benefit that was transferred into the life income fund, locked-in retirement income fund or locked-in retirement account was determined in a manner that did not differentiate on the basis of sex.

(4) A life income fund, locked-in retirement income fund or locked-in retirement account shall contain a statement as to whether the commuted value of the pension benefit that was transferred into it was determined in a manner that differentiated on the basis of sex.

16. (1) The French version of subsection 21.1 (1) of the Regulation is amended by striking out “à prestations déterminées” and substituting “qui offre des prestations déterminées”.

(2) Subsections 21.1 (2), (3), (4) and (5) of the Regulation are revoked and the following substituted:

(2) A member with defined benefits who elects to convert them in accordance with the amendment to the pension plan is entitled to require the administrator to pay to the member that portion of the amount of the commuted value of the defined benefits that exceeds the amount prescribed under the *Income Tax Act* (Canada) for the conversion of defined benefits under the plan to defined contribution benefits.

17. (1) Subsection 22 (1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(1) An insurance contract under which a deferred or immediate life annuity will be provided resulting from the transfer of the commuted value of a pension benefit or as the result of a purchase from a life income fund, a locked-in retirement income fund or a locked-in retirement account shall set out that,

.

(2) Clause 22 (1) (c) of the Regulation is revoked and the following substituted:

(c) in the case of the unexpired period of a guaranteed annuity, the annuitant may commute a benefit provided under the annuity only for the purpose of purchasing a life income fund or a locked-in retirement income fund;

(3) The French version of clause 22 (1) (c.1) of the Regulation is amended by striking out “racheter” in the third line and substituting “céder ou racheter”.

(4) Subclause 22 (1) (f) (ii) of the Regulation is revoked and the following substituted:

(ii) in the case of a contract that is purchased with funds from a life income fund, a locked-in retirement income fund or a locked-in retirement account, the purchase is in accordance with subsection 21 (3); and

(5) Subsection 22 (2) of the Regulation is revoked and the following substituted:

(2) The insurance contract must provide that, if a life income fund or a locked-in retirement income fund is being purchased as authorized by clause (1) (c), the financial institution disclose to the annuitant the difference between the commuted value of the annuity and the amount that will be transferred to the life income fund or locked-in retirement income fund.

18. The Regulation is amended by adding the following sections:

(5) Les paragraphes 21 (3) et (4) du Règlement sont abrogés et remplacés par ce qui suit :

(3) Une rente viagère immédiate ou différée qui est constituée au moyen de fonds provenant d'un fonds de revenu viager, d'un fonds de revenu de retraite immobilisé ou d'un compte de retraite avec immobilisation des fonds ne doit pas établir de distinction fondée sur le sexe du bénéficiaire si la valeur de rachat de la prestation de retraite qui a été transférée dans ce fonds ou ce compte a été déterminée d'une manière qui n'établit pas une telle distinction.

(4) Le fonds de revenu viager, le fonds de revenu de retraite immobilisé ou le compte de retraite avec immobilisation des fonds contient une déclaration précisant si la valeur de rachat de la prestation de retraite qui y a été transférée a été déterminée d'une manière qui établit une distinction fondée sur le sexe.

16. (1) La version française du paragraphe 21.1 (1) du Règlement est modifiée par substitution de «qui offre des prestations déterminées» à «à prestations déterminées».

(2) Les paragraphes 21.1 (2), (3), (4) et (5) du Règlement sont abrogés et remplacés par ce qui suit :

(2) Le participant qui a droit à des prestations déterminées et qui choisit de les convertir conformément à la modification du régime a le droit d'exiger de l'administrateur qu'il lui verse la partie de la valeur de rachat des prestations déterminées qui est supérieure au montant prescrit aux termes de la *Loi de l'impôt sur le revenu* (Canada) dans le cas de la conversion de prestations déterminées offertes par le régime en prestations à cotisation déterminée.

17. (1) Le paragraphe 22 (1) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(1) Le contrat d'assurance aux termes duquel une rente viagère immédiate ou différée sera offerte en raison du transfert de la valeur de rachat d'une prestation de retraite ou en raison de sa constitution à partir d'un fonds de revenu viager, d'un fonds de revenu de retraite immobilisé ou d'un compte de retraite avec immobilisation des fonds stipule ce qui suit :

.

(2) L'alinéa 22 (1) c) du Règlement est abrogé et remplacé par ce qui suit :

c) dans le cas de la période non expirée d'une rente garantie, le rentier peut racheter une prestation offerte aux termes de la rente seulement afin de constituer un fonds de revenu viager ou un fonds de revenu de retraite immobilisé;

(3) La version française de l'alinéa 22 (1) c.1) du Règlement est modifiée par substitution de «céder ou racheter» à «racheter» à la troisième ligne.

(4) Le sous-alinéa 22 (1) f) (ii) du Règlement est abrogé et remplacé par ce qui suit :

(ii) dans le cas d'un contrat qui est constitué au moyen de fonds provenant d'un fonds de revenu viager, d'un fonds de revenu de retraite immobilisé ou d'un compte de retraite avec immobilisation des fonds, si la constitution est faite conformément au paragraphe 21 (3);

(5) Le paragraphe 22 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Le contrat d'assurance prévoit que, si un fonds de revenu viager ou un fonds de revenu de retraite immobilisé est constitué comme l'autorise l'alinéa (1) c), l'institution financière révèle au rentier la différence entre la valeur de rachat de la rente et la somme qui sera transférée dans le fonds.

18. Le Règlement est modifié par adjonction des articles suivants :

TRANSFERS INTO AND WITHDRAWALS FROM PRESCRIBED
RETIREMENT SAVINGS ARRANGEMENTS

22.1 (1) For the purposes of sections 22.2 to 22.4, a locked-in retirement account includes a contract made before June 24, 1994 to establish an RRSP for the purposes of a transfer under clause 42 (1) (b) of the Act.

(2) Any of the following documents constitutes a declaration about a spouse or same-sex partner for the purposes of a withdrawal from a locked-in retirement account under sections 22.3 and 22.4:

1. A statement signed by the spouse, if any, of the owner of the account that the spouse consents to the withdrawal.
2. A statement signed by the same-sex partner, if any, of the owner of the account that the same-sex partner consents to the withdrawal.
3. A statement signed by the owner of the account attesting to the fact that the owner does not have a spouse or a same-sex partner.
4. A statement signed by the owner of the account attesting to the fact that the owner is living separate and apart from his or her spouse on the date the owner signs the application to make the withdrawal.

(3) If the owner of a locked-in retirement account is required to give a document to a financial institution under section 22.3 or 22.4, and if the document is one that must be signed by the owner or by his or her spouse or same-sex partner, the document is a nullity if it is signed by any of them more than 60 days before the financial institution receives it.

(4) When the financial institution receives a document required under section 22.3 or 22.4, the financial institution shall give the owner of the locked-in retirement account a receipt for the document stating the date on which it was received.

22.2 (1) This section applies if the amount to be transferred under clause 42 (1) (b) of the Act into a prescribed retirement savings arrangement is greater than the amount prescribed for such a transfer under the *Income Tax Act* (Canada).

(2) The portion of the amount to be transferred that does not exceed the amount prescribed for such a transfer under the *Income Tax Act* (Canada) must be transferred into a life income fund, a locked-in retirement income fund or a locked-in retirement account.

(3) If the excess amount has been transferred directly or indirectly into a life income fund, a locked-in retirement income fund or a locked-in retirement account, the owner of the fund or account may, upon application in accordance with this section, withdraw money from the fund or account in an amount not greater than the sum of,

- (a) the excess amount; and
- (b) any subsequent investment earnings, including any unrealized capital gains or losses, attributable to the excess amount as calculated by the financial institution that administers the fund or account.

(4) The amount that may be withdrawn under subsection (3) is calculated as of the date on which the financial institution pays the money to the owner from the fund or account in accordance with this section.

(5) An application to withdraw money from a fund or account must be given to the financial institution that administers the fund or account.

(6) The application must be made on a form approved by the Superintendent.

(7) The application form must be signed by the owner and accompanied by one of the following documents:

TRANSFERTS DE SOMMES D'ARGENT DANS DES ARRANGEMENTS
D'ÉPARGNE-RETRAITE PRESCRITS ET RETRAITS DE SOMMES
D'ARGENT DE TELS ARRANGEMENTS

22.1 (1) Pour l'application des articles 22.2 à 22.4, un compte de retraite avec immobilisation des fonds comprend un contrat conclu avant le 24 juin 1994 en vue de constituer un REÉR aux fins du transfert visé à l'alinéa 42 (1) b) de la Loi.

(2) L'un ou l'autre des documents suivants constitue une déclaration relative au conjoint ou au partenaire de même sexe aux fins du retrait de sommes d'un compte de retraite avec immobilisation des fonds effectué aux termes des articles 22.3 et 22.4 :

1. Une déclaration signée par le conjoint du titulaire du compte, s'il en a un, selon laquelle il consent au retrait.
2. Une déclaration signée par le partenaire de même sexe du titulaire du compte, s'il en a un, selon laquelle il consent au retrait.
3. Une déclaration signée par le titulaire du compte dans laquelle il atteste qu'il n'a pas de conjoint ou de partenaire de même sexe.
4. Une déclaration signée par le titulaire du compte dans laquelle il atteste qu'il vit séparé de corps de son conjoint à la date où il signe la demande de retrait.

(3) Le document que le titulaire d'un compte de retraite avec immobilisation des fonds est tenu de présenter à une institution financière aux termes de l'article 22.3 ou 22.4 et qui doit porter la signature du titulaire ou de son conjoint ou partenaire de même sexe est nul si l'une de ces personnes le signe plus de 60 jours avant le jour de sa réception par l'institution financière.

(4) Lorsqu'elle reçoit un document exigé par l'article 22.3 ou 22.4, l'institution financière remet au titulaire du compte de retraite avec immobilisation des fonds un récépissé qui en indique la date de réception.

22.2 (1) Le présent article s'applique si le montant à transférer aux termes de l'alinéa 42 (1) b) de la Loi dans un arrangement d'épargne-retraite prescrit est supérieur au montant prescrit dans le cas d'un tel transfert aux termes de la *Loi de l'impôt sur le revenu* (Canada).

(2) La tranche du montant à transférer qui n'est pas supérieure au montant prescrit dans le cas d'un tel transfert aux termes de la *Loi de l'impôt sur le revenu* (Canada) est transférée dans un fonds de revenu viager, un fonds de revenu de retraite immobilisé ou un compte de retraite avec immobilisation des fonds.

(3) Si la tranche excédentaire a été transférée directement ou indirectement dans un fonds de revenu viager, un fonds de revenu de retraite immobilisé ou un compte de retraite avec immobilisation des fonds, le titulaire du fonds ou du compte peut, sur présentation d'une demande conformément au présent article, en retirer une somme qui n'est pas supérieure au total de ce qui suit :

- a) la tranche excédentaire;
- b) tout revenu de placement ultérieur, y compris tout gain en capital ou toute perte en capital non réalisé, attribuable à la tranche excédentaire, calculé par l'institution financière qui administre le fonds ou le compte.

(4) La somme qui peut être retirée en vertu du paragraphe (3) est calculée à la date à laquelle l'institution financière la paie au titulaire sur le fonds ou le compte conformément au présent article.

(5) La demande de retrait d'une somme d'argent d'un fonds ou d'un compte est présentée à l'institution financière qui l'administre.

(6) La demande est rédigée selon la formule approuvée par le surintendant.

(7) La formule de demande porte la signature du titulaire et est accompagnée d'un des documents suivants :

1. A written statement from the administrator of the pension plan from which money was transferred into the fund or account setting out the excess amount that was transferred into the fund or account.

2. A written statement from the Canada Customs and Revenue Agency setting out the excess amount that was transferred into the fund or account.

(8) The contract governing the fund or account must include the following terms and, if it does not, the contract shall be deemed to include them:

1. The financial institution is entitled to rely upon the information provided by the owner in an application made under this section.

2. An application that meets the requirements of this section constitutes authorization to the financial institution to pay money to the owner from the fund or account, as the case may be, in accordance with this section.

3. The financial institution is required to make the payments to which the owner is entitled under this section within 30 days after the financial institution receives the completed application form and accompanying document.

(9) In this section,

“excess amount” means the portion of the amount transferable under clause 42 (1) (b) of the Act into a prescribed retirement savings arrangement that is greater than the amount prescribed for such a transfer under the *Income Tax Act* (Canada).

22.3 (1) The owner of a locked-in retirement account may, upon application in accordance with this section, withdraw all the money in the account if, when the owner signs the application,

(a) he or she is at least 55 years of age; and

(b) the value of all assets in all life income funds, locked-in retirement income funds and locked-in retirement accounts owned by him or her is less than 40 per cent of the Year's Maximum Pensionable Earnings for that calendar year.

(2) An application to withdraw the money from the account must be given to the financial institution that administers the account.

(3) The application must be made on a form approved by the Superintendent.

(4) The application form must be signed by the owner and accompanied by,

(a) a declaration described in subsection 22.1 (2) about a spouse or same-sex partner; or

(b) a statement signed by the owner attesting to the fact that none of the money in the account is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the owner.

(5) The contract governing the account must include the following terms and, if it does not, the contract shall be deemed to include them:

1. The financial institution is entitled to rely upon the information provided by the owner in an application made under this section.

2. An application that meets the requirements of this section constitutes authorization to the financial institution to pay the money to the owner from the account in accordance with this section.

3. The value of all assets in all life income funds, locked-in retirement income funds and locked-in retirement accounts owned by

1. Une déclaration écrite de l'administrateur du régime duquel l'argent a été transféré dans le fonds ou le compte qui précise le montant de la tranche excédentaire qui a fait l'objet du transfert.

2. Une déclaration écrite de l'Agence canadienne des douanes et du revenu qui précise le montant de la tranche excédentaire qui a fait l'objet du transfert.

(8) Le contrat qui régit le fonds ou le compte comprend les conditions suivantes et, dans le cas contraire, est réputé les comprendre :

1. L'institution financière a le droit de se fier aux renseignements que lui fournit le titulaire dans la demande présentée en vertu du présent article.

2. La demande qui satisfait aux exigences du présent article autorise l'institution financière à payer une somme sur le fonds ou le compte, selon le cas, au titulaire conformément au présent article.

3. L'institution financière est tenue de faire les paiements auxquels le titulaire a droit aux termes du présent article dans les 30 jours qui suivent celui où elle reçoit la formule de demande dûment remplie et le document qui l'accompagne.

(9) La définition qui suit s'applique au présent article.

«tranche excédentaire» En ce qui concerne le montant qui peut être transféré aux termes de l'alinéa 42 (1) b) de la Loi dans un arrangement d'épargne-retraite prescrit, tranche qui est supérieure au montant prescrit dans le cas d'un tel transfert aux termes de la *Loi de l'impôt sur le revenu* (Canada).

22.3 (1) Le titulaire d'un compte de retraite avec immobilisation des fonds peut, sur présentation d'une demande conformément au présent article, retirer tout l'argent qui se trouve dans le compte si les conditions suivantes sont réunies lorsqu'il signe la demande :

a) il a au moins 55 ans;

b) la valeur de l'actif total de tous les fonds de revenu viager, fonds de revenu de retraite immobilisés et comptes de retraite avec immobilisation des fonds dont il est le titulaire représente moins de 40 pour cent du maximum des gains annuels ouvrant droit à pension pour l'année civile.

(2) La demande de retrait de l'argent qui se trouve dans le compte est présentée à l'institution financière qui administre le compte.

(3) La demande est rédigée selon la formule approuvée par le surintendant.

(4) La formule de demande porte la signature du titulaire et est accompagnée :

a) soit de la déclaration relative au conjoint ou au partenaire de même sexe visée au paragraphe 22.1 (2);

b) soit d'une déclaration signée par le titulaire dans laquelle il atteste que l'argent qui se trouve dans le compte ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque de ses emplois.

(5) Le contrat qui régit le compte comprend les conditions suivantes et, dans le cas contraire, est réputé les comprendre :

1. L'institution financière a le droit de se fier aux renseignements que lui fournit le titulaire dans la demande présentée en vertu du présent article.

2. La demande qui satisfait aux exigences du présent article autorise l'institution financière à payer l'argent sur le compte au titulaire conformément au présent article.

3. La valeur de l'actif total de tous les fonds de revenu viager, fonds de revenu de retraite immobilisés et comptes de retraite avec

the owner when he or she signs the application under this section is to be determined in accordance with the most recent statement about each fund or account given to the owner. Each such statement must be dated within one year before the owner signs the application.

4. The financial institution is required to make the payments to which the owner is entitled under this section within 30 days after the financial institution receives the completed application form and accompanying document.

22.4 (1) The owner of a locked-in retirement account may, upon application in accordance with this section, withdraw all or part of the money in the account if, when the owner signs the application, he or she has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.

(2) An application to withdraw money from the account must be given to the financial institution that administers the account.

(3) The application must be made on a form approved by the Superintendent.

(4) The application form must be signed by the owner and be accompanied by the following documents:

1. A statement signed by a physician who is licensed to practise medicine in a jurisdiction in Canada that, in the opinion of the physician, the owner has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.
2. A declaration described in subsection 22.1 (2) about a spouse or same-sex partner or a statement signed by the owner of the account attesting to the fact that none of the money in the account is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the owner.

(5) The contract governing the account must include the following terms and, if it does not, the contract shall be deemed to include them:

1. The financial institution is entitled to rely upon the information provided by the owner in an application made under this section.
2. An application that meets the requirements of this section constitutes authorization to the financial institution to pay money to the owner from the account in accordance with this section.
3. The financial institution is required to make the payments to which the owner is entitled under this section within 30 days after the financial institution receives the completed application form and accompanying documents.

19. Subsection 23 (1) of the Regulation is amended by adding the following paragraph:

8.1 The Territory of Nunavut.

20. The English version of subsection 24 (2) of the Regulation is amended by striking out “that” in the second line and substituting “than”.

21. (1) Subsection 28 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) In addition to setting out the applicable person's entitlement under the plan and the options available to the person, the statement required by subsection 72 (1) of the Act must include,

.

(2) Clause 28 (2) (q) of the Regulation is revoked.

(3) Clause 28 (2) (t) of the Regulation is amended by striking out “Revenue Canada” and substituting “the Canada Customs and Revenue Agency”.

immobilisation des fonds que détient le titulaire lorsqu'il signe la demande visée au présent article doit être calculée conformément au plus récent relevé relatif à chaque fonds ou compte qu'il a reçu, la date de chacun de ces relevés devant tomber dans l'année qui précède la signature de la demande par le titulaire.

4. L'institution financière est tenue de faire les paiements auxquels le titulaire a droit aux termes du présent article dans les 30 jours qui suivent celui où elle reçoit la formule de demande dûment remplie et le document qui l'accompagne.

22.4 (1) Le titulaire d'un compte de retraite avec immobilisation des fonds peut, sur présentation d'une demande conformément au présent article, retirer tout ou partie de l'argent qui se trouve dans le compte si, lorsqu'il signe la demande, il souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans.

(2) La demande de retrait d'une somme d'argent du compte est présentée à l'institution financière qui l'administre.

(3) La demande est rédigée selon la formule approuvée par le surintendant.

(4) La formule de demande porte la signature du titulaire et est accompagnée des documents suivants :

1. Une déclaration signée par un médecin titulaire d'un permis l'autorisant à exercer la médecine dans une compétence législative du Canada selon laquelle, à son avis, le titulaire souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans.
2. Une déclaration relative au conjoint ou au partenaire de même sexe visée au paragraphe 22.1 (2) ou une déclaration signée par le titulaire dans laquelle il atteste que l'argent qui se trouve dans le compte ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque de ses emplois.

(5) Le contrat qui régit le compte comprend les conditions suivantes et, dans le cas contraire, est réputé les comprendre :

1. L'institution financière a le droit de se fier aux renseignements que lui fournit le titulaire dans la demande présentée en vertu du présent article.
2. La demande qui satisfait aux exigences du présent article autorise le titulaire conformément au présent article.
3. L'institution financière est tenue de faire les paiements auxquels le titulaire a droit aux termes du présent article dans les 30 jours qui suivent celui où elle reçoit la formule de demande dûment remplie et les documents qui l'accompagnent.

19. Le paragraphe 23 (1) du Règlement est modifié par adjonction de la disposition suivante :

8.1 Le territoire du Nunavut.

20. La version anglaise du paragraphe 24 (2) du Règlement est modifiée par substitution de «than» à «that» à la deuxième ligne.

21. (1) Le paragraphe 28 (2) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(2) En plus d'énoncer les droits que le régime accorde à la personne concernée et les options qui s'offrent à celle-ci, la déclaration exigée par le paragraphe 72 (1) de la Loi comprend les éléments suivants :

.

