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INDEX TO THE ONTARIO GAZETTE

This Issue contains the Index to the contents of Vol. 132-27 to Vol. 132-52 covering the period from July 3 to December 25, 1999. A listing of the Regulations published during this period is not included in the Index.

(6601) 8

INDEX DE LA GAZETTE DE L'ONTARIO

Ce numéro contient l'index des vol. 132-27 à 132-52, allant du 3 juillet au 25 décembre 1999. La liste des règlements publiés pendant cette période n'est pas comprise dans cet index.

Proclamation

(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, 1999

A proclamation be issued under subsection 20(4) of Schedule B to the *Red Tape Reduction Act, 1999* naming February 14, 2000 as the day on which Section 16 of Schedule B to the *Red Tape Reduction Act, 1999*, comes into force.

WITNESS:

THE HONOURABLE HILARY M. WESTON

LIEUTENANT GOVERNOR OF OUR PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on February 9, 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 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Tel que promulgué au paragraphe 20(4) de l'annexe B de la *Loi de 1999 visant à réduire les formalités administratives*, nous désignons le 14 février 2000 comme le jour où entre en vigueur l'article 16 de l'annexe B de la *Loi de 1999 visant à réduire les formalités administratives*.

TÉMOIN :

L'HONORABLE HILARY M. WESTON

LIEUTENANTE-GOUVERNEURE DE NOTRE PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 9 février 2000.

PAR ORDRE

CHRIS HODGSON
Président du Conseil de gestion du gouvernement
(6602) 8

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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.

ALVES, JAIME, P. BRAMPTON, ON	GAHAN TRANSPORT INC WESTON, ON	OHIO PACIFIC EXPRESS INC BENTON, MO
ARAB CARTAGE & EXPRESS CO. INC. ARAB, AL	GB LOGISTICS INC. MISSISSAUGA, ON	DAVE POOLE EXCAVATING LTD. THORNHILL, ON
ARCTIC COMPLIANCE SERVICES LTD. KINGSTON, ON	G.N. TRANSPORT LTD. THORNHILL, ON	PROXIMA TRANSPORT INC. TORONTO, ON
ASHSCO TRANSPORTATION SERVICES LTD. CORNWALL, ON	HESS, HANS, U. PRICEVILLE, ON	RIGER TRUCK TRANSPORTATION INC. THORNHILL, ON
BAKerview TRANSPORT LTD. SHERWOOD PARK, AB	HORST, CLARE WALLENSTEIN, ON	REES, KIMBERLY, A. CAMBRIDGE, ON
BALLARD, LESTER, V. BATESVILLE, AR	J A TOWING (BRAMPTON) LIMITED BRAMPTON, ON	RELIABLE WOOD SHAVINGS LTD GILFORD, ON
BECHARD, LIONEL, W. PAIN COURT, ON	JEDDI, NASRULLAH YORK (T), ON	ROAD KING EXPRESS INC. CRYSTAL BEACH, ON
BECK, BONNIE, E. BURLINGTON, ON	JOHAL, SARTAJ, SINGH MISSISSAUGA, ON	RO-LOU TRANSPORT LTEE SAINT-EUSTACHE, QC
MARCEL BELOIN INC. ST-MALO, QC	LONESTAR C.C. INC. EDMONTON, AB	SARNIA PAVING STONE LTD. SARNIA, ON
BERGMAN, TIMOTHY, C. NIAGARA FALLS, ON	MARTIN TRANSPORT COMPANY FLINT, MI	C. SCHULTZ ENTERPRISES LTD. STONY PLAIN, AB
TRANSPORT FELIX BILODEAU INC. ST LOUIS RAVIGNAN, QC	MAXI TRANSPORT INC. MISSISSAUGA, ON	SENIOR, DENTON REXDALE, ON
JORGE CAMPOVERDE HAULAGE LTD. DOWNSVIEW, ON	MCCUTCHEON ENTERPRISES INC. APOLLO, PA	SINGH, GURNAM MISSISSAUGA, ON
CAN-AM EAST CARRIERS INC. ABBOTSFORD, BC	MERITEX TRANSPORT INTERNATIONAL INC. LAVAL, QC	STARIVLAH, GORAN HAMILTON, ON
CHARETTE, DAVID/DUGUAY, MICHELINE AMOS, QC	MESQUITE MOVING LTD. HIGH RIVER, AB	TOMAHAWK REFRIGERATED EXPRESS LTD. WOODSTOCK FIRST NATION, NB
CHEVALIER, TOMMY, E. WESTERVILLE, OH	MIKE PAVING COMPANY INC TORONTO, ON	VIGNEAULT, JEAN-PAUL STE-MARTHE-SUR-LE-LAC, QC
COTE, PAUL, P. ASHLAND, NB	NAZIM, MOHAMED, A. AJAX, ON	WILLIS, LESLIE FERGUS, ON
DYNAMIC TRANSPORT SERVICES INC BRAMPTON, ON	T NEBBS BUILDING MATERIALS LTD SIOUX LOOKOUT, ON	169713 CANADA INC. ST-ZOTIQUE, QC
ENGAGE TRANSPORTATION LTD. CALGARY, AB	NOEL, GARTH, R. BRANTFORD, ON	963307 ONTARIO INC LIMOGE, ON
FRED'S FAST FREIGHT INC. FRANKFORT, KY	M & J NOONAN EXPRESS INC. BELLEVUE, KY	1138854 ONTARIO INC. S STE MARIE, ON
GABRIEL EXPRESS FREIGHT SERVICES INC RICHMOND HILL, ON	ODYSSEY 2000 TRANSPORTATION INC. WINDSOR, ON	1205581 ONTARIO LIMITED WATERLOO, ON

1225451 ONTARIO INC.
MARKHAM, ON

1286408 ONTARIO INC.
GLOUCESTER, ON

1377800 ONTARIO INC.
KINGSTON, ON

1390245 ONTARIO INC.
TILLSONBURG, ON

1395780 ONTARIO LTD
BRAMPTON, ON

1398577 ONTARIO INC.
YORK (T), ON

2919524 CANADA INC.
CHATHAM, QC

3540545 CANADA INC.
BRECKENRIDGE, QC

3578372 CANADA INC.
GATINEAU, QC

3653188 CANADA INC.
GRANBY, QC

3092-5192 QUEBEC INC.
GATINEAU, QC

3098-8679 QUEBEC INC.
LASALLE, QC

9054-2192 QUEBEC INC.
CHATHAM, QC

9084-9654 QUEBEC INC.
POINTE-CLAIRE, QC

9085-8317 QUEBEC INC
ST-EUSTACHE, 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.

Milton Coach Lines Inc. 45694-B
9 Seminole Dr., Brampton. ON L6W 3Y7

Applies for a transfer of shares as follows:

100 Common Shares from Jose Rebelo to Ayr Coach Lines Ltd.,
70 Baffin Place, Waterloo, ON N2V 1Z7;
100 Common Shares from Grace Rebelo to Ayr Coach Lines Ltd.,
70 Baffin Place, Waterloo, ON N2V 1Z7.

1387547 Ontario Limited 45776
5685 Talaton Trail, Mississauga, ON L5R 3N5

Applies for an extra-provincial operating licence as follows:

For the transportation of passengers on a chartered trip from points in the City of Toronto and the Regional Municipalities of Peel, York and Durham to the Ontario/Quebec, Ontario/Manitoba and Ontario/U.S.A. border crossings for furtherance to points as authorized by the relevant jurisdictions and for the return of the same passengers on the same chartered trip to the point of origin.

PROVIDED THAT:

1. the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a)(iv) of subsection 1 of section 7 of Regulation 982 under the *Public Vehicles Act*, R.S.O. 1990 Chapter P.54;

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

45776-A

Applies for a public vehicle operating licence as follows:

For the transportation of passengers on a chartered trip from points in the City of Toronto and the Regional Municipalities of Peel, York and Durham.

PROVIDED THAT the licensee be restricted to the use of Class "D" vehicles as defined in paragraph (a)(iv) of subsection 1 of section 7 of Regulation 982 under the *Public Vehicles Act*, R.S.O. 1990 Chapter P.54.

1400641 Ontario Inc. 45777
108 Beaver Terrace, Toronto, ON M6H 4G8

Applies for an extra-provincial operating licence as follows:

For the transportation of passengers on a chartered trip from points in:

- A. the City of Toronto and the Regional Municipalities of Hamilton-Wentworth, Halton, Peel, York and Durham to the Ontario/Quebec, Ontario/Manitoba and Ontario/U.S.A. border crossings for furtherance to points as authorized by the relevant jurisdictions:

- (i) and for the return of the same passengers on the same chartered trip to the point of origin.