(2) L'alinéa 28 (2) (q) du Règlement est abrogé.

(3) L'alinéa 28 (2) (t) du Règlement est modifié par substitution de «l'Agence canadienne des douanes et du revenu» à «Revenu Canada».

(4) Section 28 of the Regulation is amended by adding the following subsections:

(2.1) Subject to subsection (2.2), the statement required by subsection 72 (1) of the Act must be given to the specified persons within 60 days after the administrator receives notice that the Superintendent has approved the wind up report.

(2.2) If the Superintendent approves the payment of benefits under subsection 70 (3) of the Act, the statement required by subsection 72 (1) of the Act must be given to the persons affected by the approval within 60 days after the administrator receives notice of it.

(5) Subsection 28 (4) of the Regulation is revoked and the following substituted:

(4) Subject to subsection (4.1), the payment required by subsection 72 (3) of the Act must be made within 60 days after the later of,

- (a) the day on which the administrator receives the applicable person's election under subsection (3) or, if no election is made, the day on which the person is deemed to have made the election; and
- (b) the day on which the administrator receives notice that the Superintendent has approved the wind up report.

(4.1) If the Superintendent approves the payment of benefits under subsection 70 (3) of the Act, the payment required by subsection 72 (3) of the Act must be made within 60 days after the later of,

- (a) the day on which the administrator receives the election under subsection (3) by the person affected by the approval or, if no election is made, the day on which the person is deemed to have made the election; and
- (b) the day on which the administrator receives notice of the approval.

22. The Regulation is amended by adding the following section:

28.1 (1) This section applies if there is a surplus on the wind up of a pension plan in whole or in part.

(2) The administrator of the pension plan shall give to each person entitled to a pension, deferred pension or other benefit or to a refund in respect of the pension plan a statement setting out the following information:

1. The name of the pension plan and its provincial registration number.
2. The member's name and date of birth.
3. The method of distributing the surplus assets.
4. The formula for allocating the surplus among the plan beneficiaries.
5. An estimate of the amount allocated to the person.
6. The options available to the person concerning the method for distributing the amount allocated to the person and the period within which any election respecting the options must be made.
7. The method of distribution that will be used, if an election is not made within the specified period.
8. The name and details of the person to be contacted with respect to any questions arising out of the statement.
9. Notice that the allocation of surplus and the options available for distributing it are subject to the approval of the Superintendent and of the Canada Customs and Revenue Agency, and may be adjusted accordingly.

(4) L'article 28 du Règlement est modifié par adjonction des paragraphes suivants :

(2.1) Sous réserve du paragraphe (2.2), l'administrateur donne la déclaration exigée par le paragraphe 72 (1) de la Loi aux personnes précisées dans les 60 jours qui suivent celui où il a reçu l'avis indiquant que le surintendant a approuvé le rapport de liquidation.

(2.2) Si le surintendant approuve le paiement de prestations aux termes du paragraphe 70 (3) de la Loi, l'administrateur donne la déclaration exigée par le paragraphe 72 (1) de la Loi aux personnes touchées par l'approbation dans les 60 jours qui suivent celui où il a reçu l'avis de celle-ci.

(5) Le paragraphe 28 (4) du Règlement est abrogé et remplacé par ce qui suit :

(4) Sous réserve du paragraphe (4.1), l'administrateur fait le paiement exigé par le paragraphe 72 (3) de la Loi dans les 60 jours qui suivent le dernier en date des jours suivants :

- a) le jour où il reçoit le choix que la personne concernée lui fait parvenir aux termes du paragraphe (3) ou, en l'absence de choix, le jour où la personne est réputée avoir fait le choix;
- b) le jour où il reçoit l'avis indiquant que le surintendant a approuvé le rapport de liquidation.

(4.1) Si le surintendant approuve le paiement de prestations aux termes du paragraphe 70 (3) de la Loi, l'administrateur fait le paiement exigé par le paragraphe 72 (3) de la Loi dans les 60 jours qui suivent le dernier en date des jours suivants :

- a) le jour où il reçoit le choix que la personne touchée par l'approbation lui fait parvenir aux termes du paragraphe (3) ou, en l'absence de choix, le jour où la personne est réputée avoir fait le choix;
- b) le jour où il reçoit l'avis de l'approbation.

22. Le Règlement est modifié par adjonction de l'article suivant :

28.1 (1) Le présent article s'applique s'il y a un excédent lors de la liquidation totale ou partielle d'un régime.

(2) L'administrateur du régime donne à chaque personne qui a droit à une pension, à une pension différée ou à une autre prestation, ou encore à un remboursement, à l'égard du régime, une déclaration indiquant les renseignements suivants :

1. Le nom du régime et son numéro d'enregistrement provincial.
2. Le nom du participant et sa date de naissance.
3. Le mode de distribution de l'excédent d'actif.
4. La formule de répartition de l'excédent entre les bénéficiaires du régime.
5. La somme estimative attribuée à la personne.
6. Les options qui s'offrent à la personne quant au mode de distribution de la somme qui lui est attribuée et le délai imparti pour faire un choix à leur égard.
7. Le mode de distribution qui sera utilisé en cas d'omission de faire un choix dans le délai imparti.
8. Le nom et les coordonnées de la personne avec laquelle le destinataire peut communiquer s'il a des questions au sujet de la déclaration.
9. Un avis indiquant que la répartition de l'excédent et les options offertes quant à sa distribution sont assujetties à l'approbation du surintendant et de l'Agence canadienne des douanes et du revenu et qu'elles peuvent être rajustées en conséquence.

(3) The statement must be given to the specified persons within 60 days after the administrator receives notice that the Superintendent has approved the wind up report.

(4) A person who is entitled to elect an option described in the statement shall give the administrator his or her election within 90 days after the person receives the statement. If the person does not do so, he or she shall be deemed to have elected the method of distribution specified in the statement.

(5) The administrator shall make payment in accordance with the election or deemed election within 60 days after the later of,

- (a) the day on which the administrator receives the applicable person's election or, if no election is made, the day on which the person is deemed to have made the election; and
- (b) the day on which the administrator receives notice that the Superintendent has approved the wind up report.

23. (1) Subsection 29 (2) of the Regulation is revoked and the following substituted:

(2) If a pension plan is being wound up in whole or in part, the minimum commuted value of a pension, deferred pension or ancillary benefit in respect of a person who exercises his or her entitlement under subsection 73 (2) of the Act is the amount determined as of the effective date of the wind up in accordance with the *Recommendations for the Computation of Transfer Values from Registered Pension Plans* issued by the Canadian Institute of Actuaries with an effective date of September 1, 1993.

(2) Subsection 29 (10) of the Regulation is revoked and the following substituted:

(10) For the purpose of calculating the Ontario wind up liability of a plan, the liability of the plan in respect of each member or former member who has benefits relating to employment in Ontario is the sum of the following liabilities of the plan:

1. The liability for each benefit and other amount guaranteed for the benefit of the member or former member by the Guarantee Fund, excluding the amount by which the contributions in respect of the member or former member for the benefits and other amounts, plus interest, exceed the liability of the plan for the benefits and other amounts.
2. The liability for each benefit that relates to employment in Ontario to which the member or former member is entitled under section 74 of the Act but that is not guaranteed by the Guarantee Fund.
3. The liability for each benefit that relates to the member's or former member's employment in Ontario that is vested on the effective date of the wind up under the terms of the plan, other than,
 - i. a benefit described in paragraph 1 or 2,
 - ii. a benefit that relates to employment in Ontario that is vested by virtue only of a provision of the Act or this Regulation respecting the termination or wind up of the plan, and
 - iii. a benefit that relates to employment in Ontario that is vested by virtue only of a provision of the plan respecting the termination or wind up of the plan.
4. The liability arising from subsection 39 (1), (2), (3) or (4) of the Act for each benefit that relates to the member's or former member's employment in Ontario, to the extent that the liability is not described in paragraph 1, 2 or 3.
5. If the employer is making payments under section 75 of the Act with respect to the plan, the liability for each benefit described in subparagraph 3 ii or iii, to the extent that the liability is not described in paragraph 1, 2 or 4.

(3) L'administrateur donne la déclaration aux personnes précisées dans les 60 jours qui suivent celui où il a reçu l'avis indiquant que le surintendant a approuvé le rapport de liquidation.

(4) Quiconque a le droit de choisir une option énoncée dans la déclaration informe l'administrateur de son choix dans les 90 jours qui suivent celui où il a reçu la déclaration, à défaut de quoi il est réputé avoir choisi le mode de distribution précisé dans celle-ci.

(5) L'administrateur fait le paiement conformément au choix ou au choix réputé tel dans les 60 jours qui suivent le dernier en date des jours suivants :

- a) le jour où il reçoit le choix de la personne concernée ou, en l'absence de choix, le jour où la personne est réputée l'avoir fait;
- b) le jour où il reçoit l'avis indiquant que le surintendant a approuvé le rapport de liquidation.

23. (1) Le paragraphe 29 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Si un régime est en voie d'être liquidé en totalité ou en partie, la valeur de rachat minimale d'une pension, d'une pension différée ou d'une prestation accessoire à l'égard d'une personne qui exerce le droit que lui confère le paragraphe 73 (2) de la Loi est le montant calculé à la date de prise d'effet de la liquidation conformément aux *Recommandations pour le calcul des valeurs de transfert des régimes de retraite agréés* qui sont publiées par l'Institut canadien des actuaires et dont la date d'entrée en vigueur est le 1^{er} septembre 1993.

(2) Le paragraphe 29 (10) du Règlement est abrogé et remplacé par ce qui suit :

(10) Aux fins du calcul du passif ontarien de liquidation d'un régime, le passif du régime rattaché à chaque participant ou ancien participant qui a droit à des prestations liées à l'emploi en Ontario est la somme des éléments de passif suivants du régime :

1. Le passif rattaché à chaque prestation ou autre somme garantie au profit du participant ou de l'ancien participant par le Fonds de garantie, à l'exclusion du montant de l'excédent des cotisations versées relativement au participant ou à l'ancien participant pour les prestations et autres sommes, plus les intérêts, sur le passif du régime rattaché aux prestations et autres sommes.
2. Le passif rattaché à chaque prestation liée à l'emploi en Ontario à laquelle le participant ou l'ancien participant a droit aux termes de l'article 74 de la Loi, mais qui n'est pas garantie par le Fonds de garantie.
3. Le passif rattaché à chaque prestation liée à l'emploi en Ontario du participant ou de l'ancien participant qui est acquise à la date de prise d'effet de la liquidation aux termes du régime, à l'exclusion des prestations suivantes :
 - i. les prestations visées à la disposition 1 ou 2,
 - ii. les prestations liées à l'emploi en Ontario dont l'acquisition découle uniquement d'une disposition de la Loi ou du présent règlement portant sur la cessation ou la liquidation du régime,
 - iii. les prestations liées à l'emploi en Ontario dont l'acquisition découle uniquement d'une disposition du régime portant sur la cessation ou la liquidation de celui-ci.
4. Le passif qui résulte du paragraphe 39 (1), (2), (3) ou (4) de la Loi et qui est rattaché à chaque prestation liée à l'emploi en Ontario du participant ou de l'ancien participant, dans la mesure où il n'est pas visé à la disposition 1, 2 ou 3.
5. Si l'employeur fait des paiements à l'égard du régime aux termes de l'article 75 de la Loi, le passif rattaché à chaque prestation visée à la sous-disposition 3 ii ou iii, dans la mesure où il n'est pas visé à la disposition 1, 2 ou 4.

(11) For the purposes of subsection (10), the liability of the plan in respect of each member or former member does not include the liability for a benefit to him or her under a qualifying annuity contract.

24. Subsections 29.1 (2) and (3) of the Regulation are revoked.

25. (1) Paragraph 11 of subsection 45 (1) of the Regulation is revoked.

(2) Section 45 of the Regulation is amended by adding the following subsection:

(2) The following documents are prescribed for the purposes of section 29 of the Act:

1. Copies of any statement of investment policies and procedures for the plan that is established under Part II.

26. The Regulation is amended by adding the following section:

NOTICES AND SUMMARIES RE CONTRIBUTIONS —
MULTI-EMPLOYER PENSION PLAN

49.1 The following provisions do not apply with respect to a multi-employer pension plan established pursuant to a collective agreement, a trust agreement, a statute or a municipal by-law:

1. Subsection 56 (2) of the Act (notice that contributions not paid when due).
2. Section 56.1 of the Act (summary of required contributions, etc.).

27. Clause 50 (a) of the Regulation is amended by striking out the definition of “A” and substituting the following:

A = the amount of pension that would be payable to the person under the *Canada Pension Plan* or the *Quebec Pension Plan*, calculated as of the date of termination of the person's employment or membership and calculated as if the person had reached 65 years of age at the date of termination.

28. The Regulation is amended by adding the following section:

51.1 (1) This section applies with respect to a variation in the terms of payment of a pension or deferred pension under subsection 49 (2) of the Act (shortened life expectancy).

(2) The following are prescribed as the circumstances of shortened life expectancy in which a pension plan shall be deemed to permit variation in the terms of payment of a pension or deferred pension:

1. A former member has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.

(3) The following are the prescribed conditions that must be satisfied for the purposes of subsection 49 (2) of the Act:

1. An application must be made to the administrator of the pension plan for the withdrawal from the pension fund of all of the commuted value of the former member's pension or deferred pension.
2. The application must be signed by the former member and be accompanied by the following documents:
 - i. A statement signed by a physician who is licensed to practise medicine in a jurisdiction in Canada that, in the opinion of the physician, the former member has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.

(11) Pour l'application du paragraphe (10), le passif du régime rattaché à chaque participant ou ancien participant ne comprend pas le passif rattaché aux prestations qui lui reviennent aux termes d'un contrat de rente admissible.

24. Les paragraphes 29.1 (2) et (3) du Règlement sont abrogés.

25. (1) La disposition 11 du paragraphe 45 (1) du Règlement est abrogée.

(2) L'article 45 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Les documents suivants sont prescrits pour l'application de l'article 29 de la Loi :

1. Des copies de l'énoncé des politiques et des procédures de placement qui est établi pour le régime aux termes de la partie II.

26. Le Règlement est modifié par adjonction de l'article suivant :

AVIS ET SOMMAIRES CONCERNANT LES COTISATIONS —
RÉGIMES DE RETRAITE INTERENTREPRISES

49.1 Les dispositions qui suivent ne s'appliquent pas à l'égard des régimes de retraite interentreprises établis conformément à une convention collective, à un contrat de fiducie, à une loi ou à un règlement municipal :

1. Le paragraphe 56 (2) de la Loi (avis portant que des cotisations n'ont pas été payées à leur date d'exigibilité).
2. L'article 56.1 de la Loi (sommaire des cotisations exigées, etc.).

27. L'alinéa 50 a) du Règlement est modifié par substitution de ce qui suit à la définition de l'élément «A» :

A = le montant de la pension ou de la rente qui serait payable à la personne aux termes du *Régime de pensions du Canada* ou du *Régime de rentes du Québec*, calculé à la date de sa cessation d'emploi ou d'affiliation et comme si elle était âgée de 65 ans à cette date.

28. Le Règlement est modifié par adjonction de l'article suivant :

51.1 (1) Le présent article s'applique à l'égard de la modification des modalités de paiement d'une pension ou d'une pension différée que prévoit le paragraphe 49 (2) de la Loi (raccourcissement de l'espérance de vie).

(2) Les cas suivants sont les cas de raccourcissement de l'espérance de vie prescrits dans lesquels un régime est réputé permettre la modification des modalités de paiement d'une pension ou d'une pension différée :

1. L'ancien participant souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans.

(3) Les conditions suivantes sont les conditions prescrites auxquelles il doit être satisfait pour l'application du paragraphe 49 (2) de la Loi :

1. Il est présenté à l'administrateur du régime une demande de retrait, de la caisse de retraite, de la valeur de rachat totale de la pension ou de la pension différée de l'ancien participant.
2. La demande porte la signature de l'ancien participant et les documents suivants lui sont joints :
 - i. Une déclaration signée par un médecin titulaire d'un permis l'autorisant à exercer la médecine dans une compétence législative du Canada selon laquelle, à son avis, l'ancien participant souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans.

- ii. A declaration described in subsection (4) about a spouse or same-sex partner.

(4) Any of the following documents constitutes a declaration about a spouse or same-sex partner:

1. A statement signed by the former member's spouse, if any, that the spouse consents to the withdrawal from the pension fund.
2. A statement signed by the former member's same-sex partner, if any, that the same-sex partner consents to the withdrawal from the pension fund.
3. A statement signed by the former member attesting to the fact that he or she does not have a spouse or a same-sex partner.
4. A statement signed by the former member attesting to the fact that he or she is living separate and apart from his or her spouse on the date the former member signs the application to make the withdrawal from the pension fund.

(5) A declaration about a spouse or same-sex partner is a nullity if it is signed by the former member, his or her spouse or his or her same-sex partner, as the case may be, more than 60 days before the administrator receives it.

(6) When the administrator receives a document required by this section, the administrator shall give the former member a receipt for the document stating the day on which it was received.

29. Sections 66 to 75 of the Regulation are revoked and the following substituted:

66. (1) In this Part,

“federal investment regulations” means sections 6, 7, 7.1 and 7.2 and Schedule III to the “Pension Benefits Standards Regulations, 1985” made under the *Pension Benefits Standards Act, 1985* (Canada) as it read on December 31, 1999; (“règlement fédéral sur les placements”)

“Ontario investment rules” means this Part as it read on December 30, 1999. (“règles ontariennes sur les placements”)

(2) For the purposes of this Part, a reference in the federal investment regulations to the Superintendent shall be deemed to be a reference to the Superintendent as defined in section 1 of the *Pension Benefits Act*.

(3) For the purposes of this Part, a reference in the federal investment regulations to a person's spouse shall be deemed to be a reference to his or her spouse or same-sex partner as spouse and same-sex partner are defined in section 1 of the *Pension Benefits Act*.

30. Paragraph 11 of subsection 76 (12) of the Regulation is revoked and the following substituted:

11. Corporations referred to in subsection 11 (2) of Schedule III to the federal investment regulations.

31. Sections 77 to 82 of the Regulation are revoked and the following substituted:

77. (1) This section applies from March 3, 2000 to December 31, 2000.

(2) Beginning on March 3, 2000, the administrator may establish a statement of investment policies and procedures for the plan that meets the requirements of the federal investment regulations. In that case, the federal investment regulations apply with respect to the statement.

(3) If the administrator does not establish the statement of investment policies and procedures described in subsection (2), section 67 of the Ontario investment rules continues to apply with respect to the plan.

(4) Beginning on March 3, 2000, the assets of every pension plan may be invested in accordance with the federal investment regulations, despite the provisions of the plan or an instrument governing the plan.

- ii. La déclaration relative au conjoint ou au partenaire de même sexe visée au paragraphe (4).

(4) L'un ou l'autre des documents suivants constitue une déclaration relative au conjoint ou au partenaire de même sexe :

1. Une déclaration signée par le conjoint de l'ancien participant, s'il en a un, selon laquelle il consent au retrait de sommes de la caisse de retraite.
2. Une déclaration signée par le partenaire de même sexe de l'ancien participant, s'il en a un, selon laquelle il consent au retrait de sommes de la caisse de retraite.
3. Une déclaration signée par l'ancien participant dans laquelle il atteste qu'il n'a pas de conjoint ou de partenaire de même sexe.
4. Une déclaration signée par l'ancien participant dans laquelle il atteste qu'il vit séparé de corps de son conjoint à la date où il signe la demande de retrait de sommes de la caisse de retraite.

(5) La déclaration relative au conjoint ou au partenaire de même sexe est nulle si l'ancien participant, son conjoint ou son partenaire de même sexe, selon le cas, la signe plus de 60 jours avant le jour de sa réception par l'administrateur.

(6) Lorsqu'il reçoit un document exigé par le présent article, l'administrateur remet à l'ancien participant un récépissé qui en indique la date de réception.

29. Les articles 66 à 75 du Règlement sont abrogés et remplacés par ce qui suit :

66. (1) Les définitions qui suivent s'appliquent à la présente partie.

«règlement fédéral sur les placements» Les articles 6, 7, 7.1 et 7.2 ainsi que l'annexe III du Règlement de 1985 sur les normes de prestation de pension pris en application de la *Loi de 1985 sur les normes de prestation de pension* (Canada), en sa version du 31 décembre 1999. («federal investment regulations»)

«règles ontariennes sur les placements» La présente partie, en sa version du 30 décembre 1999. («Ontario investment rules»)

(2) Pour l'application de la présente partie, la mention du surintendant dans le règlement fédéral sur les placements est réputée une mention du surintendant au sens de l'article 1 de la *Loi sur les régimes de retraite*.

(3) Pour l'application de la présente partie, la mention du conjoint d'une personne dans le règlement fédéral sur les placements est réputée une mention de son conjoint ou de son partenaire de même sexe au sens que l'article 1 de la *Loi sur les régimes de retraite* donne à ces deux termes.

30. La disposition 11 du paragraphe 76 (12) du Règlement est abrogée et remplacée par ce qui suit :

11. Personnes morales visées au paragraphe 11 (2) de l'annexe III du règlement fédéral sur les placements.

31. Les articles 77 à 82 du Règlement sont abrogés et remplacés par ce qui suit :

77. (1) Le présent article s'applique du 3 mars 2000 au 31 décembre 2000.

(2) À compter du 3 mars 2000, l'administrateur peut établir pour le régime un énoncé des politiques et des procédures de placement qui satisfait aux exigences du règlement fédéral sur les placements, auquel cas ce règlement s'applique à l'égard de l'énoncé.

(3) L'article 67 des règles ontariennes sur les placements continue de s'appliquer à l'égard du régime si l'administrateur n'établit pas l'énoncé des politiques et des procédures de placement visé au paragraphe (2).

(4) À compter du 3 mars 2000, malgré les dispositions du régime ou d'un instrument le régissant, l'actif de chaque régime peut être placé conformément au règlement fédéral sur les placements.

(5) If the assets of a pension plan are not invested in accordance with the federal investment regulations, the Ontario investment rules continue to apply with respect to the plan.

(6) This section is revoked on January 1, 2001.

78. (1) Beginning on January 1, 2001, the administrator of a pension plan shall establish a statement of investment policies and procedures for the plan that meets the requirements of the federal investment regulations.

(2) The federal investment regulations apply with respect to the statement of investment policies and procedures for the plan.

79. Beginning on January 1, 2001, the assets of every pension plan shall be invested in accordance with the federal investment regulations, despite the provisions of the plan or an instrument governing the plan.

80. (1) This section applies with respect to each investment of the assets of a pension plan,

- (a) that is made before January 1, 2001 in accordance with the Ontario investment rules;
- (b) that is held on January 1, 2001; and
- (c) that does not meet the requirements of the federal investment regulations on January 1, 2001.

(2) The administrator shall dispose of the investment no later than January 1, 2005.

(3) This section is revoked on January 2, 2005.

32. Schedule 1 to the Regulation is revoked and the following substituted:

Schedule 1

LIFE INCOME FUND REQUIREMENTS

ESTABLISHING THE FUND

1. (1) The following persons may purchase a life income fund in accordance with this section:

- 1. A former member who is entitled to make a transfer under clause 42 (1) (b) of the Act.
- 2. A spouse or former spouse of a person who was a member who is entitled to make a transfer under clause 42 (1) (b) of the Act.
- 3. A same-sex partner or former same-sex partner of a person who was a member who is entitled to make a transfer under clause 42 (1) (b) of the Act.
- 4. A person who has previously transferred an amount under clause 42 (1) (b) of the Act into a locked-in retirement account or a locked-in retirement income fund.

(2) The fund must be purchased using all or part of the amount transferred under clause 42 (1) (b) of the Act, or using all or part of the assets in a locked-in retirement account or locked-in retirement income fund.

(3) The purchaser must have the written consent of his or her spouse or same-sex partner in order to make the purchase. However,

- (a) the consent of a spouse who is living separate and apart from the purchaser on the date of purchase is not required; and
- (b) the consent of a spouse or same-sex partner is not required if none of the money to be transferred into the fund is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the purchaser.

(5) Les règles ontariennes sur les placements continuent de s'appliquer à l'égard du régime si son actif n'est pas placé conformément au règlement fédéral sur les placements.

(6) Le présent article est abrogé le 1^{er} janvier 2001.

78. (1) À compter du 1^{er} janvier 2001, l'administrateur établit pour le régime un énoncé des politiques et des procédures de placement qui satisfait aux exigences du règlement fédéral sur les placements.

(2) Le règlement fédéral sur les placements s'applique à l'égard de l'énoncé des politiques et des procédures de placement établi pour le régime.

79. À compter du 1^{er} janvier 2001, malgré les dispositions du régime ou d'un instrument le régissant, l'actif de chaque régime est placé conformément au règlement fédéral sur les placements.

80. (1) Le présent article s'applique à l'égard de chaque placement de l'actif du régime qui réunit les conditions suivantes :

- a) il est fait avant le 1^{er} janvier 2001 conformément aux règles ontariennes sur les placements;
- b) il est détenu le 1^{er} janvier 2001;
- c) il ne satisfait pas aux exigences du règlement fédéral sur les placements le 1^{er} janvier 2001.

(2) L'administrateur dispose du placement au plus tard le 1^{er} janvier 2005.

(3) Le présent article est abrogé le 2 janvier 2005.

32. L'annexe 1 du Règlement est abrogée et remplacée par ce qui suit :

Annexe 1

EXIGENCES RELATIVES AUX FONDS DE REVENU VIAGER

ÉTABLISSEMENT DU FONDS

1. (1) Les personnes suivantes peuvent constituer un fonds de revenu viager conformément au présent article :

- 1. L'ancien participant qui a le droit d'effectuer le transfert visé à l'alinéa 42 (1) b) de la Loi.
- 2. Le conjoint ou l'ancien conjoint d'une personne qui était un participant, s'il a le droit d'effectuer le transfert visé à l'alinéa 42 (1) b) de la Loi.
- 3. Le partenaire de même sexe ou l'ancien partenaire de même sexe d'une personne qui était un participant, s'il a le droit d'effectuer le transfert visé à l'alinéa 42 (1) b) de la Loi.
- 4. Toute personne qui a déjà transféré un montant dans un compte de retraite avec immobilisation des fonds ou un fonds de revenu de retraite immobilisé aux termes de l'alinéa 42 (1) b) de la Loi.

(2) Le fonds est constitué à l'aide de la totalité ou d'une partie du montant transféré aux termes de l'alinéa 42 (1) b) de la Loi ou de la totalité ou d'une partie de l'actif d'un compte de retraite avec immobilisation des fonds ou d'un fonds de revenu de retraite immobilisé.

(3) Le constituant ne peut constituer le fonds sans le consentement écrit de son conjoint ou partenaire de même sexe, sous réserve de ce qui suit :

- a) le consentement d'un conjoint qui vit séparé de corps du constituant à la date de constitution du fonds n'est pas exigé;
- b) le consentement d'un conjoint ou d'un partenaire de même sexe n'est pas exigé si l'argent à transférer dans le fonds ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque des emplois du constituant.

2. (1) A contract establishing a life income fund must provide for the matters described in this section.

(2) It must indicate the name and address of the financial institution providing the fund.

(3) It must describe the owner's powers, if any, respecting investment of the assets in the fund.

(4) It must state that the owner agrees not to assign, charge, anticipate or give as security money payable under a life income fund except as required by an order under the *Family Law Act* or by a domestic contract as defined in Part IV of that Act.

(5) It must describe the method for determining the value of the assets in the fund.

3. (1) Money in a life income fund cannot be commuted, withdrawn or surrendered in whole or in part, except as permitted by section 49 or 67 of the Act, section 22.2 of this Regulation or this Schedule.

(2) Every contract establishing a life income fund shall be deemed to include a provision setting out the restriction described in subsection (1).

4. The fiscal year of a life income fund must end on December 31 and must not exceed 12 months.

PERIODIC PAYMENTS OUT OF THE FUND

5. (1) Payments out of the life income fund must begin no earlier than the earliest date on which the former member is entitled to receive a pension under any pension plan from which money was transferred into the fund directly or indirectly.

(2) Payments out of the fund must begin no later than the end of the second fiscal year of the fund.

(3) The owner must notify the financial institution of the amount to be paid out of the fund each year. If the owner does not do so, the minimum amount determined under section 6 shall be paid out of the fund that year.

(4) The notice respecting the amount to be paid out of the fund must be given either at the beginning of the fiscal year of the fund or at another time agreed to by the financial institution.

(5) The notice expires at the end of the fiscal year to which it relates.

(6) The value of the assets in the fund and payments out of the fund are subject to division in accordance with the terms of an order under the *Family Law Act* or a domestic contract as defined in Part IV of that Act.

6. (1) The amount of income paid out of the life income fund during a fiscal year must not exceed the amount calculated using the formula,

C / F

in which,

“C” is the value of the assets in the fund at the beginning of the fiscal year, and

“F” is the present value, at the beginning of the fiscal year, of an annuity of \$1 payable annually in advance over the period commencing at the beginning of the fiscal year and ending on December 31 of the year in which the owner reaches 90 years of age.

(2) The following interest rate assumptions are to be used to determine the amount “F” in subsection (1):

1. If the fiscal year begins before January 1, 2001, the interest rate for each of the first 15 fiscal years of the period referred to in the

2. (1) Le contrat qui établit un fonds de revenu viager prévoit les questions visées au présent article.

(2) Il indique le nom et l'adresse de l'institution financière qui offre le fonds.

(3) Il précise les pouvoirs du titulaire, le cas échéant, concernant les placements de l'actif du fonds.

(4) Il déclare que le titulaire accepte de ne pas céder, grever, escompter ni donner en garantie une somme payable aux termes du fonds de revenu viager, sauf prescription d'une ordonnance prévue par la *Loi sur le droit de la famille* ou d'un contrat familial au sens de la partie IV de cette loi.

(5) Il précise la méthode utilisée pour déterminer la valeur de l'actif du fonds.

3. (1) Les sommes qui se trouvent dans un fonds de revenu viager ne peuvent être rachetées, retirées ni cédées, en totalité ou en partie, sauf de la façon permise par l'article 49 ou 67 de la Loi, l'article 22.2 du présent règlement ou la présente annexe.

(2) Les contrats qui établissent un fonds de revenu viager sont réputés comprendre une disposition qui énonce la restriction exposée au paragraphe (1).

4. L'exercice du fonds de revenu viager se termine le 31 décembre et ne doit pas compter plus de 12 mois.

PAIEMENTS PÉRIODIQUES SUR LE FONDS

5. (1) Les paiements sur le fonds de revenu viager commencent au plus tôt à la première date à laquelle l'ancien participant a le droit de recevoir une pension aux termes de tout régime duquel des sommes ont été transférées dans le fonds, directement ou indirectement.

(2) Les paiements sur le fonds commencent au plus tard à la fin du deuxième exercice du fonds.

(3) Chaque année, le titulaire avise l'institution financière du montant à prélever sur le fonds, à défaut de quoi le montant minimal déterminé aux termes de l'article 6 sera prélevé pour l'année en question.

(4) L'avis du montant à prélever sur le fonds est donné soit au début de l'exercice du fonds, soit à un autre moment convenu avec l'institution financière.

(5) L'avis expire à la fin de l'exercice auquel il se rapporte.

(6) La valeur de l'actif du fonds et les paiements sur celui-ci peuvent être partagés conformément aux conditions d'une ordonnance prévue par la *Loi sur le droit de la famille* ou d'un contrat familial au sens de la partie IV de cette loi.

6. (1) Le montant du revenu prélevé sur le fonds de revenu viager au cours d'un exercice ne doit pas dépasser le montant calculé selon la formule suivante :

C / F

où :

«C» représente la valeur de l'actif du fonds au début de l'exercice;

«F» représente la valeur actualisée, au début de l'exercice, d'une rente de 1 \$ payable annuellement par anticipation sur une période qui commence au début de l'exercice et qui se termine le 31 décembre de l'année au cours de laquelle le titulaire atteint l'âge de 90 ans.

(2) Les hypothèses suivantes concernant les taux d'intérêt sont utilisées pour déterminer l'élément «F» au paragraphe (1) :

1. Si l'exercice commence avant le 1^{er} janvier 2001, le taux d'intérêt pour chacun des 15 premiers exercices de la période mention-

definition of "F" is the greater of 6 per cent and the nominal rate of interest on long-term bonds issued by the Government of Canada for December of the year before the beginning of the fiscal year, as published in the Bank of Canada Review under identification number B-14013 in the CANSIM system.

2. If the fiscal year begins on or after January 1, 2001, the interest rate for each of the first 15 fiscal years of the period referred to in the definition of "F" is the greater of 6 per cent and the nominal rate of interest on long-term bonds issued by the Government of Canada for November of the year before the beginning of the fiscal year, as published in the Bank of Canada Review under identification number B-14013 in the CANSIM system.

3. For the sixteenth and each subsequent fiscal year of the period referred to in the definition of "F", the interest rate is 6 per cent.

(3) Despite subsection (1), if any money in the fund is derived from money transferred directly or indirectly from another life income fund or locked-in retirement income fund, the maximum amount that may be paid out of the fund in the fiscal year in which the money is transferred into the fund is zero.

(4) If the initial fiscal year of the fund is not 12 months long, the maximum amount determined under subsection (1) shall be adjusted in proportion to the number of months in that fiscal year divided by 12, with any part of an incomplete month counting as one month.

(5) The amount of income paid out of the fund during a fiscal year must not be less than the minimum amount prescribed for an RRIF under the *Income Tax Act* (Canada).

(6) If the minimum amount specified by subsection (5) is greater than the maximum amount determined under subsection (1), (3) or (4), the minimum amount must be paid out of the fund during the fiscal year.

(7) This section shall not be construed to prevent or limit a payment from the fund that is permitted under section 3, 9 or 10 of this Schedule or under section 22.2 of this Regulation.

TRANSFERRING ASSETS FROM THE FUND

7. (1) The owner of a life income fund may transfer any or all of the assets in it,

- (a) to another life income fund;
- (b) to a locked-in retirement income fund;
- (c) to purchase an immediate life annuity that meets the requirements of section 22 of this Regulation; or
- (d) before December 31 in the year in which the owner reaches 69 years of age, to a locked-in retirement account.

(2) In the contract governing the fund, the financial institution must agree to make such a transfer within 30 days after the owner requests it. This does not apply with respect to the transfer of assets held as securities whose term of investment extends beyond the 30-day period.

(3) If assets in the fund consist of identifiable and transferable securities, the financial institution may transfer the securities with the consent of the owner.

PAYMENT OF THE BALANCE IN THE FUND

8. (1) The owner of a life income fund shall use any assets remaining in the fund on December 31 in the year in which he or she reaches

née dans la définition de «F» est égal, selon le taux le plus élevé, à 6 pour cent ou au taux d'intérêt nominal des obligations à long terme émises par le gouvernement du Canada pour le mois de décembre de l'année précédant le début de l'exercice, tel qu'il est publié dans la Revue de la Banque du Canada sous le numéro de référence B-14013 du Système canadien d'information socio-économique.

2. Si l'exercice commence le 1^{er} janvier 2001 ou après cette date, le taux d'intérêt pour chacun des 15 premiers exercices de la période mentionnée dans la définition de «F» est égal, selon le taux le plus élevé, à 6 pour cent ou au taux d'intérêt nominal des obligations à long terme émises par le gouvernement du Canada pour le mois de novembre de l'année précédant le début de l'exercice, tel qu'il est publié dans la Revue de la Banque du Canada sous le numéro de référence B-14013 du Système canadien d'information socio-économique.

3. Pour le seizième exercice et chacun des exercices suivants de la période mentionnée dans la définition de «F», le taux d'intérêt est de 6 pour cent.

(3) Malgré le paragraphe (1), si des sommes qui se trouvent dans le fonds proviennent de sommes transférées directement ou indirectement d'un autre fonds de revenu viager ou d'un fonds de revenu de retraite immobilisé, le montant maximal qui peut être prélevé sur le fonds est nul pour l'exercice au cours duquel les sommes y sont transférées.

(4) Si l'exercice initial du fonds compte moins de 12 mois, le montant maximal déterminé aux termes du paragraphe (1) est rajusté proportionnellement au nombre de mois compris dans cet exercice divisé par 12, toute partie d'un mois incomplet comptant pour un mois.

(5) Le montant du revenu prélevé sur le fonds au cours d'un exercice ne doit pas être inférieur au minimum prescrit pour les FERR aux termes de la *Loi de l'impôt sur le revenu* (Canada).

(6) Le minimum précisé au paragraphe (5) est prélevé sur le fonds pendant l'exercice s'il est supérieur au montant maximal déterminé aux termes du paragraphe (1), (3) ou (4).

(7) Le présent article n'a pas pour effet d'empêcher ou de restreindre le paiement d'une somme sur le fonds que permet l'article 3, 9 ou 10 de la présente annexe ou l'article 22.2 du présent règlement.

TRANSFERT D'ÉLÉMENTS D'ACTIF DU FONDS

7. (1) Le titulaire d'un fonds de revenu viager peut transférer en totalité ou en partie l'actif de celui-ci, selon le cas :

- a) dans un autre fonds de revenu viager;
- b) dans un fonds de revenu de retraite immobilisé;
- c) afin de constituer une rente viagère immédiate qui satisfait aux exigences de l'article 22 du présent règlement;
- d) avant le 31 décembre de l'année au cours de laquelle il atteint l'âge de 69 ans, dans un compte de retraite avec immobilisation des fonds.

(2) Dans le contrat qui régit le fonds, l'institution financière accepte d'effectuer le transfert dans les 30 jours qui suivent la demande du titulaire. Cette obligation ne s'applique pas au transfert d'éléments d'actif qui sont des valeurs mobilières dont la durée dépasse la période de 30 jours.

(3) Si des éléments d'actif du fonds sont des valeurs mobilières identifiables et transférables, l'institution financière peut transférer celles-ci avec le consentement du titulaire.

PAIEMENT DU SOLDE DU FONDS

8. (1) Le titulaire d'un fonds de revenu viager utilise l'actif restant dans le fonds le 31 décembre de l'année au cours de laquelle il atteint

80 years of age to purchase an immediate life annuity that meets the requirements of section 22 of this Regulation.

(2) If the owner does not purchase the life annuity on or before March 31 in the year after the year in which he or she reaches 80 years of age, the financial institution shall issue or arrange for the issuance of a life annuity contract.

(3) For the purposes of the life annuity, a determination as to whether the owner has a spouse or same-sex partner is to be made on the date the annuity is purchased.

(4) Payments under a life annuity are subject to division in accordance with the terms of an order under the *Family Law Act* or a domestic contract as defined in Part IV of that Act.

WITHDRAWALS FROM THE FUND

9. (1) The owner of a life income fund may, upon application in accordance with this section, withdraw all the money in the fund if, when the owner signs the application,

- (a) he or she is at least 55 years of age; and
- (b) the value of all assets in all life income funds, locked-in retirement income funds and locked-in retirement accounts owned by him or her is less than 40 per cent of the Year's Maximum Pensionable Earnings for that calendar year.

(2) An application to withdraw the money from the fund must be given to the financial institution that administers the fund.

(3) The application must be made on a form approved by the Superintendent.

(4) The application form must be signed by the owner and accompanied by,

- (a) a declaration described in section 11 about a spouse or same-sex partner; or
- (b) a statement signed by the owner attesting to the fact that none of the money in the fund is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the owner.

(5) The contract governing the fund must include the following terms and, if it does not, the contract shall be deemed to include them:

1. The financial institution is entitled to rely upon the information provided by the owner in an application made under this section.
2. An application that meets the requirements of this section constitutes authorization to the financial institution to pay the money to the owner from the fund in accordance with this section.
3. The value of all assets in all life income funds, locked-in retirement income funds and locked-in retirement accounts owned by the owner when he or she signs the application under this section is to be determined in accordance with the most recent statement about each fund or account given to the owner. Each such statement must be dated within one year before the owner signs the application.
4. The financial institution is required to make the payments to which the owner is entitled under this section within 30 days after the financial institution receives the completed application form and accompanying document.

10. (1) The owner of a life income fund may, upon application in accordance with this section, withdraw all or part of the money in the fund if, when the owner signs the application, he or she has an illness

l'âge de 80 ans afin de constituer une rente viagère immédiate qui satisfait aux exigences de l'article 22 du présent règlement.

(2) Si le titulaire ne constitue pas la rente viagère au plus tard le 31 mars de l'année qui suit celle au cours de laquelle il atteint l'âge de 80 ans, l'institution financière accorde ou veille à ce que soit accordé un contrat de rente viagère.

(3) Aux fins de la rente viagère, la question de savoir si le titulaire a un conjoint ou un partenaire de même sexe est tranchée à la date de constitution de la rente.

(4) Les paiements effectués aux termes d'une rente viagère peuvent être partagés conformément aux conditions d'une ordonnance prévue par la *Loi sur le droit de la famille* ou d'un contrat familial au sens de la partie IV de cette loi.