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

- (ii) on a one way chartered trip to points as authorized by the relevant jurisdiction.

- B. the Province of Quebec as authorized by the Province of Quebec from the Ontario/Quebec, Ontario/Manitoba and Ontario/USA border crossings:

- (1) to points in Ontario;
- (2) in transit through Ontario to the Ontario/Quebec, Ontario/Manitoba and the Ontario/USA border crossings for furtherance;

- (i) and for the return of the same passengers on the same chartered trip to point of origin.

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

- (ii) to points in Ontario on a one way chartered trip without pick-up of passengers in Ontario.

- (iii) to points in the United States of America on a one way chartered trip in transit through Ontario.

45777-A

Applies for a public vehicle operating licence as follows

For the transportation of passengers on a chartered trip from points in the City of Toronto and the Regional Municipalities of Hamilton-Wentworth, Halton, Peel, York and Durham.

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
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1999-12-20	
CIRCLE C FARMS LIMITED	490069
HIGHLAND AUTOMOTIVE AND ELECTRONICS LIMITED	314024
MOBILITY SPECIALISTS INC.	1091216
PEMBROKE MARKETING COMPANY LIMITED	1091988
WALTER'S LANDSCAPING SERVICE LTD.	996623
1999-12-21	
A.K. DRYSDALE HOLDINGS LIMITED	861827
A.S.A.P. TECHNOLOGIES LIMITED	1046618
G E W CONSULTING INC.	813416
996767 ONTARIO INC.	996767
997915 ONTARIO INC.	997915
1999-12-23	
557707 ONTARIO INC.	557707
1999-12-24	
784484 ONTARIO LTD.	784484
1999-12-29	
DONALD MORRIS LIMITED	239500
TRIPLE L HOLDINGS LIMITED	130001
1999-12-31	
ANCHORAGE LOGISTIX INC.	1297554
IMAGE UNLIMITED PHOTO LABORATORY INC.	1078590
JASMINE TEA FILMS INC.	788220
2000-1-5	
1295427 ONTARIO LTD.	1295427
2000-1-7	
AMI (CANADA) LTD.	426703
CHINA BRIGHT ARTS TRADING CO. LTD.	1370525
DATAPLEX TECH INC.	1060472
DE MARA INC.	154362
SNS TECHNOLOGY INC.	1309712
TRINITY CYPHER INC.	1105625
913939 ONTARIO LIMITED	913939
1323253 ONTARIO INC.	1323253
2000-1-14	
YAM LOI (CANADA) INTERNATIONAL CO. LTD.	1195890
2000-1-21	
CANAUDIT INC.	610610
2000-1-24	
ATHENA BOOK SELLER (PICKERING) LTD.	871621
2000-1-25	
MARVIC MANAGEMENT & ENTERPRISES LIMITED	212347
2000-1-26	
ZELMATICA INVESTMENTS INC. LIMITED	293216
1044900 ONTARIO LIMITED	1044900
2000-1-27	
JONES ELECTRIC (PETERBOROUGH) LIMITED	115738
RUSS LEE ELECTRIC LTD.	427470
T. T. RUBBER DISTRIBUTORS LIMITED	91679
2000-1-28	
CONTROL MART LIMITED	893718
ORLEANS PALACE RESTAURANT LTD.	373137
THE DECK AND INTERIOR TRIM COMPANY LIMITED	868455
988416 ONTARIO LTD.	988416

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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1262198 ONTARIO INC.	1262198
2000-1-31	
D.N.D. EXPRESS INC.	1348968
GLANTEGID ASSOCIATES LTD.	376101
HOLLAN-ORR ENTERPRISES INC.	715409
KUNDAN CORP.	561859
SCOTT ROAD MOTOR LTD.	784846
THE PORT STEAKS AND BURGERS INC.	965503
981689 ONTARIO INC.	981689
1055348 ONTARIO LIMITED	1055348
1116767 ONTARIO INC.	1116767
1375842 ONTARIO INC.	1375842
2000-2-1	
EL PASO LATIN STORE LTD.	1172814
H.S.B. HOLDINGS LIMITED.	306681
R.S.M. MARKETING GROUP INC.	1289776
STEPHAN & GAINER LIMITED.	78981
STP ENVIRONMENTAL GROUP, LTD.	792782
STP ENVIRONMENTAL HOLDINGS, LTD.	803132
SUDI LIMITED	236306
1390045 ONTARIO INC.	1390045
1390046 ONTARIO INC.	1390046
2000-2-2	
MCDALE FARMS LIMITED	134733
PIMLICO INC.	1196798
1254518 ONTARIO INC.	1254518
1286381 ONTARIO LIMITED	1286381
2000-2-3	
BURAMIS ENTERPRISES LTD.	369341
GOLDEN CINEMA CO. LTD.	802875
GOLDEN HEXAGON ENTERPRISES INC.	1116846
LINGAM'S JEWELLERY INC.	1261440
ROBERT AND ANNE HURLBUT HOLDINGS LTD.	924543
TROIBALT COMPANY LIMITED	86191
2000-2-4	
CARIBE PACIFIC LIMITED.	823003
GI MEI SNACK HOUSE LIMITED	1149333
GROPPY DELICATESSEN INC.	909802
MASTER/NCE PETROLEUM MANAGEMENT (1989) CORP.	810918
MASTER/NCE PETROLEUM MANAGEMENT (1990-I) CORP.	859999
MOUNT PLEASANT & EGLINTON ONE HOUR PHOTO IMAGE CENTRE LTD.	1093176
1134619 ONTARIO INC.	1134619

8/00

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: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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CANHOLME HOLDINGS LIMITED.....	257665
CLEARWOOD DEVELOPMENTS LIMITED.....	255751
KINGSGATE HOMES LIMITED.....	799006
QUANTUS INVESTMENTS LIMITED.....	216559

8/00
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 24th January, 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 24 janvier 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
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BRANT VILLAGE DEVELOPMENTS LTD.....	925565
PEPLAR INVESTMENTS LIMITED.....	227082

8/00
CAROL D. KIRSH,
Director, Companies Branch
Directrice, Direction des compagnies

Notice of Default in Complying with the Corporations Information Act Notice de non-observation de la loi sur les renseignements exigés des compagnies et des associations

NOTICE IS HEREBY GIVEN under subsection 241 (3) of the *Business Corporations Act* that unless the corporations listed hereunder comply with the filing requirements under the *Corporations Information Act* within 90 days of this notice orders dissolving the corporation(s) will be issued. The effective date precedes the corporation listings.

AVIS EST DONNÉ PAR LES PRÉSENTE que, conformément au paragraphe 241 (3) de la *Loi sur les sociétés par actions*, si les compagnies mentionnées ci-dessous ne se conforment pas aux exigences de dépôt requises par la *Loi sur les renseignements exigés des compagnies et des associations* dans un délai de 90 jours suivant la réception du présent avis, des ordonnances de dissolution seront délivrées contre lesdites compagnies. 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
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2000-2-3	
ACME ASPHALT SEALING & PAVING LTD.....	1277329
CAMELBACK INTERNATIONAL CORPORATION.....	1335608
DOLLAR GIANT STORES LTD.	1335636
LASER-TECH INC.	1306924
MATILDA DESIGNS INC.	1335642
1335360 ONTARIO INC.	1335360

8/00
CAROL D. KIRSH,
Director, Companies Branch
Directrice, Direction des compagnies

Co-operative Corporations Act (Certificate of Incorporation Issued) Loi sur les sociétés coopératives (Certificat de constitution délivrés)

NOTICE IS HEREBY GIVEN that, under the *Co-operative Corporations Act*, a certificate of Incorporation has been issued to:

AVIS EST PAR LES PRÉSENTES DONNÉ qu'en vertu de la *Loi sur les sociétés coopératives* un certificat de constitution a été délivré à :

Name of Corporation and Head Office: Nom de la compagnie et siège social :

2000-2-1
Simcoe.org Co-operative Inc., Midhurst

JOHN M. HARPER,
Director, Examination Licensing and
Enforcement Division,
by delegated authority from
Dina Palozzi
Superintendent of Financial Services.
Directeur, Examination Division
de la délivrance des permis et de
l'application des mesures législatives,
en vertu de pouvoirs délégués par
Dina Palozzi
surintendante des services financiers.

8/00

**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.

CLAUDE L. DESROSIERIS.
Clerk of the Legislative Assembly.

(8699) T.F.N.

**Applications to Provincial Parliament
Demandes au Parlement provincial**

**THE CORPORATION OF THE TOWNSHIP
OF WEST PERTH**

NOTICE IS HEREBY GIVEN THAT, on behalf of the Corporation of the Township of West Perth, application will be made to the Legislative Assembly of the Province of Ontario, for an Act to permit Council to change the name of The Corporation of the Township of West Perth to the Corporation of the Municipality of West Perth.