RETRAITS DE SOMMES D'ARGENT DU FONDS

9. (1) Le titulaire d'un fonds de revenu viager peut, sur présentation d'une demande conformément au présent article, retirer tout l'argent qui se trouve dans le fonds si les conditions suivantes sont réunies lorsqu'il signe la demande :

- a) il a au moins 55 ans;
- b) la valeur de l'actif total de tous les fonds de revenu viager, fonds de revenu de retraite immobilisés et comptes de retraite avec immobilisation des fonds dont il est le titulaire représente moins de 40 pour cent du maximum des gains annuels ouvrant droit à pension pour l'année civile.

(2) La demande de retrait de l'argent qui se trouve dans le fonds est présentée à l'institution financière qui administre le fonds.

(3) La demande est rédigée selon la formule approuvée par le surintendant.

(4) La formule de demande porte la signature du titulaire et est accompagnée :

- a) soit de la déclaration relative au conjoint ou au partenaire de même sexe visée à l'article 11;
- b) soit d'une déclaration signée par le titulaire dans laquelle il atteste que l'argent qui se trouve dans le fonds ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque de ses emplois.

(5) Le contrat qui régit le fonds comprend les conditions suivantes et, dans le cas contraire, est réputé les comprendre :

1. L'institution financière a le droit de se fier aux renseignements que lui fournit le titulaire dans la demande présentée en vertu du présent article.
2. La demande qui satisfait aux exigences du présent article autorise l'institution financière à payer l'argent sur le fonds au titulaire conformément au présent article.
3. La valeur de l'actif total de tous les fonds de revenu viager, fonds de revenu de retraite immobilisés et comptes de retraite avec immobilisation des fonds que détient le titulaire lorsqu'il signe la demande visée au présent article doit être calculée conformément au plus récent relevé relatif à chaque fonds ou compte qu'il a reçu, la date de chacun de ces relevés devant tomber dans l'année qui précède la signature de la demande par le titulaire.
4. L'institution financière est tenue de faire les paiements auxquels le titulaire a droit aux termes du présent article dans les 30 jours qui suivent celui où elle reçoit la formule de demande dûment remplie et le document qui l'accompagne.

10. (1) Le titulaire d'un fonds de revenu viager peut, sur présentation d'une demande conformément au présent article, retirer tout ou partie de l'argent qui se trouve dans le fonds si, lorsqu'il signe la deman-

or physical disability that is likely to shorten his or her life expectancy to less than two years.

(2) An application to withdraw money from the fund must be given to the financial institution that administers the fund.

(3) The application must be made on a form approved by the Superintendent.

(4) The application form must be signed by the owner and be accompanied by the following documents:

1. A statement signed by a physician who is licensed to practise medicine in a jurisdiction in Canada that, in the opinion of the physician, the owner has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.
2. A declaration described in section 11 about a spouse or same-sex partner or a statement signed by the owner attesting to the fact that none of the money in the fund is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the owner.

(5) The contract governing the fund must include the following terms and, if it does not, the contract shall be deemed to include them:

1. The financial institution is entitled to rely upon the information provided by the owner in an application made under this section.
2. An application that meets the requirements of this section constitutes authorization to the financial institution to pay money to the owner from the fund in accordance with this section.
3. The financial institution is required to make the payments to which the owner is entitled under this section within 30 days after the financial institution receives the completed application form and accompanying documents.

11. Any of the following documents constitutes a declaration about a spouse or same-sex partner for the purposes of a withdrawal from the fund under section 9 or 10:

1. A statement signed by the owner's spouse, if any, that the spouse consents to the withdrawal from the fund.
2. A statement signed by the owner's same-sex partner, if any, that the same-sex partner consents to the withdrawal from the fund.
3. A statement signed by the owner attesting to the fact that he or she does not have a spouse or a same-sex partner.
4. A statement signed by the owner attesting to the fact that he or she is living separate and apart from his or her spouse on the date the owner signs the application to make the withdrawal from the fund.

12. (1) If the owner of a life income fund is required to give a document to a financial institution under section 9 or 10 and if the document is one that must be signed by the owner or by his or her spouse or same-sex partner, the document is a nullity if it is signed by any of them more than 60 days before the financial institution receives it.

(2) When the financial institution receives a document required under section 9 or 10, the financial institution shall give the owner of the life income fund a receipt for the document stating the date on which it was received.

SURVIVOR'S BENEFITS

13. (1) Upon the death of the owner of a life income fund, the owner's spouse or same-sex partner or, if there is none, his or her named beneficiary or, if there is none, his or her estate is entitled to receive a benefit equal to the value of the assets in the fund.

de, il souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans.

(2) La demande de retrait d'une somme d'argent du fonds est présentée à l'institution financière qui l'administre.

(3) La demande est rédigée selon la formule approuvée par le surintendant.

(4) La formule de demande porte la signature du titulaire et est accompagnée des documents suivants :

1. Une déclaration signée par un médecin titulaire d'un permis l'autorisant à exercer la médecine dans une compétence législative du Canada selon laquelle, à son avis, le titulaire souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans;
2. La déclaration relative au conjoint ou au partenaire de même sexe visée à l'article 11 ou une déclaration signée par le titulaire dans laquelle il atteste que l'argent qui se trouve dans le fonds ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque de ses emplois.

(5) Le contrat qui régit le fonds comprend les conditions suivantes et, dans le cas contraire, est réputé les comprendre :

1. L'institution financière a le droit de se fier aux renseignements que lui fournit le titulaire dans la demande présentée en vertu du présent article.
2. La demande qui satisfait aux exigences du présent article autorise l'institution financière à payer une somme sur le fonds au titulaire conformément au présent article.
3. L'institution financière est tenue de faire les paiements auxquels le titulaire a droit aux termes du présent article dans les 30 jours qui suivent celui où elle reçoit la formule de demande dûment remplie et les documents qui l'accompagnent.

11. L'un ou l'autre des documents suivants constitue une déclaration relative au conjoint ou au partenaire de même sexe aux fins du retrait de sommes du fonds effectué aux termes de l'article 9 ou 10 :

1. Une déclaration signée par le conjoint du titulaire, s'il en a un, selon laquelle il consent au retrait.
2. Une déclaration signée par le partenaire de même sexe du titulaire, s'il en a un, selon laquelle il consent au retrait.
3. Une déclaration signée par le titulaire dans laquelle il atteste qu'il n'a pas de conjoint ou de partenaire de même sexe.
4. Une déclaration signée par le titulaire dans laquelle il atteste qu'il vit séparé de corps de son conjoint à la date où il signe la demande de retrait.

12. (1) Le document que le titulaire d'un fonds de revenu viager est tenu de présenter à une institution financière aux termes de l'article 9 ou 10 et qui doit porter la signature du titulaire ou de son conjoint ou partenaire de même sexe est nul si l'une de ces personnes le signe plus de 60 jours avant le jour de sa réception par l'institution financière.

(2) Lorsqu'elle reçoit un document exigé par l'article 9 ou 10, l'institution financière remet au titulaire du fonds de revenu viager un récépissé qui en indique la date de réception.

PRESTATIONS DE SURVIVANT

13. (1) Au décès du titulaire d'un fonds de revenu viager, son conjoint ou partenaire de même sexe ou, s'il n'en a pas, son bénéficiaire désigné ou, s'il n'en a pas désigné, sa succession a droit à une prestation égale à la valeur de l'actif du fonds.

(2) A spouse or same-sex partner of the owner is not entitled to receive the value of the assets in the fund unless the owner was a member or former member of a pension plan from which assets were transferred directly or indirectly to purchase the fund.

(3) A spouse or same-sex partner living separate and apart from the owner on the date of the owner's death is not entitled to receive the value of the assets in the fund.

(4) For the purposes of subsection (1), a determination as to whether the owner has a spouse or same-sex partner is to be made on the date of the owner's death.

AMENDING THE FUND

14. (1) In the contract governing a life income fund, the financial institution providing the fund must agree not to amend the contract except as provided in this section.

(2) The financial institution must give the owner of the fund at least 90 days notice of a proposed amendment, other than an amendment described in subsection (3).

(3) The financial institution must not amend the contract governing the fund if the amendment would result in a reduction in the owner's rights under the contract unless,

- (a) the financial institution is required by law to make the amendment; and
- (b) the owner is entitled to transfer the assets in the fund under the terms of the contract that exist before the amendment is made.

(4) When making an amendment described in subsection (3), the financial institution must notify the owner of the fund of the nature of the amendment and allow the owner at least 90 days after the notice is given to transfer all or part of the assets in the fund.

(5) Notices under this section must be sent by registered mail to the owner's address as set out in the records of the financial institution.

INFORMATION TO BE PROVIDED BY THE FINANCIAL INSTITUTION

15. (1) In the contract governing a life income fund, the financial institution must agree to provide the information described in this section to the person indicated.

(2) At the beginning of each fiscal year, the following information must be provided to the owner:

- 1. The sums deposited, any accumulated investment earnings including any unrealized capital gains or losses, the payments made out of the fund and the fees charged against it during the previous fiscal year.
- 2. The value of the assets in the fund as of the beginning of the fiscal year.
- 3. The minimum amount that must be paid out of the fund to the owner during the current fiscal year.
- 4. The maximum amount that may be paid out of the fund to the owner during the current fiscal year.

(3) If the assets in the fund are transferred as described in subsection 7 (1), the owner must be given the information described in subsection (2) determined as of the date of the transfer.

(4) Upon the death of the owner, the person entitled to receive the assets in the fund must be given the information described in subsection (2) determined as of the date of the owner's death.

(2) Le conjoint ou partenaire de même sexe du titulaire n'a droit à la valeur de l'actif du fonds que si le titulaire était un participant ou un ancien participant à un régime duquel des éléments d'actif ont été transférés, directement ou indirectement, afin de constituer le fonds.

(3) Le conjoint ou partenaire de même sexe qui vit séparé de corps du titulaire à la date du décès de celui-ci n'a pas droit à la valeur de l'actif du fonds.

(4) Pour l'application du paragraphe (1), la question de savoir si le titulaire a un conjoint ou un partenaire de même sexe est tranchée à la date de décès du titulaire.

MODIFICATION DU FONDS

14. (1) Dans le contrat qui régit un fonds de revenu viager, l'institution financière qui offre le fonds accepte de ne pas modifier le contrat si ce n'est conformément au présent article.

(2) L'institution financière donne au titulaire du fonds un préavis d'au moins 90 jours d'une modification projetée, à l'exception d'une modification visée au paragraphe (3).

(3) L'institution financière ne doit pas modifier le contrat qui régit le fonds de façon à réduire les droits du titulaire qui y sont prévus, sauf si :

- a) d'une part, la loi exige qu'elle apporte la modification;
- b) d'autre part, le titulaire a le droit de transférer l'actif du fonds aux termes du contrat tel qu'il existait avant la modification.

(4) Lorsqu'elle apporte une modification visée au paragraphe (3), l'institution financière avise le titulaire du fonds de la nature de la modification et lui alloue un délai d'au moins 90 jours après la remise de l'avis pour transférer en totalité ou en partie l'actif du fonds.

(5) Les avis prévus au présent article sont envoyés par courrier recommandé à l'adresse du titulaire qui figure dans les dossiers de l'institution financière.

RENSEIGNEMENTS À FOURNIR PAR L'INSTITUTION FINANCIÈRE

15. (1) Dans le contrat qui régit un fonds de revenu viager, l'institution financière accepte de fournir les renseignements visés au présent article à la personne indiquée.

(2) Au début de chaque exercice, les renseignements suivants sont fournis au titulaire :

- 1. Les sommes déposées, tout revenu de placement accumulé, y compris tout gain en capital ou toute perte en capital non réalisé, les sommes prélevées sur le fonds et les frais débités au cours de l'exercice précédent.
- 2. La valeur de l'actif du fonds au début de l'exercice.
- 3. Le montant minimal qui doit être payé au titulaire sur le fonds au cours de l'exercice courant.
- 4. Le montant maximal qui peut être payé au titulaire sur le fonds au cours de l'exercice courant.

(3) Si l'actif du fonds est transféré de la façon prévue au paragraphe 7 (1), le titulaire reçoit les renseignements visés au paragraphe (2), lesquels sont établis à la date du transfert.

(4) Au décès du titulaire, la personne qui a droit à l'actif du fonds reçoit les renseignements visés au paragraphe (2), lesquels sont établis à la date de ce décès.

Schedule 2**LOCKED-IN RETIREMENT INCOME
FUND REQUIREMENTS****ESTABLISHING THE FUND**

1. (1) The following persons may purchase a locked-in retirement income fund in accordance with this section:

1. A former member who is entitled to make a transfer under clause 42 (1) (b) of the Act.
2. A spouse or former spouse of a person who was a member who is entitled to make a transfer under clause 42 (1) (b) of the Act.
3. A same-sex partner or former same-sex partner of a person who was a member who is entitled to make a transfer under clause 42 (1) (b) of the Act.
4. A person who has previously transferred an amount under clause 42 (1) (b) of the Act into a locked-in retirement account or a life income fund.

(2) The fund must be purchased using all or part of the amount transferred under clause 42 (1) (b) of the Act, or using all or part of the assets in a locked-in retirement account or life income fund.

(3) The purchaser must have the written consent of his or her spouse or same-sex partner in order to make the purchase. However,

- (a) the consent of a spouse who is living separate and apart from the purchaser on the date of purchase is not required; and
- (b) the consent of a spouse or same-sex partner is not required if none of the money to be transferred into the fund is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the purchaser.

2. (1) A contract establishing a locked-in retirement income fund must provide for the matters described in this section.

(2) It must indicate the name and address of the financial institution providing the fund.

(3) It must describe the owner's powers, if any, respecting investment of the assets in the fund.

(4) It must state that the owner agrees not to assign, charge, anticipate or give as security money payable under a locked-in retirement income fund except as required by an order under the *Family Law Act* or by a domestic contract as defined in Part IV of that Act.

(5) It must describe the method for determining the value of the assets in the fund.

3. (1) Money in a locked-in retirement income fund cannot be commuted, withdrawn or surrendered in whole or in part, except as permitted by section 49 or 67 of the Act, section 22.2 of this Regulation or this Schedule.

(2) Every contract establishing a locked-in retirement income fund shall be deemed to include a provision setting out the restriction described in subsection (1).

4. The fiscal year of a locked-in retirement income fund must end on December 31 and must not exceed 12 months.

PERIODIC PAYMENTS OUT OF THE FUND

5. (1) Payments out of the locked-in retirement income fund must begin no earlier than the earliest date on which the former member is

Annexe 2**EXIGENCES RELATIVES AUX FONDS DE
REVENU DE RETRAITE IMMOBILISÉS****ÉTABLISSEMENT DU FONDS**

1. (1) Les personnes suivantes peuvent constituer un fonds de revenu de retraite immobilisé conformément au présent article :

1. L'ancien participant qui a le droit d'effectuer le transfert visé à l'alinéa 42 (1) b) de la Loi.
2. Le conjoint ou l'ancien conjoint d'une personne qui était un participant, s'il a le droit d'effectuer le transfert visé à l'alinéa 42 (1) b) de la Loi.
3. Le partenaire de même sexe ou l'ancien partenaire de même sexe d'une personne qui était un participant, s'il a le droit d'effectuer le transfert visé à l'alinéa 42 (1) b) de la Loi.
4. Toute personne qui a déjà transféré un montant dans un compte de retraite avec immobilisation des fonds ou un fonds de revenu viager aux termes de l'alinéa 42 (1) b) de la Loi.

(2) Le fonds est constitué à l'aide de la totalité ou d'une partie du montant transféré aux termes de l'alinéa 42 (1) b) de la Loi ou de la totalité ou d'une partie de l'actif d'un compte de retraite avec immobilisation des fonds ou d'un fonds de revenu viager.

(3) Le constituant ne peut constituer le fonds sans le consentement écrit de son conjoint ou partenaire de même sexe, sous réserve de ce qui suit :

- a) le consentement d'un conjoint qui vit séparé de corps du constituant à la date de constitution du fonds n'est pas exigé;
- b) le consentement d'un conjoint ou d'un partenaire de même sexe n'est pas exigé si l'argent à transférer dans le fonds ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque des emplois du constituant.

2. (1) Le contrat qui établit un fonds de revenu de retraite immobilisé prévoit les questions visées au présent article.

(2) Il indique le nom et l'adresse de l'institution financière qui offre le fonds.

(3) Il précise les pouvoirs du titulaire, le cas échéant, concernant les placements de l'actif du fonds.

(4) Il déclare que le titulaire accepte de ne pas céder, grever, escompter ni donner en garantie une somme payable aux termes du fonds de revenu de retraite immobilisé, sauf prescription d'une ordonnance prévue par la *Loi sur le droit de la famille* ou d'un contrat familial au sens de la partie IV de cette loi.

(5) Il précise la méthode utilisée pour déterminer la valeur de l'actif du fonds.

3. (1) Les sommes qui se trouvent dans un fonds de revenu de retraite immobilisé ne peuvent être rachetées, retirées ni cédées, en totalité ou en partie, sauf de la façon permise par l'article 49 ou 67 de la Loi, l'article 22.2 du présent règlement ou la présente annexe.

(2) Les contrats qui établissent un fonds de revenu de retraite immobilisé sont réputés comprendre une disposition qui énonce la restriction exposée au paragraphe (1).

4. L'exercice du fonds de revenu de retraite immobilisé se termine le 31 décembre et ne doit pas compter plus de 12 mois.

PAIEMENTS PÉRIODIQUES SUR LE FONDS

5. (1) Les paiements sur le fonds de revenu de retraite immobilisé commencent au plus tôt à la première date à laquelle l'ancien participant

entitled to receive a pension under any pension plan from which money was transferred into the fund directly or indirectly.

(2) Payments out of the fund must begin no later than the end of the second fiscal year of the fund.

(3) The owner must notify the financial institution of the amount to be paid out of the fund each year. If the owner does not do so, the minimum amount determined under section 6 shall be paid out of the fund that year.

(4) The notice respecting the amount to be paid out of the fund must be given either at the beginning of the fiscal year of the fund or at another time agreed to by the financial institution.

(5) The notice expires at the end of the fiscal year to which it relates.

(6) The value of the assets in the fund and payments out of the fund are subject to division in accordance with the terms of an order under the *Family Law Act* or a domestic contract as defined in Part IV of that Act.

6. (1) Subject to subsection (7), the amount of income paid out of the locked-in retirement income fund during a fiscal year must not be greater than the greatest of the following amounts:

1. The value of the assets in the fund at the beginning of that fiscal year less the amount calculated by subtracting from the sum of all amounts transferred into the fund since it was established the sum of all amounts transferred out of the fund since it was established.
2. The investment earnings, including any unrealized capital gains or losses, of the fund in the previous fiscal year.
3. In the fiscal year in which the fund is established or in the following fiscal year, 6 per cent of the value of the assets in the fund at the beginning of the applicable fiscal year.
4. If the money in the fund (the "receiving fund") is derived from money transferred directly from a life income fund or another locked-in retirement income fund (the "transferring fund"), and if the income is being paid out of the receiving fund in the fiscal year following the fiscal year in which the receiving fund is established, the sum of,
 - i. the investment earnings, including any unrealized capital gains or losses, of the transferring fund in the previous fiscal year, and
 - ii. the investment earnings, including any unrealized capital gains or losses, of the receiving fund in the previous fiscal year.

(2) Despite subsection (1), if any money in the fund is derived from money transferred directly or indirectly from a life income fund or another locked-in retirement income fund, the maximum amount that may be paid out of the fund in the fiscal year in which the money is transferred into the fund is zero.

(3) If the initial fiscal year of the fund is not 12 months long, the maximum amount determined under subsection (1) shall be adjusted in proportion to the number of months in that fiscal year divided by 12, with any part of an incomplete month counting as one month.

(4) The amount of income paid out of the fund during a fiscal year must not be less than the minimum amount prescribed for an RRIF under the *Income Tax Act* (Canada).

(5) If the minimum amount specified by subsection (4) is greater than the maximum amount determined under subsection (1), (2) or (3), the minimum amount must be paid out of the fund.

(6) If the owner elects to be paid an amount that is less than the maximum amount determined under this section in a fiscal year, the

a le droit de recevoir une pension aux termes de tout régime duquel des sommes ont été transférées dans le fonds, directement ou indirectement.

(2) Les paiements sur le fonds commencent au plus tard à la fin du deuxième exercice du fonds.

(3) Chaque année, le titulaire avise l'institution financière du montant à prélever sur le fonds, à défaut de quoi le montant minimal déterminé aux termes de l'article 6 sera prélevé pour l'année en question.

(4) L'avis du montant à prélever sur le fonds est donné soit au début de l'exercice du fonds, soit à un autre moment convenu avec l'institution financière.