This application will be considered by a Standing Committee of the Legislative Assembly. Any person who has an interest in the application and who wishes to make submissions, for or against the application, to the Standing Committee should notify, in writing, the Clerk of the Legislative Assembly, Legislative Building, Queen's Park, Toronto, Ontario M7A 1A2.

Dated at the Corporation of the Township of West Perth, this 29th day of January, 2000.

PATRICIA TAYLOR, Clerk,
Township of West Perth,
Box 609,
Mitchell, Ontario N0K 1N0,
(519) 348-8429.

(3160) 6-9

**THE CORPORATION OF THE TOWN
OF GREATER NAPANEE**

NOTICE IS HEREBY GIVEN on behalf of the Corporation of the Town of Greater Napanee that application will be made to the Legislative Assembly for an Act to amend the Minister's Order dated January 1st, 1997 under Section 25(2) of the *Municipal Act* which implemented a restructuring order for the County of Lennox & Addington. The purpose of the amendment will be to repeal Section 4.3(b)(2) which states: "After the new term of Council commences in the year 2000 each Member of Council shall have one vote unless that member is elected in a Ward that has more than 2,500 electors, then the member shall have an additional vote, except when voting on changes to Ward boundaries, then each member shall have only one vote." The repeal of this Section will in effect leave each Member of Council with one vote. The application will be considered by Standing Committee on Regulations and Private Bills.

Any person with an interest in this application and wishing to make submissions for or against the application should notify in writing: Clerk for Regulations, Legislative Assembly, Room 1405, Whitney Block, 99 Wellesley Street West, Toronto, Ontario M7A 1A2.

Dated at the Town of Greater Napanee, this 1st day of February, 2000.

RAYMOND D. CALLERY,
Clerk-Administrator,
Town of Greater Napanee,
P.O. Box 97,
Napanee, Ontario
K7R 3L4.

(3174) 7-10

**Corporation Notices
Avis relatifs aux compagnies**

STRATHEARN APARTMENTS LIMITED

TAKE NOTICE CONCERNING WINDING UP of Strathearn Apartments Limited, Date of Incorporation: April 26, 1951, Liquidator: Rose Tam, 2200 Avenue Road, Toronto, Ontario M5M 4B9 and Andrea F. Ucci, 390 Woodsworth Road, Toronto, Ontario M2L 2T9, Date Appointed: February 1, 2000.

This notice is filed under subsection 193 (4) of the *Business Corporations Act*. The Special Resolution requiring the Corporation to be wound up voluntarily was passed/consented to by the shareholders of the Corporation on February 1, 2000.

Dated this 10th day of February, 2000.

ROSE TAM,
Liquidator.

(3179) 8

**Partnership Dissolution/Changes
Dissolution de sociétés/La modifications**

JORNAL A DIASPORA

NOTICE IS HEREBY GIVEN that the Partnership between Jose Ferreira and Paulo Amarin carrying on business under the name of Jornal A Diaspora was dissolved effective January 1, 2000.

FURTHER TAKE NOTICE that Paulo Amarin and Maria Nanan will continue the business under the same name Jornal A Diaspora pursuant to the *Partnerships Act*.

Dated at Toronto, this 10th day of February, 2000.

MITCHELL MOSTYN,
Solicitor for Jose Ferreira.

(3180) 8

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

DISTRICT OF COCHRANE

UNDER AND BY VIRTUE of a certain Writ of Seizure and Sale issued out of the Ontario Court (General Division), and to me directed, against the lands and tenements of GERMAIN LABBE, at the suit of AGRITIBI R.H. INC., Plaintiff, I have seized and taken in execution all right, title, interest and equity of the above named GERMAIN LABBE, Defendant in and to:

ALL AND SINGULAR the interest of certain parcels of tract of land situated in the Hearst area, in the District of Cochrane, namely:

- 1) Lot Number Twenty-Eight, in the Fourth Concession of the said Township of Kendall, excepting the East Half and also excepting Part 1 on Plan 6R-5336, being the remainder of Parcel 2736 in the Register for Centre Cochrane. On the said property, there is said to be erected a single storey family dwelling (bungalow) covered on all exterior walls with white siding. An aluminum siding garage of approximately 32 x 50 x 14 is located along side of the dwelling.
- 2) The East Half of Lot Number 9, in the Twelfth Concession, of the said Township of Lowther, containing by admeasurement Seventy-Five (75) Acres, more or less, being the whole of Parcel 3256 in the Register for Centre Cochrane. The said property is described as being vacant land.

Such sale of the above properties is subject to the exemptions, qualifications and encumbrances as noted in the Parcel Registers in the Office of Land Titles, Cochrane, Ontario.

ALL OF WHICH the said right, title, interest and equity of redemption of GERMAIN LABBE, I shall offer for sale by public auction at the Cochrane District Courthouse, 149, 4th Avenue, in the Town of Cochrane, at 11 o'clock in the forenoon of Thursday, the 20th day of March, 2000.

TERMS: Cash or certified cheque;
Immediate payment of 10% of bid price at the time of sale – Minimum (\$600.00);
Ten days to arrange financing;
Delivered only on payment in full, failing which all payments are forfeited.

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

Dated at Cochrane, this 1st day of February, 2000.

(3175) 8 CHRISTINE ROBIN, Sheriff,
District of Cochrane.

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of the Superior Court of Justice in an action where MOIRA PATRICIA (HUNDRIESER) HUGHES, is the creditor and JOHN HERBERT HUNDRIESER is the debtor, I have seized and taken in execution all the right, title, interest and equity of redemption of the said JOHN HERBERT HUNDRIESER in and to:

ALL AND SINGULAR those lands and premises being composed of Lot 23, Concession 19 and the East Half of Lot 24, Concession 19, in the Township of Grattan, in the County of Renfrew known municipally as R.R. #2, Eganville, Ontario K0J 1T0.

ALL OF WHICH said right, title, interest and equity of redemption of the said JOHN HERBERT HUNDRIESER shall sell by public auction at my office in the Court House, 297 Pembroke Street East, Pembroke, Ontario on Friday, the 24th day of March, 2000 at 10:00 a.m.

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

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

NOTE: No employee of The Ministry of the Attorney General may purchase, any goods or chattels, lands or tenements at this sale, either directly or indirectly.

Dated at Pembroke, this 7th day of February, 2000.

(3176) 8 JEANNE CARMODY,
Sheriff.

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 MUNICIPALITY CAMPBELLFORD/SEYMOUR

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 Monday March 20, 2000 at 66 Front Street South.

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

Description of Land(s)	Minimum Tender Amount
a) All of Lot 27, Block 16, Plan 112 save and except Part 6 on Plan 38R5676 in the Town of Campbellford, County of Northumberland, north of Alma Street. Now in the Municipality of Campbellford/Seymour	\$3,195.70
b) All of Lot 28, Block 16, Plan 112 save and except Part 7 on Plan 38R5676 in the Town of Campbellford, County of Northumberland, north of Alma Street. Now in the Municipality of Campbellford/Seymour	\$3,195.70
c) All of Lot 29, Block 16, Plan 112 save and except Part 8 on Plan 38R5676 in the Town of Campbellford, County of Northumberland, north of Alma Street. Now in the Municipality of Campbellford/Seymour	\$3,195.70
d) All of Lot 30, Block 16, Plan 112 save and except Part 9 on Plan 38R5676 in the Town of Campbellford, County of Northumberland, north of Alma Street. Now in the Municipality of Campbellford/Seymour	\$3,195.70
e) All of Lot 31, Block 16, Plan 112 save and except Part 10 on Plan 38R5676 in the Town of Campbellford, County of Northumberland, north of Alma Street. Now in the Municipality of Campbellford/Seymour	\$3,195.70
f) All of Lot 32, Block 16, Plan 112 save and except Part 11 on Plan 38R5676 in the Town of Campbellford, County of Northumberland, north of Alma Street. Now in the Municipality of Campbellford/Seymour	\$3,195.70
g) 174 Balaclava Street (former O & R Lumber & Bldg. Co.)	\$62,850.57

Disclosure

A 1993 environmental evaluation by Site Investigation Services Ltd. has revealed petroleum contamination of the soils on the above properties. The soils report is available for review at the Clerk's Office.

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 twenty (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:

SHIRLEY PRESTON,
Clerk,
Municipality of Campbellford/Seymour,
66 Front Street South,
P.O. Box 1030,
Campbellford,
Ontario K0L 1L0.

(3177) 8

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
TOWNSHIP OF EDWARDSBURGH**

TAKE NOTICE that tenders are invited for the purchase of the lands described below and will be received until 3:00 p.m. local time on March 2, 2000 at the Municipal Office in Spencerville, Ontario.

The tenders will then be opened in public on the same day at 3:30 p.m. local time at the Municipal Office in Spencerville, Ontario.

Minimum
Tender Amount

Description of Land(s)

1. *FIRSTLY*: Part of the west half of Lot 18, Concession 6, being Part 3 on Plan 15R-7396;
- SECONDLY*: Part of road allowance between Lot 18, Concession 6, and the centre commons between Lots 18 and 19, Concession 6, being Part 4 on Plan 15R-7396 Township of Edwardsburgh, County of Grenville. \$11,893.88

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:

RUSSELL TRIVETT,
Treasurer/Deputy Clerk,
The Corporation of the
Township of Edwardsburgh,
P.O. Box 129,
Spencerville, Ontario K0E 1X0,
(613) 658-3055.

(3178) 8

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

2000—02—19

ONTARIO REGULATION 18/00 made under the ELECTRICITY ACT, 1998

Made: January 28, 2000
Filed: January 31, 2000

Amending O. Reg. 124/99
(Transfer Tax on Municipal Electricity Property)

Note: Ontario Regulation 124/99 has not previously been amended.

1. Section 2 of Ontario Regulation 124/99 is amended by adding the following subsections:

(5) If a corporation (the “successor corporation”) is formed as a result of the amalgamation or merger of two or more corporations (the “predecessor corporations”), an interest in property described in subsection (1) that is held by a predecessor corporation immediately before the amalgamation or merger shall be deemed to have been transferred to the successor corporation upon the amalgamation or merger. That transfer shall be deemed to constitute a transfer described in subsection (1).

(6) Subsection (5) does not apply with respect to an amalgamation of two or more municipal corporations or municipal electricity utilities, if the amalgamation is required by an Act or is otherwise required by law.

(7) If a shareholder of a corporation ceases to own a share of the capital stock of the corporation because the corporation redeems, acquires or cancels the share, the shareholder shall be deemed to have transferred to a person other than a municipal electricity utility an interest in the corporation having a fair market value equal to the fair market value of the share. That transfer shall be deemed to constitute a transfer described in subsection (1).

(8) If a shareholder of a corporation receives an amount on the reduction of capital in respect of a share of the corporation otherwise than by way of a redemption, acquisition or cancellation of the share, the shareholder shall be deemed to have transferred to a person other than a municipal electricity utility an interest in the corporation having a fair market value equal to the amount received on the reduction of capital. That transfer shall be deemed to constitute a transfer described in subsection (1).

(9) Subsections (7) and (8) do not apply if the Minister of Finance is satisfied that the redemption, acquisition or cancellation of the share by the corporation or the reduction of capital in respect of the share is not part of a transaction or series of transactions that results in a change in the direct or indirect ownership of the corporation.

(10) Subsections (5) and (6) do not apply with respect to an amalgamation or merger pursuant to an agreement in writing that the Minister of Finance is satisfied was entered into before January 31, 2000, if the Minister is satisfied that the parties have a binding obligation under the agreement to proceed with the amalgamation or merger.

(11) Subsections (7) to (9) do not apply with respect to a redemption, acquisition or cancellation of a share or to a reduction of capital in respect of a share pursuant to a written resolution of the directors or

shareholders of a corporation if the Minister of Finance is satisfied that the resolution was made before January 31, 2000.

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

MODIFICATIONS TO THE METHOD OF CALCULATING THE TRANSFER TAX

3.1 (1) This section applies if a municipal corporation or municipal electricity utility proposes to transfer to a person an interest in the shares of a corporation, in a partnership or in another entity and if the interest to be transferred derives its value, in whole or in part, from real or personal property that has been used in connection with generating, transmitting, distributing or retailing electricity.

(2) The amount payable under subsection 94 (1) of the Act to the Financial Corporation is the amount calculated using the formula,

$$A \times \frac{B}{C} \times D$$

in which,

“A” is the fair market value of all real or personal property,

(a) that has been used in connection with generating, transmitting, distributing or retailing electricity (other than interests described in subsection 94 (2) of the Act), and

(b) in which the corporation, partnership or other entity has a direct or indirect interest;

“B” is the fair market value of the interest in the shares of the corporation, in the partnership or in the entity that the municipal corporation or municipal electricity utility proposes to transfer to the person;

“C” is the aggregate fair market value of all issued and outstanding shares of the corporation, all ownership interests in the partnership or all ownership interests in the entity; and

“D” is the percentage set out in section 1.

(3) For the purposes of subsection (2), fair market value is determined as of the date on which the proposed transfer is to take place.

(4) This section does not apply with respect to a transfer pursuant to an agreement in writing that the Minister of Finance is satisfied was entered into before January 31, 2000, if the Minister is satisfied that the parties have a binding obligation under the agreement to proceed with the transfer.

ERNE EVES
Minister of Finance

Dated on January 28, 2000.

8/00

ONTARIO REGULATION 19/00
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: January 28, 2000
Filed: February 1, 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 and 580/99.

1. (1) Items 7 and 8 of Table 7 of Ontario Regulation 670/98 are revoked and the following substituted:

7.	Ruffed Grouse and Spruce Grouse	32 to 41, inclusive, 45	From September 15, or if September 15 falls on a Sunday, the Saturday immediately prior to September 15, to December 15, in any year.		Combined total of 5	Combined total of 15
8.	Ruffed Grouse and Spruce Grouse	2 to 31, inclusive	From September 15, or if September 15 falls on a Sunday, the Saturday immediately prior to September 15, to the last day in December, in any year.		Combined total of 5	Combined total of 15

(2) Table 7 of the Regulation is amended by adding the following item:

14.1	Sharp-tailed Grouse and Ptarmigan	2 to 9, inclusive 11 to 16, inclusive 19, 20, 21	From September 15, or if September 15 falls on a Sunday, the Saturday immediately prior to September 15, to December 31, in any year.		5 Sharp-tailed Grouse 5 Ptarmigan	15 Sharp-tailed Grouse 15 Ptarmigan
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(3) Item 15 of Table 7 of the Regulation is revoked and the following substituted:

15.	Sharp-tailed Grouse and Ptarmigan	10, 32 to 39, inclusive 41, 45	From September 15, or if September 15 falls on a Sunday, the Saturday immediately prior to September 15, to December 15, in any year.		5 Sharp-tailed Grouse 5 Ptarmigan	15 Sharp-tailed Grouse 15 Ptarmigan
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JOHN C. SNOBELEN
Minister of Natural Resources

Dated on January 28, 2000.

8/00

ONTARIO REGULATION 20/00
made under the
TOBACCO TAX ACT

Made: January 28, 2000
Filed: February 1, 2000

Amending Reg. 1035 of R.R.O. 1990
(Refunds)

Note: Regulation 1035 has not previously been amended.

1. (1) Subsection 1 (3) of Regulation 1035 of the Revised Regulations of Ontario, 1990 is amended by striking out “Treasurer” and substituting “Minister”.

(2) Clause 1 (4) (b) of the Regulation is amended by striking out “three years” and substituting “four years”.

(3) Subclause 1 (4) (b) (i) of the Regulation is amended by striking out “Treasurer” and substituting “Minister”.

ERNE EVES
Minister of Finance

Dated on January 28, 2000.

8/00

ONTARIO REGULATION 21/00
made under the
TOBACCO TAX ACT

Made: January 28, 2000
Filed: February 1, 2000

Amending Reg. 1033 of R.R.O. 1990
(Forms)

Note: Regulation 1033 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 3 of Regulation 1033 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

3. (1) In this section,

“applicant” means a collector, importer, retail dealer or wholesaler who applies for a refund under this section;

“bankruptcy debt” means a debt incurred by a person who subsequently becomes a bankrupt within the meaning of the *Bankruptcy and Insolvency Act* (Canada);

“debt” means the portion of the sale price of tobacco that remains unpaid and owing to an applicant;

“designated time limit” means, in respect of an application for a refund under this section, within four years after,

- (a) the last day of the applicant’s fiscal year in which the applicant wrote off the debt as an uncollectible account, if the refund relates to a debt other than a bankruptcy debt or a receivership debt,
- (b) the date of filing of the applicant’s claim with the debtor’s trustee in bankruptcy or receiver, as the case may be, if the refund relates to a bankruptcy debt or a receivership debt, or
- (c) the date of the loss, destruction, theft or contamination of the tobacco, if the refund relates to tobacco that was lost, destroyed, stolen or contaminated;

“receiver” includes a receiver and manager;

“receivership debt” means a debt owed by a debtor who is in receivership and whose property is under the control of a receiver;

“sale price” includes, in respect of the sale of tobacco, the amount on account of the tax under the Act in respect of the tobacco.