(5) L'avis expire à la fin de l'exercice auquel il se rapporte.

(6) La valeur de l'actif du fonds et les paiements sur celui-ci peuvent être partagés conformément aux conditions d'une ordonnance prévue par la *Loi sur le droit de la famille* ou d'un contrat familial au sens de la partie IV de cette loi.

6. (1) Sous réserve du paragraphe (7), le montant du revenu prélevé sur le fonds de revenu de retraite immobilisé au cours d'un exercice ne doit pas être supérieur à la plus élevée des sommes suivantes :

1. La valeur de l'actif du fonds au début de cet exercice, déduction faite de la différence entre le total de tous les montants transférés dans le fonds depuis son établissement et le total de tous les montants transférés du fonds depuis son établissement.
2. Le revenu de placement du fonds, y compris tout gain en capital ou toute perte en capital non réalisé, au cours de l'exercice précédent.
3. Pendant l'exercice de son établissement ou l'exercice suivant, 6 pour cent de la valeur de l'actif du fonds au début de l'exercice applicable.
4. Si les sommes qui se trouvent dans le fonds («fonds d'arrivée») proviennent de sommes qui sont transférées directement d'un fonds de revenu viager ou d'un autre fonds de revenu de retraite immobilisé («fonds de départ») et que le revenu est payé sur le fonds d'arrivée pendant l'exercice qui suit celui de son établissement, le total de ce qui suit :
 - i. le revenu de placement du fonds de départ, y compris tout gain en capital ou toute perte en capital non réalisé, au cours de l'exercice précédent,
 - ii. le revenu de placement du fonds d'arrivée, y compris tout gain en capital ou toute perte en capital non réalisé, au cours de l'exercice précédent.

(2) Malgré le paragraphe (1), si des sommes qui se trouvent dans le fonds proviennent de sommes transférées directement ou indirectement d'un fonds de revenu viager ou d'un autre fonds de revenu de retraite immobilisé, le montant maximal qui peut être prélevé sur le fonds est nul pour l'exercice au cours duquel les sommes y sont transférées.

(3) Si l'exercice initial du fonds compte moins de 12 mois, le montant maximal déterminé aux termes du paragraphe (1) est rajusté proportionnellement au nombre de mois compris dans cet exercice divisé par 12, toute partie d'un mois incomplet comptant pour un mois.

(4) Le montant du revenu prélevé sur le fonds au cours d'un exercice ne doit pas être inférieur au minimum prescrit pour les FERR aux termes de la *Loi de l'impôt sur le revenu* (Canada).

(5) Le minimum précisé par le paragraphe (4) est prélevé sur le fonds s'il est supérieur au montant maximal déterminé aux termes du paragraphe (1), (2) ou (3).

(6) Si le titulaire choisit de se faire payer, au cours d'un exercice, une somme inférieure au montant maximal déterminé aux termes du présent

difference between the maximum amount and the amount paid in the year may be carried forward.

(7) The owner may elect to be paid in a fiscal year all or part of the amount carried forward under subsection (6) from a prior fiscal year and, in that case, the amount carried forward is reduced by the amount paid to the owner.

(8) This section shall not be construed to prevent or limit a payment from the fund that is permitted under section 3, 8 or 9 of this Schedule or under section 22.2 of this Regulation.

TRANSFERRING ASSETS FROM THE FUND

7. (1) The owner of a locked-in retirement income fund may transfer any or all of the assets in it,

- (a) to another locked-in retirement income fund;
- (b) to a life income fund;
- (c) to purchase an immediate life annuity that meets the requirements of section 22 of this Regulation; or
- (d) before December 31 in the year in which the owner reaches 69 years of age, to a locked-in retirement account.

(2) In the contract governing the fund, the financial institution must agree to make such a transfer within 30 days after the owner requests it. This does not apply with respect to the transfer of assets held as securities whose term of investment extends beyond the 30-day period.

(3) If assets in the fund consist of identifiable and transferable securities, the financial institution may transfer the securities with the consent of the owner.

WITHDRAWALS FROM THE FUND

8. (1) The owner of a locked-in retirement income fund may, upon application in accordance with this section, withdraw all the money in the fund if, when the owner signs the application,

- (a) he or she is at least 55 years of age; and
- (b) the value of all assets in all life income funds, locked-in retirement income funds and locked-in retirement accounts owned by him or her is less than 40 per cent of the Year's Maximum Pensionable Earnings for that calendar year.

(2) An application to withdraw the money from the fund must be given to the financial institution that administers the fund.

(3) The application must be made on a form approved by the Superintendent.

(4) The application form must be signed by the owner and accompanied by,

- (a) a declaration described in section 10 about a spouse or same-sex partner; or
- (b) a statement signed by the owner attesting to the fact that none of the money in the fund is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the owner.

(5) The contract governing the fund must include the following terms and, if it does not, the contract shall be deemed to include them:

1. The financial institution is entitled to rely upon the information provided by the owner in an application made under this section.

article, la différence entre le montant maximal et la somme payée au cours de l'exercice peut être reportée à un exercice ultérieur.

(7) Le titulaire peut choisir de se faire payer, au cours d'un exercice, la totalité ou une partie du montant reporté d'un exercice antérieur en vertu du paragraphe (6), auquel cas le montant qui lui est payé est déduit du montant reporté.

(8) Le présent article n'a pas pour effet d'empêcher ou de restreindre le paiement d'une somme sur le fonds que permet l'article 3, 8 ou 9 de la présente annexe ou l'article 22.2 du présent règlement.

TRANSFERT D'ÉLÉMENTS D'ACTIF DU FONDS

7. (1) Le titulaire d'un fonds de revenu de retraite immobilisé peut transférer en totalité ou en partie l'actif de celui-ci, selon le cas :

- a) dans un autre fonds de revenu de retraite immobilisé;
- b) dans un fonds de revenu viager;
- c) afin de constituer une rente viagère immédiate qui satisfait aux exigences de l'article 22 du présent règlement;
- d) avant le 31 décembre de l'année au cours de laquelle il atteint l'âge de 69 ans, dans un compte de retraite avec immobilisation des fonds.

(2) Dans le contrat qui régit le fonds, l'institution financière accepte d'effectuer le transfert dans les 30 jours qui suivent la demande du titulaire. Cette obligation ne s'applique pas au transfert d'éléments d'actif qui sont des valeurs mobilières dont la durée dépasse la période de 30 jours.

(3) Si des éléments d'actif du fonds sont des valeurs mobilières identifiables et transférables, l'institution financière peut transférer celles-ci avec le consentement du titulaire.

RETRAITS DE SOMMES D'ARGENT DU FONDS

8. (1) Le titulaire d'un fonds de revenu de retraite immobilisé peut, sur présentation d'une demande conformément au présent article, retirer tout l'argent qui se trouve dans le fonds si les conditions suivantes sont réunies lorsqu'il signe la demande :

- a) il a au moins 55 ans;
- b) la valeur de l'actif total de tous les fonds de revenu viager, fonds de revenu de retraite immobilisés et comptes de retraite avec immobilisation des fonds dont il est le titulaire représente moins de 40 pour cent du maximum des gains annuels ouvrant droit à pension pour l'année civile.

(2) La demande de retrait de l'argent qui se trouve dans le fonds est présentée à l'institution financière qui administre le fonds.

(3) La demande est rédigée selon la formule approuvée par le surintendant.

(4) La formule de demande porte la signature du titulaire et est accompagnée :

- a) soit de la déclaration relative au conjoint ou au partenaire de même sexe visée à l'article 10;
- b) soit d'une déclaration signée par le titulaire dans laquelle il atteste que l'argent qui se trouve dans le fonds ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque de ses emplois.

(5) Le contrat qui régit le fonds comprend les conditions suivantes et, dans le cas contraire, est réputé les comprendre :

1. L'institution financière a le droit de se fier aux renseignements que lui fournit le titulaire dans la demande présentée en vertu du présent article.

2. An application that meets the requirements of this section constitutes authorization to the financial institution to pay the money to the owner from the fund in accordance with this section.
3. The value of all assets in all life income funds, locked-in retirement income funds and locked-in retirement accounts owned by the owner when he or she signs the application under this section is to be determined in accordance with the most recent statement about each fund or account given to the owner. Each such statement must be dated within one year before the owner signs the application.
4. The financial institution is required to make the payments to which the owner is entitled under this section within 30 days after the financial institution receives the completed application form and accompanying document.
9. (1) The owner of a locked-in retirement income fund may, upon application in accordance with this section, withdraw all or part of the money in the fund if, when the owner signs the application, he or she has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.
- (2) An application to withdraw money from the fund must be given to the financial institution that administers the fund.
- (3) The application must be made on a form approved by the Superintendent.
- (4) The application form must be signed by the owner and accompanied by the following documents:
 1. A statement signed by a physician who is licensed to practise medicine in a jurisdiction in Canada that, in the opinion of the physician, the owner has an illness or physical disability that is likely to shorten his or her life expectancy to less than two years.
 2. A declaration described in section 10 about a spouse or same-sex partner or a statement signed by the owner attesting to the fact that none of the money in the fund is derived, directly or indirectly, from a pension benefit provided in respect of any employment of the owner.
- (5) The contract governing the fund must include the following terms and, if it does not, the contract shall be deemed to include them:
 1. The financial institution is entitled to rely upon the information provided by the owner in an application made under this section.
 2. An application that meets the requirements of this section constitutes authorization to the financial institution to pay money to the owner from the fund in accordance with this section.
 3. The financial institution is required to make the payments to which the owner is entitled under this section within 30 days after the financial institution receives the completed application form and accompanying documents.
10. Any of the following documents constitutes a declaration about a spouse or same-sex partner for the purposes of a withdrawal from the fund under section 8 or 9:
 1. A statement signed by the owner's spouse, if any, that the spouse consents to the withdrawal from the fund.
 2. A statement signed by the owner's same-sex partner, if any, that the same-sex partner consents to the withdrawal from the fund.
 3. A statement signed by the owner attesting to the fact that he or she does not have a spouse or a same-sex partner.
2. La demande qui satisfait aux exigences du présent article autorise l'institution financière à payer l'argent sur le fonds au titulaire conformément au présent article.
3. La valeur de l'actif total de tous les fonds de revenu viager, fonds de revenu de retraite immobilisés et comptes de retraite avec immobilisation des fonds que détient le titulaire lorsqu'il signe la demande visée au présent article doit être calculée conformément au plus récent relevé relatif à chaque fonds ou compte qu'il a reçu, la date de chacun de ces relevés devant tomber dans l'année qui précède la signature de la demande par le titulaire.
4. L'institution financière est tenue de faire les paiements auxquels le titulaire a droit aux termes du présent article dans les 30 jours qui suivent celui où elle reçoit la formule de demande dûment remplie et le document qui l'accompagne.
9. (1) Le titulaire d'un fonds de revenu de retraite immobilisé peut, sur présentation d'une demande conformément au présent article, retirer tout ou partie de l'argent qui se trouve dans le fonds si, lorsqu'il signe la demande, il souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans.
- (2) La demande de retrait d'une somme d'argent du fonds est présentée à l'institution financière qui l'administre.
- (3) La demande est rédigée selon la formule approuvée par le surintendant.
- (4) La formule de demande porte la signature du titulaire et est accompagnée des documents suivants :
 1. Une déclaration signée par un médecin titulaire d'un permis l'autorisant à exercer la médecine dans une compétence législative du Canada selon laquelle, à son avis, le titulaire souffre d'une maladie ou d'une incapacité physique qui ramènera vraisemblablement son espérance de vie à moins de deux ans.
 2. La déclaration relative au conjoint ou au partenaire de même sexe visée à l'article 10 ou une déclaration signée par le titulaire dans laquelle il atteste que l'argent qui se trouve dans le fonds ne provient en aucun cas, directement ou indirectement, d'une prestation de retraite se rapportant à l'un quelconque de ses emplois.
- (5) Le contrat qui régit le fonds comprend les conditions suivantes et, dans le cas contraire, est réputé les comprendre :
 1. L'institution financière a le droit de se fier aux renseignements que lui fournit le titulaire dans la demande présentée en vertu du présent article.
 2. La demande qui satisfait aux exigences du présent article autorise l'institution financière à payer une somme sur le fonds au titulaire conformément au présent article.
 3. L'institution financière est tenue de faire les paiements auxquels le titulaire a droit aux termes du présent article dans les 30 jours qui suivent celui où elle reçoit la formule de demande dûment remplie et les documents qui l'accompagnent.
10. L'un ou l'autre des documents suivants constitue une déclaration relative au conjoint ou au partenaire de même sexe aux fins du retrait de sommes du fonds effectué aux termes de l'article 8 ou 9 :
 1. Une déclaration signée par le conjoint du titulaire, s'il en a un, selon laquelle il consent au retrait.
 2. Une déclaration signée par le partenaire de même sexe du titulaire, s'il en a un, selon laquelle il consent au retrait.
 3. Une déclaration signée par le titulaire dans laquelle il atteste qu'il n'a pas de conjoint ou de partenaire de même sexe.

4. A statement signed by the owner attesting to the fact that he or she is living separate and apart from his or her spouse on the date the owner signs the application to make the withdrawal from the fund.

11. (1) If the owner of a locked-in retirement income fund is required to give a document to a financial institution under section 8 or 9, and if the document is one that must be signed by the owner or by his or her spouse or same-sex partner, the document is a nullity if it is signed by any of them more than 60 days before the financial institution receives it.

(2) When the financial institution receives a document required under section 8 or 9, the financial institution shall give the owner of the locked-in retirement income fund a receipt for the document stating the date on which it was received.

SURVIVOR'S BENEFITS

12. (1) Upon the death of the owner of a locked-in retirement income fund, the owner's spouse or same-sex partner or, if there is none, his or her named beneficiary or, if there is none, his or her estate is entitled to receive a benefit equal to the value of the assets in the fund.

(2) A spouse or same-sex partner of the owner is not entitled to receive the value of the assets in the fund unless the owner was a member or former member of a pension plan from which assets were transferred directly or indirectly to purchase the fund.

(3) A spouse or same-sex partner living separate and apart from the owner on the date of the owner's death is not entitled to receive the value of the assets in the fund.

(4) For the purposes of subsection (1), a determination as to whether the owner has a spouse or same-sex partner is to be made on the date of the owner's death.

AMENDING THE FUND

13. (1) In the contract governing a locked-in retirement income fund, the financial institution providing the fund must agree not to amend the contract except as provided in this section.

(2) The financial institution must give the owner of the fund at least 90 days notice of a proposed amendment, other than an amendment described in subsection (3).

(3) The financial institution must not amend the contract governing the fund if the amendment would result in a reduction in the owner's rights under the contract unless,

- (a) the financial institution is required by law to make the amendment; and
- (b) the owner is entitled to transfer the assets in the fund under the terms of the contract that exist before the amendment is made.

(4) When making an amendment described in subsection (3), the financial institution must notify the owner of the fund of the nature of the amendment and allow the owner at least 90 days after the notice is given to transfer all or part of the assets in the fund.

(5) Notices under this section must be sent by registered mail to the owner's address as set out in the records of the financial institution.

INFORMATION TO BE PROVIDED BY THE FINANCIAL INSTITUTION

14. (1) In the contract governing a locked-in retirement income fund, the financial institution must agree to provide the information described in this section to the person indicated.

(2) At the beginning of each fiscal year, the following information must be provided to the owner:

1. The sums deposited, any accumulated investment earnings including any unrealized capital gains or losses, the payments

4. Une déclaration signée par le titulaire dans laquelle il atteste qu'il vit séparé de corps de son conjoint à la date où il signe la demande de retrait.

11. (1) Le document que le titulaire d'un fonds de revenu de retraite immobilisé est tenu de présenter à une institution financière aux termes de l'article 8 ou 9 et qui doit porter la signature du titulaire ou de son conjoint ou partenaire de même sexe est nul si l'une de ces personnes le signe plus de 60 jours avant le jour de sa réception par l'institution financière.

(2) Lorsqu'elle reçoit un document exigé par l'article 8 ou 9, l'institution financière remet au titulaire du fonds de revenu de retraite immobilisé un récépissé qui en indique la date de réception.

PRESTATIONS DE SURVIVANT

12. (1) Au décès du titulaire d'un fonds de revenu de retraite immobilisé, son conjoint ou partenaire de même sexe ou, s'il n'en a pas, son bénéficiaire désigné ou, s'il n'en a pas désigné, sa succession a droit à une prestation égale à la valeur de l'actif du fonds.

(2) Le conjoint ou partenaire de même sexe du titulaire n'a droit à la valeur de l'actif du fonds que si le titulaire était un participant ou un ancien participant à un régime duquel des éléments d'actif ont été transférés, directement ou indirectement, afin de constituer le fonds.

(3) Le conjoint ou partenaire de même sexe qui vit séparé de corps du titulaire à la date du décès de celui-ci n'a pas droit à la valeur de l'actif du fonds.

(4) Pour l'application du paragraphe (1), la question de savoir si le titulaire a un conjoint ou un partenaire de même sexe est tranchée à la date de décès du titulaire.

MODIFICATION DU FONDS

13. (1) Dans le contrat qui régit un fonds de revenu de retraite immobilisé, l'institution financière qui offre le fonds accepte de ne pas modifier le contrat si ce n'est conformément au présent article.

(2) L'institution financière donne au titulaire du fonds un préavis d'au moins 90 jours d'une modification projetée, à l'exception d'une modification visée au paragraphe (3).

(3) L'institution financière ne doit pas modifier le contrat qui régit le fonds de façon à réduire les droits du titulaire qui y sont prévus, sauf si :

- a) d'une part, la loi exige qu'elle apporte la modification;
- b) d'autre part, le titulaire a le droit de transférer l'actif du fonds aux termes du contrat tel qu'il existait avant la modification.

(4) Lorsqu'elle apporte une modification visée au paragraphe (3), l'institution financière avise le titulaire du fonds de la nature de la modification et lui alloue un délai d'au moins 90 jours après la remise de l'avis pour transférer en totalité ou en partie l'actif du fonds.

(5) Les avis prévus au présent article sont envoyés par courrier recommandé à l'adresse du titulaire qui figure dans les dossiers de l'institution financière.

RENSEIGNEMENTS À FOURNIR PAR L'INSTITUTION FINANCIÈRE

14. (1) Dans le contrat qui régit un fonds de revenu de retraite immobilisé, l'institution financière accepte de fournir les renseignements visés au présent article à la personne indiquée.

(2) Au début de chaque exercice, les renseignements suivants sont fournis au titulaire :

1. Les sommes déposées, tout revenu de placement accumulé, y compris tout gain en capital ou toute perte en capital non réalisé,

made out of the fund and the fees charged against it during the previous fiscal year.

2. The value of the assets in the fund as of the beginning of the fiscal year.
3. The minimum amount that must be paid out of the fund to the owner during the current fiscal year.
4. The maximum amount that may be paid out of the fund to the owner during the current fiscal year.

(3) If the assets in the fund are transferred as described in subsection 7 (1), the owner must be given the information described in subsection (2) determined as of the date of the transfer.

(4) Upon the death of the owner, the person entitled to receive the assets in the fund must be given the information described in subsection (2) determined as of the date of the owner's death.

33. Forms 1, 1.1, 2 and 3 of the Regulation are revoked.

34. This Regulation comes into force on March 3, 2000.

12/00

ONTARIO REGULATION 145/00
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: March 1, 2000
Filed: March 3, 2000

Amending O. Reg. 213/91
(Construction Projects)

Note: Since the end of 1998, Ontario Regulation 213/91 has been amended by Ontario Regulations 143/99 and 571/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) The definition of "adequate" in subsection 1 (1) of Ontario Regulation 213/91 is revoked and the following substituted:

"adequate", in relation to a procedure, material, device, object or thing, means,

- (a) sufficient for both its intended and its actual use, and
- (b) sufficient to protect a worker from occupational illness or occupational injury,

and "adequately" has a corresponding meaning;

(2) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

"approved", in relation to a form, means approved by the Minister;

"blocker truck" means a truck that weighs at least 6,800 kilograms and has four-way flashers and a mounted flashing arrowboard sign;

"Building Code" means Ontario Regulation 403/97 made under the *Building Code Act, 1992*;

(3) The definition of "Construction Health and Safety Branch" in subsection 1 (1) of the Regulation is revoked.

(4) Subsection 1 (1) of the Regulation is amended by adding the following definition:

les sommes prélevées sur le fonds et les frais débités au cours de l'exercice précédent.

2. La valeur de l'actif du fonds au début de l'exercice.
3. Le montant minimal qui doit être payé au titulaire sur le fonds au cours de l'exercice courant.
4. Le montant maximal qui peut être payé au titulaire sur le fonds au cours de l'exercice courant.