(2) The Minister may allow a refund to an applicant of an amount on account of tax collectible or payable under the Act that has been remitted by the applicant to the Minister, or that has been paid over by the applicant in accordance with the Act for subsequent remittance to the Minister,

- (a) if the tax is in respect of tobacco sold by the applicant and all or part of the sale price has not been paid and has become an uncollectible debt; or
- (b) if the tax is in respect of tobacco that has been lost, destroyed, stolen or contaminated, and cannot be sold or used by the applicant.

(3) Despite subsection (2), no refund is allowed in any of the following circumstances:

1. If any portion of the sale price of the tobacco referred to in clause (2) (a) has been assigned by private contract, with or without recourse, other than for security purposes, to a person other than the Minister.
2. If a refund of an amount on account of the tax has previously been made, or the applicant is otherwise entitled under the Act or the regulations to receive or to apply to receive a refund of or an allowance in compensation for the amount on account of the tax.
3. If the applicant and the debtor were not dealing at arm’s length within the meaning of section 251 of the *Income Tax Act* (Canada) at the time of the sale of the tobacco, in the case of tobacco referred to in clause (2) (a).
4. If the applicant has not complied with the requirements of this section.
5. If the Minister is not satisfied that,
 - i. in the case of tobacco referred to in clause (2) (a), the debt is uncollectible, or
 - ii. in the case of tobacco referred to in clause (2) (b), the tobacco cannot be used or sold by the applicant and compensation referable to the amount of the refund has not been received by the applicant.
6. If the application for the refund is not made before the end of the designated time limit.

(4) The amount of the refund is determined as follows:

1. If all or part of the sale price of the tobacco sold by the applicant has not been paid and has become an uncollectible debt, other than a receivership or bankruptcy debt, the amount of the refund is equal to that portion of the amount remitted or paid over by the applicant on account of tax with respect to the tobacco that the uncollectible debt bears to the total sale price of the tobacco.
2. If all or part of the sale price of the tobacco sold by the applicant has not been paid and has become a receivership or bankruptcy debt, the amount of the refund is equal to that portion of the amount remitted or paid over by the applicant on account of tax with respect to the tobacco that the receivership or bankruptcy debt bears to the total sale price for the tobacco.
3. If the tobacco has been lost, destroyed, stolen or contaminated, the amount of the refund is equal to the amount remitted or paid over by the applicant on account of tax with respect to the tobacco.

(5) If the applicant is not a collector, the applicant may apply for a refund under this section in respect of an uncollectible debt by delivering to the Minister an application for the refund in a form acceptable to the Minister, together with all other information and documents that the Minister requires, including the following:

1. Copies of all invoices for the sale of tobacco in respect of which the refund is claimed.
2. Proof satisfactory to the Minister that the amount claimed was remitted to the Minister under the Act or was paid over as required under the Act for remittance to the Minister.
3. A signed statement by the applicant certifying the amount of the debt and certifying that the applicant does not have any right to receive any payment in satisfaction of part or all of the debt from any person other than the debtor or the debtor’s representative.
4. Proof satisfactory to the Minister that all reasonable collection action has been taken to obtain payment of the debt, that the debt

is unsecured, that the debt is uncollectible and that the applicant has written off the debt as uncollectible in accordance with generally accepted accounting principles.

5. If the debt is a receivership debt, a signed statement by the applicant certifying that the applicant has filed with the debtor's receiver a claim in respect of the debt to which the refund relates.
6. If the debt is a bankruptcy debt, a copy of the applicant's proof of claim in the bankruptcy in respect of the debt to which the application relates, proof satisfactory to the Minister that the proof of claim was not disallowed and proof satisfactory to the Minister that the applicant will not receive payment of the debt from the trustee in bankruptcy or other person.
7. If the debt is a bankruptcy debt or a receivership debt, an assignment to the Minister in a form satisfactory to the Minister of the portion of the debt equal to the amount of the refund claimed.

(6) If the applicant is not a collector, the applicant may apply for a refund under this section in respect of tobacco that has been lost, destroyed, stolen or contaminated by delivering to the Minister an application for the refund in a form acceptable to the Minister, together with all other information and documents that the Minister requires, including the following:

1. A copy of any settlement by or written confirmation from an insurance company confirming settlement of any claim for the loss with respect to which the refund is being claimed.
2. A copy of any police report made with respect to the loss.
3. A copy of any fire marshal's report made with respect to the cause of the loss.
4. Proof that the amount claimed was remitted to the Minister under the Act or was paid over in accordance with the Act for remittance to the Minister.

(7) If the Minister is satisfied that an applicant, other than a collector, is entitled to a refund under this section, the Minister may pay the refund to the applicant.

(8) If the applicant under this section is a collector, the following rules apply:

1. The collector may deliver to the Minister an application for the refund in a form approved by the Minister and may then deduct and retain the amount of the refund from an amount that the collector would otherwise remit to the Minister under the Act.
2. The collector shall retain for subsequent verification by the Minister the material in connection with the refund application that would otherwise be required to be delivered to the Minister by an applicant under subsection (5) or (6) with an application for the refund.
3. If the Minister disallows all or part of the refund, the Minister shall cause to be served on the collector a statement of disallowance under section 19 of the Act. The collector shall remit to the Minister the amount of the refund disallowed by the Minister, together with interest on the amount at the rate prescribed under section 25 of Regulation 1034 of the Revised Regulations of Ontario, 1990 for the period during which the collector retained the amount. The collector shall remit the amount with the next return or at any earlier time specified in the statement of disallowance, whether or not an objection to or an appeal from the disallowance is made or taken.

3.1 (1) This section applies if a refund in respect of a debt is made under section 3 and the applicant subsequently receives,

(a) a payment from the debtor; or

(b) a payment from another person in satisfaction of all or part of the debt.

(2) When the applicant receives a payment, the applicant shall pay to the Minister the portion of the payment that is determined by the Minister to have been paid to the applicant on account of tax payable under the Act.

(3) The payment to the applicant shall be allocated, for the purposes of this section, to the applicable sales of tobacco in the order of the dates of the applicable sales.

ERNIE EVES
Minister of Finance

Dated on January 28, 2000.

8/00

ONTARIO REGULATION 22/00
made under the
OIL, GAS AND SALT RESOURCES ACT

Made: February 2, 2000

Filed: February 3, 2000

Amending O. Reg. 245/97
(Exploration, Drilling and Production)

Note: Ontario Regulation 245/97 has not previously been amended.

1. (1) Section 1 of Ontario Regulation 245/97 is amended by adding the following definition:

“private well” means,

(a) an unplugged well drilled for the purpose of oil or gas exploration or production on land of which the operator owns both the surface and mineral rights, and

(b) if oil or gas is produced from the well, the oil or gas,

(i) is for the operator's private use,

(ii) is not used in relation to a business or commercial enterprise, and

(iii) is not sold by the operator;

(2) The definition of “Provincial Standards” in section 1 of the Regulation is revoked and the following substituted:

“Provincial Standards” means the standards set out in “Oil, Gas and Salt Resources of Ontario Operating Standards”, published by the Ministry, as amended from time to time;

(3) Section 1 of the Regulation is amended by adding the following definition:

“spud”, with respect to a well, means the commencement of actual drilling of the well's surface casing hole using a cable tool or rotary drilling rig, but does not include activities to prepare a site for drilling the well, including installing a conductor pipe;

2. (1) The heading preceding section 3 of the Regulation is revoked and the following substituted:

WELL LICENCES

(2) Section 3 of the Regulation is revoked and the following substituted:

3. (1) A well licence expires on the first anniversary of its date of issue, if the well was not spudded before that date.

(2) The authority to drill that is granted in a well licence terminates on the earlier of,

- (a) the TD date of the well; and
- (b) the first anniversary of the date of issue of the licence.

(3) The authority to deepen a well that is granted in an amended well licence terminates on the earlier of,

- (a) the TD date of the drilling to deepen the well; and
- (b) the date specified as a condition on the amended well licence.

(4) If drilling is in progress on the date referred to in clause (2) (b) or (3) (b), the operator may continue drilling the well to its proposed total depth but such drilling shall not continue beyond the date that is 90 days after the date referred to in clause (2) (b) or (3) (b).

(5) An operator shall not drill or deepen a well beyond the depth permitted by the well licence unless the operator has applied for and obtained an amendment to the well licence permitting the new depth.

(6) An operator shall not drill a new deviated or horizontal well from an existing well unless the operator has applied for and obtained a well licence for the new well.

(7) The depth permitted by a well licence or amended well licence after the well's TD date shall be deemed to be the depth of the well attained on the TD date unless the well is plugged back, in which case the depth permitted by the well licence or amended well licence shall be deemed to be the plugged-back depth.