(3) Si l'actif du fonds est transféré de la façon prévue au paragraphe 7 (1), le titulaire reçoit les renseignements visés au paragraphe (2), lesquels sont établis à la date du transfert.

(4) Au décès du titulaire, la personne qui a droit à l'actif du fonds reçoit les renseignements visés au paragraphe (2), lesquels sont établis à la date de ce décès.

33. Les formules 1, 1.1, 2 et 3 du Règlement sont abrogées.

34. Le présent règlement entre en vigueur le 3 mars 2000.

"crash truck" means a blocker truck that is equipped with a crash-attenuating device;

(5) The definition of "fall arrest system" in subsection 1 (1) of the Regulation is revoked and the following substituted:

"fall arrest system" means an assembly of components joined together so that when the assembly is connected to a fixed support, it is capable of arresting a worker's fall;

(6) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

"fall restricting system" means a type of fall arrest system that has been designed to limit a worker's fall to a specified distance;

"fixed support" means a permanent or temporary structure or a component of such a structure that can withstand all loads and forces the structure or component is intended to support or resist and is sufficient to protect a worker's health and safety, and includes equipment or devices that are securely fastened to the structure or component;

"freeway" means a controlled-access highway that has a continuous dividing median and a normal posted speed limit of 90 kilometres per hour or more;

(7) The definition of "guardrail" in subsection 1 (1) of the Regulation is revoked and the following substituted:

"guardrail system" means an assembly of components joined together to provide a barrier to prevent a worker from falling from the edge of a surface;

(8) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

"highway" means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles;

"longitudinal buffer area" means the area of a project between the end of a lane closure taper and the start of a work area;

(9) The definition of "public way" in subsection 1 (1) of the Regulation is revoked and the following substituted:

“public way” means a highway or other street, avenue, parkway, driveway, square, place, bridge, viaduct, or other open space to which the public has access, as of right or by expressed or implied invitation;

(10) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“roadway” means the travelled portion of a highway;

(11) The definition of “safety net” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“safety net” means a safety net that complies with section 26.8, and is located and supported in such a way that it arrests the fall of a worker who may fall into it without endangering the worker;

(12) The definition of “sheathing” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“sheathing” means the members of shoring that are placed up against the walls of an excavation to directly resist the pressure exerted from the walls of the excavation;

(13) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

“sign truck” means a vehicle that has,

- (a) four-way flashers and a mounted flashing arrowboard sign, or
- (b) a portable trailer with a mounted flashing arrowboard sign;

“tower crane” means a travelling, fixed or climbing mechanical device or structure that has,

- (a) a boom, a jib or both,
- (b) a power-driven drum and wire rope to raise, lower or move material, and
- (c) a vertical mast;

“travel restraint system” means an assembly of components capable of restricting a worker’s movement on a work surface and preventing the worker from reaching a location from which he or she could fall;

(14) The Table to subsection 1 (2) of the Regulation is amended by adding the following row after “Short forms” and “Corresponding terms”:

ANSI	American National Standards Institute
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2. Section 4 of the Regulation is amended by striking out “The Director of the Construction Health and Safety Branch” and substituting “A Director”.

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

5. (1) Before beginning work at a project, each constructor and employer engaged in construction shall complete an approved registration form.

(2) The constructor shall ensure that,

- (a) each employer at the project provides to the constructor a completed approved registration form; and
- (b) a copy of the employer’s completed form is kept at the project while the employer is working there.

4. Subsections 6 (2), (3), (4), (5), (6) and (7) of the Regulation are revoked and the following substituted:

(2) The constructor shall comply with subsection (3) or (4) before beginning work at the project.

(3) The constructor shall complete an approved notification form and file it at the Ministry office located nearest to the project.

(4) If the constructor believes that the work at the project will not take more than 14 days, the constructor may provide the relevant information to an inspector at the Ministry office located nearest to the project,

- (a) by faxing the completed form to the inspector; or
- (b) by providing the information that would be required to complete the form to the inspector by telephone.

(5) Despite subsection (2), the constructor may begin work at a project before complying with subsection (3) or (4) if the following conditions are met:

- 1. It is necessary to do the work immediately to prevent injury to people or damage to property.
- 2. Before beginning the work, the constructor gives an inspector notice of the information required in the form by telephone or fax.

(6) The constructor shall keep the completed notification form posted in a conspicuous place at the project or available at the project for review by an inspector.

5. Section 7 of the Regulation is revoked and the following substituted:

7. If section 6 does not apply to a project but the project includes work on a trench more than 1.2 metres deep into which a worker may enter, the constructor shall, before any work at the project is begun, give notice in person, by telephone or by fax to the Ministry office located nearest to the project.

6. Clause 8 (g) of the Regulation is amended by striking out “the physician or surgeon, if any” and substituting “any legally qualified medical practitioner”.

7. (1) Clause 9 (1) (g) of the Regulation is revoked and the following substituted:

(g) the name and address of any legally qualified medical practitioner by whom the worker was or is being attended for the injury or illness;

(g.1) the name and address of each medical facility, if any, where the worker was or is being attended for the injury or illness; and

(2) Subsection 9 (2) of the Regulation is revoked and the following substituted:

(2) A notice under subsection 52 (2) of the Act (information and particulars respecting a worker’s occupational illness) shall contain the following information:

- 1. The employer’s name, address and type of business.
- 2. The nature of the illness.
- 3. The worker’s name and address.
- 4. The name and address of any legally qualified medical practitioner by whom the worker was or is being attended for the illness.

5. The name and address of each medical facility, if any, where the worker was or is being attended for the illness.
6. A description of the steps taken to prevent a recurrence.

8. Subsection 12 (2) of the Regulation is revoked and the following substituted:

(2) A constructor or employer who submits a report under subsection 51 (1) of the Act (notice of death or injury) or gives a notice under section 52 or 53 of the Act (notice of accident, etc.) shall also provide, within 14 days after the occurrence, a professional engineer's written opinion stating the cause of the occurrence.

9. Clause 13 (1) (c) of the Regulation is revoked and the following substituted:

- (c) the address and telephone number of the nearest office of the Ministry.

10. Section 15 of the Regulation is amended by adding the following subsection:

(2) The supervisor shall supervise the work at all times either personally or by having an assistant, who is a competent person, do so personally.

11. Sections 16, 17 and 18 of the Regulation are revoked and the following substituted:

16. At a project, no person younger than 16 years of age shall,

- (a) be employed in or about the workplace; or
- (b) be permitted to be present in or about the workplace while work is being performed.

17. (1) A constructor shall establish for a project written procedures to be followed in the event of an emergency and shall ensure that the procedures are followed at the project.

(2) The constructor shall review the emergency procedures with the joint health and safety committee or the health and safety representative for the project, if any.

(3) The constructor shall ensure that the emergency procedures are posted in a conspicuous place at the project.

18. The constructor shall ensure that every worker at the project has ready access to a telephone, two-way radio or other system of two-way communication in the event of an emergency.

12. Section 26 of the Regulation is revoked and the following substituted:

26. Sections 26.1 to 26.10 apply where a worker is exposed to any of the following hazards:

1. Falling more than 3 metres.
2. Falling more than 1.2 metres, if the work area is used as a path for a wheelbarrow or similar equipment.
3. Falling into operating machinery.
4. Falling into water or another liquid.
5. Falling into or onto a hazardous substance or object.
6. Falling through an opening on a work surface.

26.1 (1) A worker shall be adequately protected by a guardrail system that meets the requirements of subsections 26.3 (2) to (8).

(2) Despite subsection (1), if it is not reasonably possible to install a guardrail system as that subsection requires, a worker shall be adequately protected by at least one of the following methods of fall protection:

1. A travel restraint system that meets the requirements of section 26.4.
2. A fall restricting system that meets the requirements of section 26.5.
3. A fall arrest system that meets the requirements of section 26.6.
4. A safety net that meets the requirements of section 26.8.

(3) The components of any system listed in subsection (2) shall be designed by a professional engineer in accordance with good engineering practice, and shall meet the requirements of any of the following National Standards of Canada standards that are applicable:

1. CAN/CSA-Z259.1-M99: Safety Belts and Lanyards.
2. CAN/CSA-Z259.2.1-M98: Fall Arresting Devices and Vertical Lifelines.
3. CAN/CSA-Z259.2.2-M98: Self-Retracting Devices for Personal Fall Arrest Systems.
4. CAN/CSA-Z259.2.3-M98: Descent Control Devices.
5. CAN/CSA-Z259.10-M90: Full Body Harnesses.
6. CAN/CSA-Z259.11-M92: Shock Absorbers for Personal Fall Arrest Systems.

(4) Before any use of a fall arrest system or a safety net by a worker at a project, the worker's employer shall develop written procedures for rescuing the worker after his or her fall has been arrested.

13. The Regulation is amended by adding the following section:

26.2 (1) An employer shall ensure that a worker who may use a fall protection system is adequately trained in its use and given adequate oral and written instructions by a competent person.

(2) The employer shall ensure that the person who provides the training and instruction referred to in subsection (1) prepares a written training and instruction record for each worker and signs the record.

(3) The training and instruction record shall include the worker's name and the dates on which training and instruction took place.

(4) The employer shall make the training and instruction record for each worker available to an inspector on request.

14. The Regulation is amended by adding the following sections:

26.3 (1) Despite paragraph 1 of section 26, a guardrail system that meets the requirements of this section shall be used if a worker has access to the perimeter or an open side of any of the following work surfaces and is exposed to a fall of 2.4 metres or more:

1. A floor, including the floor of a mezzanine or balcony.
2. The surface of a bridge.
3. A roof while formwork is in place.
4. A scaffold platform or other work platform, runway or ramp.

(2) One of the following precautions shall be used to prevent a worker from falling through an opening on a work surface:

1. A guardrail system that meets the requirements of this section.
2. A protective covering that,
 - i. completely covers the opening,
 - ii. is securely fastened,
 - iii. is adequately identified as covering an opening,
 - iv. is made from material adequate to support all loads to which the covering may be subjected, and
 - v. is capable of supporting a live load of at least 2.4 kilonewtons per square metre without exceeding the allowable unit stresses for the material used.

(3) The guardrail system or protective covering required under subsection (1) or (2) may be removed temporarily to perform work in or around the opening if a worker is adequately protected and signs are posted in accordance with subsections 44 (1) and (2).

(4) The following are the specifications for a guardrail system:

1. It shall have a top rail, an intermediate rail and a toe board.
2. The intermediate rail may be replaced by material that can withstand a point load of 450 newtons applied in a lateral or vertical downward direction.
3. The top of the guardrail system shall be located at least 0.9 metres but not more than 1.1 metres above the surface on which the system is installed.
4. The toe board shall extend from the surface to which the guardrail system is attached to a height of at least 100 millimetres or, if the toe board is made of wood, at least 89 millimetres.
5. If the guardrail system is located at the perimeter of a work surface, the distance between the edge of the surface and the guardrail system shall not be greater than 300 millimetres.

(5) A guardrail system shall be capable of resisting anywhere along the length of the system the following loads when applied separately, without exceeding the allowable unit stress for each material used:

1. A point load of 675 newtons applied in a lateral direction to the top rail.
2. A point load of 450 newtons applied in a vertical downward direction to the top rail.
3. A point load of 450 newtons applied in a lateral or vertical downward direction to the intermediate rail, or midway between the top rail and the toe board.
4. A point load of 225 newtons applied in a lateral direction to the toe board.

(6) If the distance between any two adjacent posts of the guardrail system is greater than 2.4 metres, the system shall be capable of resisting the loads specified in subsection (5) increased in proportion to the greater distance between the posts.

(7) The following additional requirements apply to a guardrail system that is made of wood:

1. The wood shall be spruce, pine or fir (S-P-F) timber of construction grade quality or better.
2. The wood shall be free of sharp objects such as splinters and protruding nails.
3. The system shall have posts that are at least 38 millimetres by 89 millimetres, are securely fastened to the surface and are spaced at intervals of not more than 2.4 metres.
4. The top rail and the intermediate rail shall each be at least 38 millimetres by 89 millimetres.

(8) The following additional requirements apply to a guardrail system that is made of wire rope:

1. The top rail and intermediate rail shall be made of wire rope that is at least 10 millimetres in diameter, and the rope shall be kept taut by a turnbuckle.
2. The outward deflection of the top rail and intermediate rail resulting from the loads specified in subsection (5) shall not extend beyond the edge of a work surface.
3. The system shall have vertical separators at intervals of not more than 2.4 metres and horizontal supports at intervals of not more than 9 metres.
4. The intermediate rail shall be located midway between the top rail and the toe board.

26.4 (1) A travel restraint system shall consist of a full body harness with adequate attachment points or a safety belt.

(2) The full body harness or safety belt shall be attached by a lifeline or lanyard to a fixed support that meets the requirements of section 26.7.

(3) The travel restraint system shall be inspected by a competent worker before each use.

(4) If a component of the travel restraint system is found to be defective on inspection, the defective component shall immediately be taken out of service.

26.5 (1) A fall restricting system shall consist of an assembly of components that is,

- (a) attached to an independent fixed support that meets the requirements of section 26.7; and
- (b) designed and arranged in accordance with the manufacturer's instructions so that a worker's free fall distance does not exceed 0.6 metres.

(2) The fall restricting system shall be inspected by a competent worker before each use.

(3) If a worker who is using the fall restricting system falls more than 0.6 metres, the system shall be immediately removed from service and shall not be used again by a worker unless all components of the system have been certified by the manufacturer as being safe for re-use.

26.6 (1) A fall arrest system shall consist of a full body harness with adequate attachment points and a lanyard equipped with a shock absorber or similar device.

(2) The fall arrest system shall be attached by a lifeline or by the lanyard to an independent fixed support that meets the requirements of section 26.7.

(3) The fall arrest system shall be arranged so that a worker cannot hit the ground or an object or level below the work.

(4) Despite subsection (1), the fall arrest system shall not include a shock absorber if wearing or using one could cause a worker to hit the ground or an object or level below the work.

(5) The fall arrest system shall not subject a worker who falls to a peak fall arrest force greater than 8 kilonewtons.

(6) The fall arrest system shall be inspected by a competent worker before each use.

(7) If a component of the fall arrest system is found to be defective on inspection, the defective component shall immediately be taken out of service.

(8) If a worker who is using the fall arrest system falls, the system shall be immediately removed from service and shall not be used again by a worker unless all components of the system have been certified by the manufacturer as being safe for re-use.

26.7 (1) A permanent anchor system shall be used as the fixed support in a fall arrest system, fall restricting system or travel restraint system if the following conditions are met:

1. The anchor system has been installed according to the *Building Code*.
2. It is safe and practical to use the anchor system as the fixed support.

(2) If the conditions set out in subsection (1) are not met, a temporary fixed support shall be used that meets the following requirements:

1. Subject to paragraph 2, a support used in a fall arrest system shall be capable of supporting a static force of at least 8 kilonewtons without exceeding the allowable unit stress for each material used.
2. If a shock absorber is also used in the fall arrest system, the support shall be capable of supporting a static force of at least 6 kilonewtons without exceeding the allowable unit stress for each material used.
3. Subject to paragraph 4, a support used in a fall restricting system must be capable of supporting a static force of at least 6 kilonewtons without exceeding the allowable unit stress for each material used.
4. Paragraph 3 does not apply to a support that is used in accordance with the manufacturer's written instructions and is adequate to protect a worker.
5. A support used in a travel restraint system shall be capable of supporting a static force of at least 2 kilonewtons without exceeding the allowable unit stress for each material used.

(3) Despite the requirements listed in subsection (2), the support capacity of a temporary fixed support used in a fall protection system may be determined by dynamic testing in accordance with good engineering practice to ensure that the temporary fixed support has adequate capacity to arrest a worker's fall.

(4) A fixed support shall not have any sharp edges that could cut, chafe or abrade the connection between it and another component of the system.

26.8 (1) A safety net shall be designed, tested and installed in accordance with ANSI Standard 10.11-1989, Personnel and Debris Nets for Construction and Demolition Operations.

(2) The safety net shall be installed by a competent worker.

(3) A professional engineer or a competent person under the engineer's supervision shall inspect and test the installation of the safety net before it is put in service.

(4) The engineer shall document the inspection and testing of the safety net and shall sign and seal the document.

(5) A copy of the document shall be kept at the project while the safety net is in service.

26.9 (1) This section applies to a lanyard or lifeline that is part of a travel restraint system or a fall arrest system.

(2) The following requirements apply to a lanyard or a lifeline:

1. It shall not be used in such a way that it is likely to be cut, chafed or abraded.
2. It shall not be subjected to extreme temperature, flame, abrasive or corrosive materials or other hazards that may damage it.
3. The free end of the lanyard or lifeline shall be kept clear of equipment and machinery.

(3) Only one person at a time may use a lanyard.

(4) The connecting ends of a lanyard shall be wrapped around a protective thimble and securely fastened with a swaged fitting or eye splice supplied by the manufacturer of the lanyard.

(5) A horizontal or vertical lifeline shall be kept free from splices or knots, except knots used to connect it to a fixed support.

(6) Only one person at a time may use a vertical lifeline.

(7) A vertical lifeline shall,

- (a) extend to the ground; or
- (b) have a positive stop that prevents the rope grab or other similar device from running off the end of the lifeline.

(8) The following requirements apply to a horizontal lifeline system:

1. It shall be designed by a professional engineer in accordance with good engineering practice.
2. The design may be a standard design or a custom design.
3. The design shall,
 - i. show the arrangement of the system including the anchorage or fixed support system,
 - ii. indicate the components used,
 - iii. state the number of workers that can safely be attached to it,
 - iv. set out instructions for installation or erection, and
 - v. show the design loads for the system.

4. The system shall be installed or erected, and maintained, in accordance with the professional engineer's design.

5. Before each use, the system shall be inspected by a professional engineer or a competent worker designated by a supervisor.
6. The constructor shall keep the design at the project while the system is in use.

26.10 (1) Subject to subsection (2), a worker who is performing work on a utility pole shall do so from an elevating work platform that meets the requirements of sections 143 and 144.

(2) If it is not practical for the worker to use an elevating work platform as described in subsection (1), the worker shall use a fall restricting system instead.

26.11 Until January 1, 2001, sections 26 to 26.10 do not apply to a worker while he or she is engaged in erecting or dismantling scaffolding, built-in-place formwork or built-in-place falsework.

15. Section 29 of the Regulation is revoked and the following substituted:

29. (1) In this section,

“facilities” means toilet, urinal and clean-up facilities;

“non-sewered flush toilet facilities” means water flush toilets or chemical flush toilets that have the features listed in subsection (2);

“service”, when used as a verb, means to have waste pumped out and to have the facilities replenished where necessary;

“sewered toilet facilities” means water flush toilets that are connected to a sanitary sewer system and equipped with a trap in accordance with Part 7 of the *Building Code*.

(2) The features referred to in the definition of “non-sewered flush toilet facilities” are:

1. The toilets are not connected to a sanitary sewer system.
2. They are equipped with a trap or a positive seal separating stored waste from the bowl.
3. The waste is flushed from the bowl with water containing chemical additives, deposited into a container and chemically treated sufficiently for the container’s maximum capacity.

(3) The constructor shall ensure,

- (a) that facilities are provided or arranged for workers before work has started at a project; and
- (b) that workers at the project have reasonable access to these facilities.

(4) Subject to subsections (5) and (6), the facilities shall be located within 180 metres horizontally of the work area of the project.

(5) If work is being performed in a tunnel, the facilities shall be located within 180 metres horizontally from the entrance to the tunnel.

(6) The facilities may be located within 3 kilometres of the work area if transportation to the facilities is provided for workers where reasonably required.

(7) If the project is the construction of a building, then in addition to the requirement of subsection (4), the facilities must also be located within 9 metres vertically of the level at which work is being performed.

(8) The location of the facilities under subsection (7) may be varied if the arrangement affords reasonable accessibility for workers.

(9) If the location of the facilities is varied under subsection (8), the constructor shall document in writing the location and the reasons for the variance, and shall provide the document to,

- (a) the joint health and safety committee or the health and safety representative, if any, for the workplace; or
- (b) the workers, if there is no committee or representative for the workers.

(10) The constructor shall,

- (a) inform workers of the location of the facilities; and
- (b) post the location of the facilities in a conspicuous place at the project if it is practical to do so.

(11) The facilities shall be serviced, cleaned and sanitized as frequently as necessary to maintain them in a clean and sanitary condition.

(12) The constructor shall keep at the project for the duration of the project,

- (a) a record of the servicing, cleaning and sanitizing of the facilities; and
- (b) a copy of the document required under subsection (9), if any.

(13) Facilities that are not under the constructor’s control satisfy the requirements of this section only if the constructor has received permission from the facilities’ owner for workers to use the facilities.