(8) Where information on a well licence or amended well licence differs from the well licence information on file with the Ministry, the well licence information on file with the Ministry shall be deemed to be the correct well licence information.

3. Sections 4 and 5 of the Regulation are revoked and the following substituted:

4. The holder of the well licence shall forthwith notify the Minister in writing of any change in the well's drilling program and location supplied on the well licence application, the accompanying drilling program and the well location plan and shall not drill or continue drilling unless the Minister approves the change.

5. (1) The operator of a well shall pay a well licence fee on or before February 15 of each year, based on the Table to this section.

- (2) The fee is payable to the Oil, Gas and Salt Resources Trust.
- (3) The payment shall accompany the Annual Well Status Report.

TABLE

Item	Type of Well or Storage	Fee
1.	Private well	\$0 per well
2.	Active gas well	\$0.09 per 10 ³ m ³ gas produced during the previous calendar year
3.	Active oil well	\$0.18 per m ³ oil produced during the previous calendar year
4.	Natural gas storage	\$75 per well
5.	Observation wells	\$10 per well

Item	Type of Well or Storage	Fee
6.	Salt cavern storage well	\$150 per well
7.	Solution mining wells	\$150 per well

4. Sections 6, 7, 8, 9, 10, 11, 12 and 13 of the Regulation are revoked and the following substituted:

REGISTRATION OF WORKS

7. (1) In this section,

“production facility” means any work used in association with a well to,

- (a) produce oil or gas,
- (b) store oil, gas or other hydrocarbons in a geological formation,
- (c) dispose of oil field fluid in a geological formation, or
- (d) conduct solution mining.

(2) The operator of a well shall notify the Minister within 15 days after any change in the following:

1. The name, address or telephone number of the operator, operator's agent, if any, or any emergency contact persons.

2. The status of the well.

(3) The operator of a production facility shall submit to the Minister, within 30 days after completion of the production facility, a scaled drawing or map showing,

- (a) the name, address and telephone number of the operator, operator's agent, if any, and emergency contact persons;
- (b) the location of each work in the production facility by tract, lot, concession and geographic township; and
- (c) a list of the type, quantity and operating status of each work in the production facility, including storage tanks or pits, heaters, treaters, separators, compressors, flares and pipelines, and a brief description of the technical specifications of each such work.

(4) The operator of a production facility shall submit revised information to the Minister within 15 days after any change in the information required to be submitted by subsection (3).

SPACING REQUIREMENTS FOR OIL AND GAS WELLS — GENERAL

8. (1) This section applies to all oil or gas exploratory and development wells.

(2) Unless otherwise specified by the Minister, oil and gas well spacing units shall be comprised of,

(a) quarter tracts for wells drilled into but not below a formation of Devonian age; and

(b) whole tracts for wells drilled into or below a formation of Silurian age.

(3) No person shall,

(a) drill a well in a spacing unit that has not been pooled;

(b) produce oil or gas from a spacing unit that has not been pooled; or

(c) produce oil or gas from more than one well in a spacing unit.

(4) If an area is unitized by a voluntary agreement among the oil and gas interest owners within the area and the Minister agrees with the unitization, or if an area is unitized by an order of the Commissioner, the Minister shall revoke or amend any pooling conditions on licences for wells located in the unitized area, and may, as the circumstances of the unitized area warrant, do one or both of the following:

1. Waive the requirement under section 11 to establish spacing units.
2. If the unitized area is subject to a spacing order, amend the spacing order to remove the spacing units from the unitized area.

SPACING REQUIREMENTS FOR OIL AND GAS WELLS NOT SUBJECT TO A SPACING ORDER

9. (1) This section and section 10 apply only to oil or gas exploratory and development wells that are not subject to a spacing order of the Minister.

(2) An exploratory or development well that is drilled into but not below a formation of Devonian age shall be,

- (a) in a spacing unit comprised of a quarter tract; and
- (b) located within the target area not closer than 61 metres to any boundary of the spacing unit.

(3) An exploratory or development well that is drilled into but not below a formation of Silurian age shall be,

- (a) in a spacing unit comprised of a whole tract; and
- (b) located within the target area not closer than 107 metres to any boundary of the spacing unit.

(4) An exploratory or development well that is drilled into or below a formation of Ordovician age shall be,

- (a) in a spacing unit comprised of two whole tracts that are,
 - (i) adjacent to each other, and
 - (ii) located within the same lot; and
- (b) located within the target area not closer than 107 metres to any boundary of the spacing unit.

10. (1) The Minister may issue a well licence for an exploratory well that is proposed to be drilled outside the target area if topographical, geological or other conditions make drilling a well within the target area unfeasible.

(2) If the Minister issues a well licence for an exploratory well under subsection (1), clauses 9 (2) (a) and (3) (a) and subclause (4) (a) (ii) do not apply to the well and the Minister shall specify the spacing unit for the well as a condition of the well licence.

SPACING ORDER

11. (1) Any person having oil or gas rights in respect of a pool may apply to the Minister for an order to establish spacing units.

(2) If an operator discovers a pool of oil or gas on land and production of the oil or gas is possible, the operator shall apply to the Minister for an order to establish spacing units within 130 days after the TD date of the discovery well, unless otherwise instructed by the Minister.

(3) An application for a Minister's order to establish spacing units shall be accompanied by,

- (a) a plan of the land comprising the probable area of the pool showing,
 - (i) the location of the discovery well in relation to the boundaries of the land, roadways and topographical features of the area, and
 - (ii) the names of all persons having a working interest or a royalty interest in respect of the pool, the type of interest held by each and the property boundaries of each; and
- (b) a technical report of,
 - (i) the geology of the discovery,
 - (ii) the type of reservoir,
 - (iii) the production and reservoir drainage capability of the discovery well and any subsequent well drilled into the pool, and
 - (iv) the geological and engineering rationale for the size and location of the proposed spacing units.

(4) The applicant shall send, by regular prepaid mail, notice of the application together with a copy of the plan of the land described in clause (3) (a) to the persons mentioned in subclause (3) (a) (ii) within five days after making the application.

(5) Except where the Minister has otherwise approved, no person shall drill a development well into a pool referred to in subsection (1) until a spacing order is issued.

12. The Minister may establish spacing units in a water-covered area.

SPACING REQUIREMENTS FOR OIL AND GAS WELLS SUBJECT TO A SPACING ORDER

13. (1) This section applies only to oil or gas exploratory and development wells that are subject to a spacing order of the Minister.

(2) An exploratory or development well that is drilled shall be located in the target area of the spacing unit specified by the spacing order.

(3) The Minister may issue a well licence for an exploratory or development well that is proposed to be drilled outside the target area if topographical, geological or other conditions make drilling a well within the target area unfeasible.

(4) If the Minister issues a well licence for an exploratory or development well under subsection (3), subsection (2) does not apply to the well and the Minister shall specify the spacing unit and target area for the well as a condition of the well licence.

(5) The spacing unit and target area for a well specified on the well licence as provided in subsection (4) apply in respect of that well despite any spacing order, whether the spacing order was issued before or after the well licence was issued under subsection (4).

5. (1) Section 16 of the Regulation is amended by adding the following subsections:

- (1.1) The trustee of a trust fund referred to in clause (1) (b) must be,
 - (a) a bank to which the *Bank Act* (Canada) applies;
 - (b) an insurance company, or a fraternal benefit society, to which the *Insurance Companies Act* (Canada) applies;

- (c) an association to which the *Cooperative Credit Associations Act* (Canada) applies;
- (d) a co-operative credit society incorporated by or under an Act of Ontario;
- (e) a trust, loan or insurance corporation incorporated by or under an Act of Ontario;
- (f) a brokerage firm incorporated or formed by or under an Act of Canada or of Ontario that is primarily engaged in dealing in securities, including portfolio management and investment counselling;
- (g) an accountant licensed under the *Public Accountancy Act* who carries at least \$2,000,000 of professional liability insurance; or
- (h) a lawyer qualified to practise in Ontario who carries at least \$2,000,000 of professional liability insurance.

(1.2) The trustee of a trust fund referred to in clause (1) (b) shall not be the operator of any well that is secured by the trust.

(2) Subsection 16 (2) of the Regulation is amended by striking out “clause (1) (b)” at the end and substituting “this section”.

(3) Clause 16 (3) (b) of the Regulation is revoked and the following substituted:

- (b) \$0 for each private well;

(4) Subsection 16 (6) of the Regulation is revoked and the following substituted:

(6) The operator shall not adjust the security without the Minister’s consent.

6. (1) The heading preceding section 17 of the Regulation is revoked and the following substituted:

WELL CONTROL AND BLOWOUT PREVENTION

(2) Section 17 of the Regulation is amended by adding the following subsection:

- (3) The operator shall ensure that the well does not flow uncontrolled.

7. Section 22 of the Regulation is revoked and the following substituted:

22. A tag attached to a work under section 7 of the Act shall be in a form approved by the Minister.

8. (1) Subsection 23 (3) of the Regulation is revoked and the following substituted:

(3) A Class II examiner may examine works with respect to oil and gas production and disposal wells.

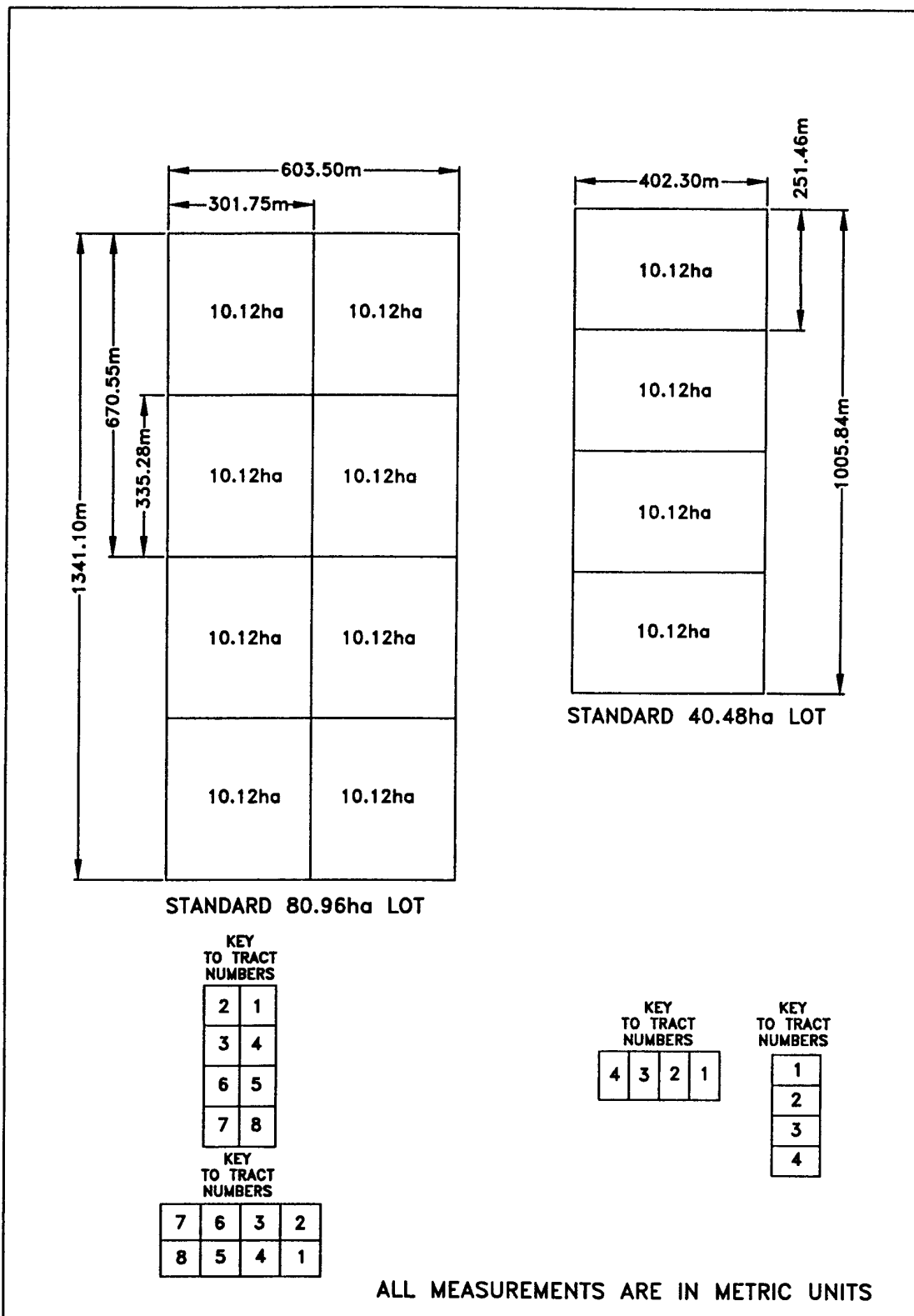
(2) Section 23 of the Regulation is amended by adding the following subsection:

(7.1) Subsection (7) does not apply to examinations required to be conducted by the Provincial Standards on a daily or weekly basis.

9. The Schedule to the Regulation is revoked and the following substituted:

SCHEDULE

TRACTS



ONTARIO REGULATION 23/00
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: February 2, 2000
Filed: February 3, 2000

Amending O. Reg. 664/98
(Fish Licensing)

Note: Ontario Regulation 664/98 has previously been amended by Ontario Regulations 323/99 and 508/99.

1. Subsection 2 (4) of Ontario Regulation 664/98 is amended by adding the following paragraph:

5. A fishing outdoors card or combined hunting/fishing outdoors card which expired in the previous calendar year, together with a receipt issued within the previous 30 days to the holder of the outdoors card from a ServiceOntario kiosk indicating payment for the renewal of the outdoors card and for the renewal of a fishing tag.

8/00

ONTARIO REGULATION 24/00
made under the
COURTS OF JUSTICE ACT

Made: November 9, 1999
Approved: February 2, 2000
Filed: February 3, 2000

Amending Reg. 194 of R.R.O. 1990
(Rules of Civil Procedure)

Note: Since the end of 1998, Regulation 194 has been amended by Ontario Regulations 288/99, 290/99, 292/99, 484/99, 488/99 and 583/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Paragraph 8 of subrule 1.08 (1) of Regulation 194 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

8. A pre-trial conference, a case conference, a settlement conference or a trial management conference.

2. Rule 4.07 of the Regulation is amended by adding the following subrule:

Compendium of Evidence and Exhibits

(5.1) A compendium of evidence and exhibits shall be bound front and back in a yellow cover.

3. Subrule 16.03 (4) of the Regulation is revoked and the following substituted:

Service by Mail to Last Known Address

(4) Service of a document may be made by sending a copy of the document together with an acknowledgment of receipt card (Form 16A) by mail to the last known address of the person to be served, but service by mail under this subrule is only effective as of the date the sender receives the card.

4. (1) Subrule 16.05 (1) of the Regulation is amended by striking out "or" at the end of clause (d), by adding "or" at the end of clause (e) and by adding the following clause:

RÈGLEMENT DE L'ONTARIO 24/00
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 9 novembre 1999
approuvé le 2 février 2000
déposé le 3 février 2000

modifiant le Règl. 194 des R.R.O. de 1990
(Règles de procédure civile)

Remarque : Depuis la fin de 1998, le Règlement 194 a été modifié par les Règlements de l'Ontario 288/99, 290/99, 292/99, 484/99, 488/99 et 583/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. La disposition 8 du paragraphe 1.08 (1) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

8. Une conférence préparatoire au procès, une conférence relative à la cause, une conférence en vue d'une transaction ou une conférence de gestion du procès.

2. La règle 4.07 du Règlement est modifiée par adjonction du paragraphe suivant :

Recueils des éléments de preuve et des pièces

(5.1) Les recueils des éléments de preuve et des pièces sont reliés des deux côtés avec une couverture jaune.

3. Le paragraphe 16.03 (4) du Règlement est abrogé et remplacé par ce qui suit :

Signification par la poste à la dernière adresse connue

(4) Un document peut être signifié en envoyant par la poste, à la dernière adresse connue du destinataire, une copie du document ainsi qu'une carte d'accusé de réception (formule 16A). Toutefois, la signification effectuée par la poste conformément au présent paragraphe n'est valide qu'à compter du jour où l'expéditeur reçoit la carte.

4. (1) Le paragraphe 16.05 (1) du Règlement est modifié par adjonction de l'alinéa suivant :

(f) by e-mailing a copy to the solicitor's office in accordance with subrule (4), but service under this rule is effective only if the solicitor of record provides by e-mail an acceptance of service and the date of the acceptance, and where the e-mail acceptance is received between 5 p. m. and midnight, service shall be deemed to have been made on the following day.

(2) Rule 16.05 of the Regulation is amended by adding the following subrule:

E-mail, Required Information

(4) The e-mail message to which a document served under clause (1) (f) is attached shall include,

- (a) the sender's name, address, telephone number, fax number and e-mail address;
- (b) the date and time of transmission;
- (c) the name and telephone number of a person to contact in the event of transmission problems.