29.1 (1) Each toilet facility shall meet the following requirements:

1. There shall be a toilet with an open-front toilet seat. For a chemical flush toilet, a toilet cover is also required.
2. There shall be a toilet paper holder and an adequate supply of toilet paper. If the facility is intended for use by female workers, there shall be a disposal receptacle for sanitary napkins.
3. The facility shall afford the user privacy and protection from weather and from falling objects. There shall be a self-closing door that can be locked from inside the facility.
4. The facility shall be,
 - i. illuminated by natural or artificial light,
 - ii. adequately heated, and
 - iii. adequately ventilated.
5. If the facility is intended for use by males only or by females only, it shall have a sign indicating that fact.
6. The facility shall be kept in good repair at all times.

(2) Separate toilet facilities shall be provided for male and female workers, unless the facilities are intended to be used by only one worker at a time.

(3) Sewered toilet facilities or non-sewered flush toilet facilities shall be provided at a project, subject to subsection (4).

(4) If a project is being carried on in a remote unpopulated area and it is not reasonably possible to provide the facilities required under

subsection (3), re-circulating chemical flush toilets or other types of toilets that comply with applicable municipal by-laws may be provided instead.

(5) When toilets are provided as described in subsection (3), the minimum number of toilets required at the project is as follows:

TABLE 1

Minimum number of toilets	Number of workers regularly employed at the project
1	1-15
2	16-30
3	31-45
4	46-60
4, plus 1 additional toilet for each additional group of 15 or fewer workers	61 or more

(6) If the toilets are located in a multiple water flush toilet facility and are intended to be used by male workers, water flush urinals may be substituted for a maximum of two-thirds of the number of toilets required by subsection (5).

(7) When toilets are provided as described in subsection (4), the minimum number of toilets required at the project is as follows:

TABLE 2

Minimum number of toilets	Number of workers regularly employed at the project
1	1-10
2	11-20
3	21-30
4	31-40
4, plus 1 additional toilet for each additional group of 15 or fewer workers	41 or more

(8) If the toilets are located in a portable single-unit toilet facility intended for use by male workers, there shall be at least one urinal for each toilet.

(9) Portable urinals equipped with clean-up facilities are permitted in addition to the requirements of this section.

29.2 (1) One clean-up facility shall be provided for every two toilet facilities required under section 29.1 and, in any case, at least one clean-up facility shall be provided at a project.

(2) Each clean-up facility shall meet the following requirements:

1. Subject to subsection (3), the facility shall have a wash basin with running water. Both hot and cold running water shall be available if reasonably possible.
2. Soap or hand cleanser shall be provided.
3. Paper towels or a hand dryer shall be provided. If paper towels are provided, there shall be a waste disposal receptacle nearby.

(3) If it is not reasonably possible to have a wash basin with running water at a clean-up facility, hand cleanser that can be used without water shall be provided instead.

16. Section 52 of the Regulation is amended by adding the following subsection:

(1.1) Every worker who may be required to use fire extinguishing equipment shall be trained in its use.

17. Section 56 of the Regulation is revoked and the following substituted:

56. No work shall be carried out at a height of 84 metres or more in a building unless the building has temporary or permanent fire pumps that provide a minimum water flow of 1,890 litres per minute at a discharge pressure of at least 450 kilopascals at and above the 84-metre height.

18. (1) Subsection 57 (1) of the Regulation is revoked and the following substituted:

(1) As construction proceeds in a building with two or more storeys, a permanent or temporary standpipe shall be installed to within two storeys of the uppermost work level.

(2) Section 57 of the Regulation is amended by adding the following subsections:

(6) If a temporary standpipe has been installed, it shall not be disconnected until the permanent standpipe is connected, so that there is always a standpipe in service.

(7) A temporary standpipe shall be maintained so that it is readily operable.

(8) A temporary standpipe shall have at least one hose outlet per floor, with a valve and a hose attached to each hose outlet and a nozzle attached to each hose.

(9) In addition to the requirements of subsection (8), there shall be a connection to which there is clear access at all times, located between 30 and 90 centimetres above ground level on a side of the building that faces the street.

(10) A hose outlet on a temporary standpipe,

(a) shall have a valve; and

(b) shall be capable of accepting a hose that is 38 millimetres in diameter.

(11) If a temporary standpipe is installed in a building under construction, the constructor shall post at the project, or have available for review, a floor plan of the building indicating,

(a) the location of the hose outlets on each floor;

(b) the location of the point on the perimeter of each floor that is furthest from the hose outlet on that floor; and

(c) the location of each exit on each floor.

(12) The constructor shall give a copy of the floor plan to the fire department located nearest to the project.

19. Section 59 of the Regulation is revoked and the following substituted:

DUST CONTROL

59. If the dissemination of dust is a hazard to a worker, the dust shall be adequately controlled or each worker who may be exposed to the hazard shall be provided with adequate personal protective equipment.

20. Section 66 of the Regulation is amended by striking out “amber” in the third line.

21. Section 67 of the Regulation is revoked and the following substituted:

TRAFFIC CONTROL

67. (1) In this section,

“barricade” means a device that provides a visual indicator of the path a motorist is supposed to take;

“barrier” means a device that provides a physical limitation through which a vehicle would not normally pass, and includes a concrete barrier;

“mobile operation” means work, including a paving operation, that is done on a highway or the shoulder of a highway and moves along at speeds of less than 30 kilometres per hour.

(2) If a worker at a project on a highway may be endangered by vehicular traffic unrelated to the project, the project shall make use of as many of the following measures as is necessary to adequately protect the worker:

1. Barriers.
2. Barricades.
3. Delineators.
4. Lane control devices.
5. Warning signs.
6. Flashing lights.
7. Flares.
8. Traffic control devices.
9. Blocker trucks.
10. Crash trucks.
11. Sign trucks.
12. Speed control devices.
13. Longitudinal buffer areas.

(3) In addition to the measures listed in subsection (2) but subject to section 68, a worker may be used to direct traffic.

(4) Every employer shall develop in writing and implement a traffic protection plan for the employers’ workers at a project if any of them may be exposed to a hazard from vehicular traffic.

(5) The traffic protection plan,

- (a) shall specify the vehicular traffic hazards and the measures described in subsection (2) to be used to protect workers; and
- (b) shall be kept at the project and made available to an inspector or a worker on request.

(6) A worker who is required to set up or remove measures described in subsection (2) on a roadway or a shoulder of a roadway,

- (a) shall be a competent worker;
- (b) shall not perform any other work while setting up or removing the measures; and
- (c) shall be given adequate written and oral instructions, in a language that he or she understands, with respect to setting up or removing the measures.

(7) Subject to subsection (8), adequate barriers shall be installed to protect workers at a project from vehicular traffic if the project,

- (a) is on a freeway;
- (b) is not a mobile operation; and
- (c) is expected to require more than five days to complete.

(8) Until January 1, 2003, if a project to which subsection (7) would otherwise apply is expected to require five days or less to complete, or if it is not practical to install barriers as that subsection requires, the following measures shall be taken to protect workers at the project:

1. An adequate longitudinal buffer area shall be provided if physically possible.
2. If information about the annual average daily travel rate of vehicular traffic on the freeway is available and the rate is less than 25,000, blocker trucks shall be adequately positioned between vehicular traffic and workers.
3. If the annual average daily travel rate of vehicular traffic on the freeway is 25,000 or more or if information about the rate is unavailable, crash trucks shall be adequately positioned between vehicular traffic and workers.

(9) If subsection (8) applies and information about the annual average daily travel rate of vehicular traffic on the freeway is available, a record of the rate shall be maintained at the project and be made available to an inspector upon request.

(10) On and after January 1, 2003, if it is not practical to install barriers as subsection (7) requires, or if the project is expected to require five days or less to complete, crash trucks shall be adequately positioned to protect workers.

(11) If work on a shoulder of a freeway is expected to take less than 30 minutes to complete, a vehicle with four-way flashers and a 360-degree beacon light shall be provided.

(12) The following measures shall be taken to protect a worker at a project if the project is on a freeway and involves a mobile operation:

1. Until January 1, 2003, an adequate number of blocker trucks shall be adequately positioned between vehicular traffic and the worker.
2. On and after January 1, 2003, an adequate number of crash trucks shall be adequately positioned between vehicular traffic and the worker.
3. If the operation involves intermittent stops averaging 30 minutes or less, an adequate number of barricades or delineators shall be adequately positioned between vehicular traffic and the worker.
4. If the operation involves intermittent stops averaging more than 30 minutes,
 - i. an adequate longitudinal buffer area shall be provided if physically possible,
 - ii. the lane on which work is being done shall be adequately identified with lane closure signs and a lane closure taper, and

- iii. an adequate number of barricades or delineators shall be adequately positioned between vehicular traffic and the work area.

22. Section 68 of the Regulation is revoked and the following substituted:

68. The following requirements apply with respect to a sign used by a worker to direct vehicular traffic:

1. It shall be octagonal in shape, measure 450 millimetres between opposite sides, and be mounted on a pole that is 1.2 metres long.
2. It shall be made of material with at least the rigidity of plywood that is six millimetres thick.
3. On one side it shall be high-intensity retro-reflective grade red in colour, with the word "STOP" written in legible high-intensity retro-reflective grade white letters 150 millimetres high in a central position on the sign.
4. On the other side it shall be high retro-reflective micro-prismatic fluorescent chartreuse in colour, with a black diamond-shaped border that is at least 317 millimetres by 317 millimetres, and with the word "SLOW" written in legible black letters 120 millimetres high in a central position on the sign.
5. It shall be maintained in a clean and legible condition.

23. Section 69 of the Regulation is revoked and the following substituted:

69. (1) This section applies with respect to directing vehicular traffic that may be a hazard to workers on a public way.

(2) A worker shall not direct vehicular traffic for more than one lane in the same direction.

(3) A worker shall not direct vehicular traffic if the normal posted speed limit of the public way is more than 90 kilometres per hour.

(4) A worker who is required to direct vehicular traffic,

- (a) shall be a competent worker;
- (b) shall not perform any other work while directing vehicular traffic;
- (c) shall be positioned in such a way that he or she is endangered as little as possible by vehicular traffic; and
- (d) shall be given adequate written and oral instructions, in a language that he or she understands, with respect to directing vehicular traffic, and those instructions shall include a description of the signals that are to be used.

(5) The written instructions referred to in clause (4) (d) shall be kept at the project.

69.1 (1) A worker who may be endangered by vehicular traffic shall wear a garment that covers at least his or her upper body and has the following features:

1. The garment shall be fluorescent blaze or international orange in colour.
2. On the front and the back, there shall be two yellow stripes that are 5 centimetres wide. The yellow area shall total at least 500 square centimetres on the front and at least 570 square centimetres on the back.

3. On the front, the stripes shall be arranged vertically and centred and shall be approximately 225 millimetres apart, measured from the centre of each stripe. On the back, they shall be arranged in a diagonal "X" pattern.

4. The stripes shall be retro-reflective and fluorescent.

(2) If the garment is a vest, it shall have adjustable fit.

(3) On and after January 1, 2001, a nylon vest to which this section applies shall also have a side and front tear-away feature.

(4) In addition, a worker who may be endangered by vehicular traffic during night-time hours shall wear retro-reflective silver stripes encircling each arm and leg, or equivalent side visibility-enhancing stripes with a minimum area of 50 square centimetres per side.

24. Sections 85 and 86 of the Regulation are revoked.

25. (1) Clause 93 (2) (c) of the Regulation is revoked and the following substituted:

(c) while it is being repaired or serviced, unless the repair or servicing requires that it be operated.

(2) Subsection 93 (3) of the Regulation is revoked and the following substituted:

(3) All vehicles, machines, tools and equipment shall be used in accordance with any operating manuals issued by the manufacturers.

(4) For vehicles, machines, tools and equipment rated at greater than 10 horsepower, copies of any operating manuals issued by the manufacturers shall be kept readily available at the project.

26. Sections 94 and 96 of the Regulation are revoked and the following substituted:

94. (1) All mechanically-powered vehicles, machines, tools and equipment rated at greater than 10 horsepower shall be inspected by a competent worker to determine whether they can handle their rated capacity and to identify any defects or hazardous conditions.

(2) The inspections shall be performed before the vehicles, machines, tools or equipment are first used at the project and thereafter at least once a year or more frequently as recommended by the manufacturer.

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96. (1) No worker shall operate a vehicle at a project unless he or she is competent to do so.

(2) However, a worker being trained in the operation of a vehicle may operate it while being instructed and supervised by a competent person.

27. Sections 104 and 105 of the Regulation are revoked and the following substituted:

104. (1) Every project shall be planned and organized so that vehicles, machines and equipment are not operated in reverse or are operated in reverse as little as possible.

(2) Vehicles, machines and equipment at a project shall not be operated in reverse unless there is no practical alternative to doing so.

(3) Operators of vehicles, machines and equipment shall be assisted by signallers if either of the following applies:

1. The operator's view of the intended path of travel is obstructed.

2. A person could be endangered by the vehicle, machine or equipment or by its load.

(4) Subsection (3) also applies to shovels, backhoes and similar excavating machines and to cranes and similar hoisting devices.

(5) The operator and the signaller shall,

(a) jointly establish the procedures by which the signaller assists the operator; and

(b) follow those procedures.

(6) If subsection (3) applies to the project and it is not possible to carry out the project without some operation of vehicles and equipment in reverse, signs shall be posted at the project in conspicuous places warning workers of the danger.

105. A dump truck shall be equipped with an automatic audible alarm that signals when the truck is being operated in reverse.

28. Section 106 of the Regulation is amended by adding the following subsections:

(1.1) The signaller shall wear a garment that covers at least his or her upper body and has the following features:

1. The garment shall be fluorescent blaze or international orange in colour.
2. On the front and the back, there shall be two yellow stripes that are 5 centimetres wide. The yellow area shall total at least 500 square centimetres on the front and at least 570 square centimetres on the back.
3. On the front, the stripes shall be arranged vertically and centred and shall be approximately 225 millimetres apart, measured from the centre of each stripe. On the back, they shall be arranged in a diagonal "X" pattern.
4. The stripes shall be retro-reflective and fluorescent.

(1.2) If the garment is a vest, it shall have adjustable fit.

(1.3) On and after January 1, 2001, a nylon vest to which this section applies shall also have a side and front tear-away feature.

(1.4) In addition, a signaller who may be endangered during night-time hours shall wear retro-reflective silver stripes encircling each arm and leg, or equivalent side visibility-enhancing stripes with a minimum area of 50 square centimetres per side.

(1.5) The employer shall,

(a) ensure that the signaller has received adequate oral training in his or her duties and has received adequate oral and written instructions in a language that he or she understands; and

(b) keep the written instructions at the project.

29. Section 112 of the Regulation is amended by adding the following subsections:

(1.1) No worker shall use a chain-saw unless he or she has been adequately trained in its use.

(1.2) No worker shall use a chain-saw unless he or she is wearing,

(a) adequate personal protective equipment and clothing, including gloves; and

(b) adequate eye protection and hearing protection.

30. Section 117 of the Regulation is revoked and the following substituted:

117. (1) No worker shall use an explosive actuated fastening tool unless he or she has been adequately trained in its use.

(2) When using an explosive actuated fastening tool, the worker shall carry proof of his or her training in its use.

(3) No worker shall use an explosive actuated fastening tool unless he or she is wearing,

(a) adequate personal protective equipment; and

(b) adequate eye protection.

31. Subsections 119 (2), (4), (6) and (7) of the Regulation are revoked and the following substituted:

(2) An explosive actuated fastening tool shall be inoperable unless,

(a) its muzzle end is held against a surface using a force at least 22 newtons greater than the force equivalent of the weight of the tool measured in newtons; and

(b) when a protective guard is centred on the muzzle end of the tool, the bearing surface of the guard is not tilted more than eight degrees from the work surface.

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(4) An explosive actuated fastening tool that is designed to require dismantling into separate parts for loading shall be inoperable unless the separate parts are locked together.

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(6) The firing movement for an explosive actuated fastening tool shall be a separate action from the operation of bringing the tool into firing position.

(7) An explosive actuated fastening tool shall not be capable of being fired until the operator performs the two separate actions described in subsection (6).

32. Subsection 236 (8) of the Regulation is amended by striking out "the Director of the Construction Health and Safety Branch" and substituting "a Director".

33. (1) Subsection 245 (1) of the Regulation is amended by striking out "the Director of the Construction Health and Safety Branch" and substituting "a Director".

(2) Clause 245 (2) (f) of the Regulation is amended by striking out "nearest public highway" and substituting "nearest highway".

34. (1) Subsection 265 (3) of the Regulation is amended by striking out "the Director of the Construction Health and Safety Branch" and substituting "a Director".

(2) Subsection 265 (4) of the Regulation is revoked and the following substituted:

(4) A Director who makes an appointment described in subsection (3) shall, in doing so, consider any recommendations of the representatives of labour and of management.

35. Subsection 280 (4) of the Regulation is amended by striking out "the Director of the Construction Health and Safety Branch" and substituting "a Director".

36. Section 316 of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

37. (1) Subsection 334 (2) of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

(2) Subsection 334 (3) of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

38. Clause 335 (1) (b) of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

39. Subsection 338 (2) of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

40. Subsection 365 (4) of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

41. (1) Subsection 397 (1) of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

(2) Subsection 397 (2) of the Regulation is amended by striking out “the Director of the Construction Health and Safety Branch” and substituting “a Director”.

42. (1) Except as otherwise provided in this section, this Regulation comes into force on June 12, 2000.

(2) Section 13 comes into force on June 12, 2002.

(3) Section 22 comes into force on January 1, 2001.

12/00

ONTARIO REGULATION 146/00 made under the **HIGHWAY TRAFFIC ACT**

Made: March 1, 2000
Filed: March 3, 2000

Amending Reg. 628 of R.R.O. 1990
(Vehicle Permits)

Note: Since the end of 1998, Regulation 628 has been amended by Ontario Regulations 71/99, 254/99, 299/99, 437/99 and 87/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 5 of Regulation 628 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(5.1) Despite subsection (5), beginning March 3, 2000 and up to and including February 28, 2001, where the fee for a permit is prorated under a reciprocity agreement or arrangement with another jurisdiction, the permit may be validated, in the case of a conversion, new registration or renewal, for a number of consecutive months between a minimum of three and a maximum of 15, as determined by the Ministry.

(5.2) The period of validation under subsection (5.1) shall be determined by the Ministry as necessary in order to allow for a conversion of the permit to a cab card issued under the reciprocal agreement known as the International Registration Plan by March 1, 2001.

12/00

ONTARIO REGULATION 147/00 made under the **FISH AND WILDLIFE CONSERVATION ACT, 1997**

Made: March 1, 2000
Filed: March 3, 2000

Amending O. Reg. 665/98
(Hunting)

Note: Ontario Regulation 665/98 has previously been amended by Ontario Regulations 94/99, 95/99, 581/99 and 78/00.

1. Ontario Regulation 665/98 is amended by adding the following section:

24.1 (1) No person shall hunt moose in wildlife management unit 65 in a party with more than one other hunter.

(2) No person who holds a moose hunting licence and a partner permit validated for hunting moose in wildlife management unit 65 shall hunt moose in that unit except as part of a party that includes a person who holds a moose hunting licence validated for hunting moose in that unit.

(3) The holder of the partner permit referred to in subsection (2) shall not attach a seal to a moose killed in wildlife management unit 65.

2. Section 52 of the Regulation is amended by adding the following subsections:

(2.1) The holder of a resident licence to hunt moose shall not hunt moose in wildlife management unit 65 unless the holder has,

- (a) a validation tag permitting him or her to hunt moose of a specific age and sex in that unit; or
- (b) a partner permit permitting the holder to hunt in a party with the holder of a validation tag described in clause (a).

(2.2) A license referred to in subsection (2.1) is not valid for hunting moose on private land in wildlife management unit 65 if the land is not owned by the licence holder, unless the licence holder has on his or her person the written consent of the owner of the private land on a form provided for that purpose by the Ministry.

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(5) The holder of a permit or validation tag to hunt moose in wildlife management unit 65 who is provided a questionnaire relating to the hunting activities carried out under that permit or validation tag shall complete the questionnaire and return it to the office of the Ministry specified in the questionnaire within 14 days following the last day of the hunt specified in the permit or validation tag.

(6) A person who does not return the completed questionnaire as required under subsection (5) is ineligible to receive a permit or validation tag to hunt moose in wildlife management unit 65 for the year following the year in which the return is required.

3. Subsection 55 (1) of the Regulation is revoked and the following substituted:

(1) The holder of a resident licence to hunt moose shall not hunt moose in the areas and open season periods described in items 1.1 and 5 in Table 8 to Ontario Regulation 670/98 (Open Seasons — Wildlife) unless the licence bears a permission furnished by the Ministry permitting the holder to hunt moose of a specified age and sex under specified conditions.

4. (1) Paragraphs 2 and 3 of subsection 86 (1) of the Regulation are revoked and the following substituted:

2. In the case of hunting moose, during the periods and in the areas specified in Items 1.1 and 1.2 of Table 8 to Ontario Regulation 670/98 (Open Seasons — Wildlife).

(2) Subsection 86 (2) of the Regulation is revoked.

5. Section 129 of the Regulation is revoked and the following substituted:

129. (1) The holder of a hunting licence may hunt wildlife that is authorized by his or her licence in the Larose Forest Hunting Area.

(2) The holder of a resident licence to hunt moose who has been issued a validation tag to hunt moose in wildlife management unit 65 may hunt moose of the type specified on the tag in the Larose Forest Hunting Area, subject to the conditions specified on the tag.

12/00

ONTARIO REGULATION 148/00
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: February 15, 2000
Filed: March 3, 2000

Amending O. Reg. 670/98
(Open Seasons — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended by Ontario Regulations 88/99, 96/99, 219/99, 226/99, 387/99, 580/99, 19/00 and 125/00.

1. Table 8 of Ontario Regulation 670/98 is amended by adding the following items:

1.1	65	From October 5-7, in any year	Closed season	1
1.2	65	From October 8-14, in any year	Closed season	1

JOHN C. SNOBELEN
Minister of Natural Resources

Dated on February 15, 2000.

12/00

ONTARIO REGULATION 149/00
made under the
HEALTH INSURANCE ACT

Made: March 1, 2000
Filed: March 3, 2000

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

Note: Since the end of 1998, Regulation 552 has been amended by Ontario Regulations 58/99, 59/99, 60/99, 85/99, 108/99, 177/99, 178/99, 201/99, 232/99, 271/99, 334/99, 368/99, 482/99, 483/99, 490/99 and 67/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsection 38.2.1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out “on a simple interest basis” in the fourth line.

2. Sections 38.2.2 and 38.2.3 of the Regulation are revoked and the following substituted:

38.2.2 (1) For the purposes of subsection 18.1 (15) of the Act, if, as a result of a review or a reconsideration of a review under section 18.1 of the Act, a physician or practitioner is required to reimburse money to the Plan or a direction is made directing the General Manager to pay an amount to a physician or practitioner that is less than the amount of the account submitted, the additional amount for the cost of the review or for the cost of the reconsideration of the review shall be calculated using the following formula:

$$\frac{A}{B} \times C \times D$$

where,

A is,

- (a) where the physician or practitioner is required to reimburse money to the Plan, the amount that is required to be reimbursed, or
- (b) where the General Manager is required to pay less than the amount of the account submitted, the portion of the amount the physician or practitioner claimed, in the review or reconsideration, should be paid to him or her that has been refused by the review committee;

B is,

- (a) where the physician or practitioner is required to reimburse money to the Plan, the amount that the physician or practitioner claimed he or she should not be required to reimburse in the review or reconsideration, or
- (b) where the General Manager is required to pay less than the amount of the account submitted, the amount that the physician or practitioner claimed should be paid to him or her in the review or reconsideration;

C is \$1000, in the case of a review or reconsideration conducted by the Medical Review Committee, or \$500, in the case of a review or reconsideration conducted by a practitioner review committee;

D is the number of review days in the review or reconsideration, as determined under subsection (5).

(2) Despite subsection (1), the additional amount determined under that subsection shall not exceed the lesser of,

(a) the amount that is,

- (i) where the physician or practitioner is required to reimburse money to the Plan, the amount that is required to be reimbursed, multiplied by 0.35, or
- (ii) where the General Manager is required to pay less than the amount of the account submitted, the portion of the amount the physician or practitioner claimed, in the review or reconsideration, should be paid to him or her that has been refused by the review committee, multiplied by 0.35; and

(b) \$1000 for each review day, in the case of a review or reconsideration conducted by the Medical Review Committee, or \$500 for each review day, in the case of a review or a reconsideration conducted by a practitioner review committee.

(3) For the purposes of subsection 18.1 (15) of the Act, if, as a result of a review or a reconsideration of a review under section 18.1 of the Act, a direction is made confirming the decision of the General Manager to refuse to pay an account for services or if, as a result of a review or a reconsideration of a review under section 39.1 of the Act, a physician or practitioner is required to reimburse money to the Plan, the additional amount for the cost of the review or for the cost of the reconsideration of the review shall be calculated using the following formula:

C × D

where,

C is \$1000, in the case of a review or reconsideration conducted by the Medical Review Committee, or \$500, in the case of a review or reconsideration conducted by a practitioner review committee;

D is the number of review days in the review or reconsideration, as determined under subsection (5).

(4) Despite subsection (3), the additional amount determined under that subsection shall not exceed,

(a) where a direction is made confirming the decision of the General Manager to refuse to pay an account for services, the amount that the physician or practitioner claimed should be paid to him or her in the review or reconsideration, multiplied by 0.35; or

(b) where a physician or practitioner is required to reimburse money to the Plan, the amount that is required to be reimbursed, multiplied by 0.35.

(5) For the purposes of subsections (1), (2) and (3), the number of review days in a review or reconsideration shall be determined as follows:

1. For each member of the committee, determine the number of days, including any partial days rounded to the first decimal, the member spent working on the review or reconsideration and on matters related thereto.

2. If the parties agreed to a settlement of the review or reconsideration, determine, for each member, the number of days, including any partial days rounded to the first decimal, the member spent considering and agreeing to the offer to settle.

3. For each member, subtract the number of days determined for the member under paragraph 2 from the number of days determined for the member under paragraph 1.

4. Add the numbers determined under paragraph 3 for each member to calculate the total number of days all the members of the committee spent working on the review or reconsideration and on matters related thereto.

(6) Despite subsections (1) and (3), the additional amount for the cost of a review or for the cost of a reconsideration of a review shall be a nil amount if the physician or practitioner who is a party to the review or reconsideration made an offer to settle the matter and the offer was refused and,

(a) where the issue in the review or reconsideration related to whether the Plan owed money to the physician or practitioner, the settlement offer provided that the physician or practitioner accept payment of an amount that was equal to or less than the amount that the committee or single member directed that the Plan pay; or

(b) where the issue in the review or reconsideration related to whether the physician or practitioner owed money to the Plan, the settlement offer provided that the physician or practitioner reimburse an amount that was equal to or greater than the amount that the committee or single member directed the member to reimburse.

(7) Upon the recommendation of the review committee, the General Manager may reduce the additional amount payable for the cost of a review or reconsideration of a review, as determined under subsections (1) to (5), by such amount as is reasonable in the circumstances.

(8) The review committee may recommend a reduction of the additional amount payable for the cost of a review or reconsideration of a review if, in the course of the review or reconsideration, either of the following circumstances are found to exist:

1. The review or reconsideration relates to accounts that were submitted to the Plan by a physician or practitioner in accordance with advice received from the General Manager.

2. The General Manager or review committee failed to provide the physician or practitioner with information that was likely to affect either his or her decision to proceed with the review or reconsideration or his or her decision to make an offer to settle the matter.

38.2.3 Sections 38.2.1 and 38.2.2 apply to any review or reconsideration of a review under section 18.1 or 39.1 of the Act that is commenced on or after November 5, 1998 or that was commenced before November 5, 1998 but in respect of which a direction had not been issued before that date.

3. This Regulation shall be deemed to have come into force on November 5, 1998.

12/00

ONTARIO REGULATION 150/00
made under the
HEALTH INSURANCE ACT

Made: March 1, 2000

Filed: March 3, 2000

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

Note: Since the end of 1998, Regulation 552 has been amended by Ontario Regulations 58/99, 59/99, 60/99, 85/99, 108/99, 177/99, 178/99, 201/99, 232/99, 271/99, 334/99, 368/99, 482/99, 483/99, 490/99, 67/00 and 149/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 38.1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out “\$20,000” at the end and substituting “\$100,000”.

(2) Subsection 38.1 (2) of the Regulation is amended by striking out “\$20,000” at the end and substituting “\$100,000”.

2. Subsection 38.2 (1) of the Regulation is amended by striking out “less than \$1,000 or more than \$5,000” at the end and substituting “more than \$5,000”.

3. (1) Subsection 38.2.1 (1) of the Regulation is amended by striking out “subsection 18.1 (10) or 39.1 (5)” and substituting “subsection 18.1 (10), 18.2 (2) or 39.1 (5)”.

(2) Paragraph 4 of subsection 38.2.1 (2) of the Regulation is amended by striking out “subsection 39.1 (5)” and substituting “subsection 18.2 (2) or 39.1 (5)”.

4. (1) Subsection 38.2.2 (3) of the Regulation is amended by striking out “section 39.1” and substituting “section 18.2 or 39.1”.

(2) Section 38.2.2 of the Regulation is amended by adding the following subsection:

(6.1) Despite subsections (1) to (3), in the case of a review or a reconsideration of a review that, as of March 3, 2000, is before a review committee and in respect of which no direction has been issued, the additional amount for the cost of the review or reconsideration shall be a nil amount if the physician or practitioner made an offer to settle the matter on or before that date, or makes such an offer within 45 days after that date, and the offer is accepted at any time after it is made.

12/00

ONTARIO REGULATION 151/00
made under the
ENVIRONMENTAL ASSESSMENT ACT

Made: March 1, 2000
Filed: March 3, 2000

**DESIGNATION — CLARINGTON WASTE
PROCESSING CENTRE LTD. LANDFILL SITE**

1. In this Regulation,

“Clarington Waste Processing Centre Ltd. Landfill Site” means any landfill site that is located on any part of Lot 11, Concession 2 or any part of Lot 11 or 12, Concession 3, former Township of Clarke in the Municipality of Clarington.

2. Any enterprise or activity of depositing waste or increasing the area on which waste may be deposited at the Clarington Waste Processing Centre Ltd. Landfill Site is defined as a major commercial or business enterprise or activity and is designated as an undertaking to which the Act applies.

12/00

ONTARIO REGULATION 152/00
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: March 2, 2000
Filed: March 3, 2000

Amending O. Reg. 670/98
(Open Seasons — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended by Ontario Regulations 88/99, 96/99, 219/99, 226/99, 387/99, 580/99, 19/00, 125/00 and 148/00.

1. (1) Table 5 of Ontario Regulation 670/98 is amended by adding the following item:

8.1	44	From the Saturday 23 days prior to the first Monday in November to the Friday 10 days prior to the first Monday in November, in any year.	From the Saturday 23 days prior to the first Monday in November to the Friday 10 days prior to the first Monday in November, in any year.	1
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(2) Item 73 of Table 5 of the Regulation is revoked and the following substituted:

73.	44	From the first Monday in November to the second following Saturday, in any year.	From the first Monday in November to the second following Saturday, in any year.	7
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JOHN C. SNOBELEN
Minister of Natural Resources

Dated on March 2, 2000.

12/00

ONTARIO REGULATION 153/00
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: March 2, 2000

Filed: March 3, 2000

Amending O. Reg. 670/98
(Open Seasons — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended by
Ontario Regulations 88/99, 96/99, 219/99, 226/99, 387/99,
580/99, 19/00, 125/00, 148/00 and 152/00.

**1. Item 1 of Table 8 of Ontario Regulation 670/98 is revoked and
the following substituted:**

1.	2, 3, 4, 5, 6, 7B, 8, 9A, 9B, 11A, 12A, 12B, 13, 14, 15A, 15B, 18A, 19, 21A, 21B, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 38, 39, 40, 41, 426:0.3	From the Saturday closest to September 17 to the third Friday following, in any year.	From the Saturday closest to September 17 to the third Friday following, in any year	1
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JOHN C. SNOBELEN
Minister of Natural Resources

Dated on March 2, 2000.

12/00

ONTARIO REGULATION 154/00
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: March 2, 2000

Filed: March 3, 2000

Amending Reg. 530 of R.R.O. 1990
(Wildlife Management Units)

Note: Since the end of 1998, Regulation 530 has been amended by Ontario Regulation 157/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The description of Wildlife Management Unit 63 set out in the Schedule to Regulation 530 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

WMU 63

All that land in the counties of Frontenac, Lanark, Lennox and Addington and Renfrew and the Regional Municipality of Ottawa-Carleton in the Province of Ontario described in WMU's 63A and 63B.

WMU 63A

All that land in the counties of Frontenac, Lanark, Lennox and Addington and Renfrew and The Regional Municipality of Ottawa-Carleton in the Province of Ontario described as follows:

Beginning at the intersection of the centre line of the Madawaska River with the centre line of that part of the King's Highway known as No. 41; thence in a southerly and southeasterly direction along that centre line to the intersection with the centre line of that part of the King's Highway

known as Secondary Highway No. 506; thence in a northeasterly direction along that centre line to the intersection with the centre line of that part of the Mississippi River System known as Swamp Creek; thence in a general easterly direction along that centre line and the centre line of the Mississippi River System to the intersection with the centre line of that part of the King's Highway known as Secondary Highway No. 509; thence in a southerly direction along that centre line to the intersection with the centre line of that part of the King's Highway known as No. 7; thence in a northeasterly direction along that centre line to the intersection with the centre line of that part of Elphin-Maberly Rd. in the Compact Rural Community of Maberly; thence in a northwesterly direction along that centre line to the intersection with the centre line of that part of McDonalds Corners Rd. in the Compact Rural Community of Elphin; thence in a northeasterly direction along that centre line to the intersection with the centre line of that part of Watsons Corners Rd. in the village of McDonalds Corners; thence in a northwesterly and northeasterly direction along that centre line to the intersection with the centre line of Dalhousie 8th Concession Rd.; thence in a northwesterly direction along that centre line connecting to the centre line of Umpherson Mill Rd. S.; thence in a northwesterly direction along that centre line connecting to the centre line of Umpherson Mill Rd.; thence in a northeasterly direction along that centre line to the intersection with the centre line of that part of South Lavant Rd.; thence in a northeasterly direction along that centre line through the Compact Rural Community of Poland to the intersection with the centre line of that part of County Rd. No. 511; thence in a northwesterly direction along that centre line through the Dispersed Rural Community of Bullock and of Brightside to the intersection with the centre line of Tatlock Rd.; thence in a northeasterly and easterly direction along that centre line through the Dispersed Rural Community of Tatlock to the intersection with the centre line of Bellamy Mills Rd. in the Village of Clayton; thence in a northerly direction along that centre line to the intersection with the centre line of that part of Ramsay Concession Rd. 7B; thence in a northwesterly direction along that centre line to the intersection with

the centre line of Sugar Bush Rd.; thence in a southwesterly direction along that centre line connecting to the centre line of Pakenham 6th Concession Rd. S.; thence in a northwesterly direction along that centre line to the intersection with the centre line of Cedar Hill Side Rd.; thence in a northeasterly direction along that centre line through the Dispersed Rural Community of Cedar Hill to the intersection with the centre line of that part of the King's Highway known as No. 29; thence in a northwesterly direction along that centre line to the intersection with the centre line of that part of the King's Highway known as No. 17; thence in a northwesterly direction along that centre line to the intersection with the centre line of the Madawaska River; thence in a westerly direction along that centre line to the place of beginning.

WMU 63B

All that land in the county of Lanark in the Province of Ontario described as follows:

Beginning at the intersection of the centre line of Cedar Hill Side Rd. with the centre line of that part of the King's Highway known as No. 29; thence in a southeasterly direction along that centre line to the intersection with the centre line of County Rd. 16 running in a southwesterly direction from the Town of Almonte; thence in a southwesterly direction along that centre line to the intersection with the centre line of that part of County Rd. 511 in the Compact Rural Community of Hopetown; thence in a southeasterly direction along that centre line through the Village of Lanark to the intersection with the centre line of that part of the King's Highway known as No. 7 in the Town of Perth; thence in a southwesterly direction along that centre line to the intersection with the centre line of that part of Elphin-Maberly Rd. in the Compact Rural Community of Maberly; thence in a northwesterly direction along that centre line to the intersection with the centre line of that part of McDonalds Corners Rd. in the Compact Rural Community of Elphin; thence in a northeasterly direction along that centre line to the intersection with the centre line of that part of Watsons Corners Rd. in the Village of McDonalds Corners; thence in a northwesterly and northeasterly direction along that centre line to the intersection with the centre line of Dalhousie 8th Concession Rd.; thence in a northwesterly direction along that centre line connecting to the centre line of Umpherson Mill Rd. S.; thence in a northwesterly direction along that centre line connecting to the centre line of Umpherson Mill Rd.; thence in a northeasterly direction along that centre line to the intersection with the centre line of that part of South Lavant Rd.; thence in a northeasterly direction along that centre line through the Compact Rural Community of Poland to the intersection with the centre line of that part of County Rd. No. 511; thence in a northwesterly direction along that centre line through the Dispersed Rural Community of Bullock and of Brightside to the intersection with the centre line of Tatlock Rd.; thence in a northeasterly and easterly direction along that centre line through the Dispersed Rural Community of Tatlock to the intersection with the centre line of Bellamy Mills Rd. in the Village of Clayton; thence in a northerly direction along that centre line to the intersection with the centre line of that part of Ramsay Concession Rd. 7B; thence in a northwesterly direction along that centre line to the intersection with the centre line of Sugar Bush Rd.; thence in a southwesterly direction along that centre line connecting to the centre line of Pakenham 6th Concession Rd. S.; thence in a northwesterly direction along that centre line to the intersection with the centre line of Cedar Hill Side Rd.; thence in a northeasterly direction along that centre line through the Dispersed Rural Community of Cedar Hill to the place of beginning.

JOHN C. SNOBELEN
Minister of Natural Resources

Dated on March 2, 2000.

12/00

ONTARIO REGULATION 155/00
made under the
NURSING ACT, 1991

Made: February 4, 2000
Approved: March 1, 2000
Filed: March 3, 2000

Revoking O. Reg. 653/93
(Committee Composition)

1. Ontario Regulations 653/93 and 55/94 are revoked.

COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

PAUL HOWE
Vice-President

GAIL SISKIND
Executive Director

Dated on February 4, 2000.

12/00

ONTARIO REGULATION 156/00
made under the
NURSING ACT, 1991

Made: February 4, 2000
Approved: March 1, 2000
Filed: March 3, 2000

Revoking O. Reg. 916/93
(Elections and Appointments)

1. Ontario Regulations 916/93 and 214/94 are revoked.

COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

PAUL HOWE
Vice-President

GAIL SISKIND
Executive Director

Dated on February 4, 2000.

12/00

ONTARIO REGULATION 157/00
made under the
NURSING ACT, 1991

Made: February 4, 2000
Approved: March 1, 2000
Filed: March 3, 2000

Revoking O. Reg. 454/95
(Fees)

1. Ontario Regulations 454/95 and 40/98 are revoked.

COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

PAUL HOWE
Vice-President

GAIL SISKIND
Executive Director

Dated on February 4, 2000.

12/00

ONTARIO REGULATION 158/00

made under the
NURSING ACT, 1991

Made: February 4, 2000
Approved: March 1, 2000
Filed: March 3, 2000

Amending O. Reg. 275/94
(General)

Note: Ontario Regulation 275/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 3 (1) of Ontario Regulation 275/94 is amended by striking out “prescribed application fee” at the end and substituting “required application fee”.

(2) Subsection 3 (2) of the Regulation is amended by striking out “prescribed application fees” at the end and substituting “required application fees”.

(3) Subsection 3 (3) of the Regulation is amended by striking out “Upon receipt of the prescribed registration fee” at the beginning and substituting “Upon receipt of the required registration fee”.

2. Section 8 of the Regulation is amended by striking out “prescribed fee” and substituting “required fee”.

3. Subsection 12 (2) of the Regulation is amended by striking out “prescribed fee” at the end and substituting “required fee”.

4. (1) Subclause 13 (1) (a) (i) of the Regulation is revoked and the following substituted:

(i) the prescribed or required penalty for failure to pay the fee,

(2) Subclause 13 (1) (a) (iii) of the Regulation is revoked and the following substituted:

(iii) the required reinstatement fee; or

(3) Subclause 13 (1) (b) (ii) of the Regulation is revoked and the following substituted:

(ii) the required reinstatement fee.

(4) Clause 13 (2) (b) of the Regulation is revoked and the following substituted:

(b) the required reinstatement fee.

(5) Clause 13 (3) (b) of the Regulation is revoked and the following substituted:

(b) the required reinstatement fee.

COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

PAUL HOWE
Vice-President

GAIL SISKIND
Executive Director

Dated on February 4, 2000.

12/00

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