5. Rule 16.09 of the Regulation is amended by adding the following subrule:

(6) Service of a document under clause 16.05 (1) (f) (e-mail) may be proved by a certificate of service of the person who served the document stating that he or she,

- (a) served the document by e-mailing a copy in accordance with subrule (4) and received by e-mail an acceptance of service, with the date and time of the acceptance;
- (b) has sworn an affidavit of service containing the particulars set out in the certificate of service;
- (c) has kept the affidavit of service; and
- (d) will, on the request of the court or a party, produce the affidavit of service.

6. Subrule 18.03 (2) of the Regulation is revoked and the following substituted:

(2) Subrule (1) does not apply to the actions referred to in clause 77.01 (2) (a) or (b) (family law) or when a statement of defence is filed electronically.

7. Clause 37.11 (1) (c) of the Regulation is amended by striking out "under rule 37.12" at the end.

8. Subrule 61.09 (2) of the Regulation is revoked and the following substituted:

Record and Exhibits Only If Required

(2) If the appellant or the respondent believes that a part of the record or the original exhibits from the court or tribunal from which the appeal is taken is required for the proper hearing of the appeal, the appellant or respondent may move for an order that they be sent to the Registrar.

9. Clause 61.11 (1) (e) of the Regulation is revoked and the following substituted:

- (e) a certificate stating,
 - (i) that an order under subrule 61.09 (2) (original record and exhibits) has been obtained or is not required, and
 - (ii) how much time (expressed in hours or fractions of an hour) counsel estimates will be required for his or her oral argument, not including reply;

(f) en lui en envoyant une copie à son bureau par courrier électronique conformément au paragraphe (4); toutefois la signification effectuée aux termes de la présente règle n'est valide que si le procureur en fournit une acceptation et la date de celle-ci par courrier électronique, et lorsque l'acceptation électronique est reçue entre 17 h et minuit, la signification est réputée avoir été effectuée le jour suivant.

(2) La règle 16.05 du Règlement est modifiée par adjonction du paragraphe suivant :

Courrier électronique, renseignements exigés

(4) Le message électronique auquel est joint un document signifié aux termes de l'alinéa (1) f) comprend ce qui suit :

- a) les nom, adresse, numéro de téléphone, numéro de télécopieur et adresse électronique de l'expéditeur;
- b) les date et heure de la transmission;
- c) les nom et numéro de téléphone d'une personne à qui le destinataire pourra s'adresser en cas de difficultés de transmission.

5. La règle 16.09 du Règlement est modifiée par adjonction du paragraphe suivant :

(6) La signification d'un document aux termes de l'alinéa 16.05 (1) f) (courrier électronique) peut être établie au moyen d'un certificat de signification fourni par la personne qui a signifié le document et attestant ce qui suit :

- a) elle a signifié le document en en envoyant une copie par courrier électronique conformément au paragraphe (4) et elle a reçu, également par courrier électronique, une acceptation de signification qui donne les date et heure de l'acceptation;
- b) elle a souscrit un affidavit de signification qui contient les détails énoncés dans le certificat;
- c) elle a conservé l'affidavit de signification;
- d) sur demande du tribunal ou d'une partie, elle présentera l'affidavit de signification.

6. Le paragraphe 18.03 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Le paragraphe (1) ne s'applique pas aux actions visées à l'alinéa 77.01 (2) a) ou b) (droit de la famille) ou lorsqu'une défense est déposée par voie électronique.

7. L'alinéa 37.11 (1) c) du Règlement est modifié par suppression de «conformément à la règle 37.12» à la fin de l'alinéa.

8. Le paragraphe 61.09 (2) du Règlement est abrogé et remplacé par ce qui suit :

Dossiers et pièces transmis seulement en cas de nécessité

(2) S'il croit qu'une partie du dossier ou des pièces originales du tribunal ou tribunal administratif dont l'ordonnance ou la décision est portée en appel est nécessaire en vue de l'audition en bonne et due forme de l'appel, l'appelant ou l'intimé peut présenter une motion en vue d'obtenir une ordonnance exigeant leur transmission au greffier.

9. L'alinéa 61.11 (1) e) du Règlement est abrogé et remplacé par ce qui suit :

- e) un certificat qui indique :
 - (i) d'une part, qu'une ordonnance prévue au paragraphe 61.09 (2) (dossiers et pièces originaux) a été obtenue ou n'est pas nécessaire,
 - (ii) d'autre part, le temps (exprimé en heures ou en fractions d'heure) que l'avocat estime nécessaire à la présentation de sa plaidoirie, à l'exclusion de la réponse;

10. Clause 61.12 (3) (e) of the Regulation is revoked and the following substituted:

- (e) a certificate stating,
 - (i) that an order under subrule 61.09 (2) (original record and exhibits) has been obtained or is not required, and
 - (ii) how much time (expressed in hours or fractions of an hour) counsel estimates will be required for his or her oral argument, not including reply;

11. Subrule 74.03 (1) of the Regulation is amended by striking out “has a financial interest” in the second line and substituting “appears to have a financial interest”.

12. Subrule 74.04 (3) of the Regulation is revoked.

13. Clause 74.11 (1) (a) of the Regulation is amended by striking out “an insurance or guarantee company licensed to carry on business” in the second and third lines and substituting “an insurer licensed under the *Insurance Act* to write surety and fidelity insurance”.

14. Rule 74.13 of the Regulation is revoked and the following substituted:

DEPOSITEQUAL TO TAX

Deposit Payable at Time of Application

74.13 (1) The deposit equal to tax referred to in the *Estate Administration Tax Act, 1998* shall be paid at the time an application for a certificate of appointment of an estate trustee is made.

Exception

(2) The court may issue the certificate of appointment where the applicant,

- (a) files with the court an affidavit as to the estimated value of the estate at the time of the application and pays the deposit equal to tax calculated on the estimated value; and

- (b) provides an undertaking to the court that the applicant will, within six months after giving the undertaking, file a sworn statement of the total value of the estate and pay the additional tax payable if the actual value is higher than the estimated value.

(3) The court may issue the certificate of appointment without the payment of a deposit equal to tax if the applicant has obtained an order under subsection 4 (1) of the *Estate Administration Tax Act, 1998*.

(4) Where an undertaking given under subrule (2) is not fulfilled or the terms of an order under subsection 4 (1) of the *Estate Administration Tax Act, 1998* are not complied with, the court may, on the request of the registrar, make an order for compliance.

15. Rule 75.01 of the Regulation is amended by striking out “having” in the first line and substituting “appearing to have”.

16. Subrule 75.03 (1) of the Regulation is amended by striking out “has a financial interest” in the second line and substituting “appears to have a financial interest”.

17. Rule 75.04 of the Regulation is amended by striking out “having” in the first line and substituting “appearing to have”.

18. (1) Subrule 75.06 (1) of the Regulation is amended by striking out “has” in the first line and substituting “appears to have”.

10. L’alinéa 61.12 (3) e) du Règlement est abrogé et remplacé par ce qui suit :

- e) un certificat qui indique :
 - (i) d’une part, qu’une ordonnance prévue au paragraphe 61.09 (2) (dossiers et pièces originaux) a été obtenue ou n’est pas nécessaire,
 - (ii) d’autre part, le temps (exprimé en heures ou en fractions d’heure) que l’avocat estime nécessaire à la présentation de sa plaidoirie, à l’exclusion de la réponse;

11. Le paragraphe 74.03 (1) du Règlement est modifié par substitution de «semble avoir un intérêt financier» à «a un intérêt financier» à la deuxième ligne.

12. Le paragraphe 74.04 (3) du Règlement est abrogé.

13. L’alinéa 74.11 (1) a) du Règlement est modifié par substitution de «un assureur titulaire d’un permis délivré en vertu de la *Loi sur les assurances* qui l’autorise à faire souscrire de l’assurance de cautionnement et de l’assurance contre les détournements» à «une compagnie d’assurance ou de cautionnement titulaire d’un permis l’autorisant à exercer des activités commerciales» aux deuxième, troisième et quatrième lignes.

14. La règle 74.13 du Règlement est abrogée et remplacée par ce qui suit :

DÉPÔT ÉGAL À L’IMPÔT

Dépôt payable lors de la présentation de la requête

74.13 (1) Le dépôt égal à l’impôt visé par la *Loi de 1998 de l’impôt sur l’administration des successions* est acquitté lors de la présentation de la requête en vue d’obtenir un certificat de nomination à titre de fiduciaire de la succession.

Exception

(2) Le tribunal peut délivrer le certificat de nomination au requérant qui :

- a) d’une part, dépose au tribunal un affidavit sur la valeur estimative de la succession au moment où il présente sa requête et acquitte le dépôt égal à l’impôt établi d’après cette valeur estimative;

- b) d’autre part, s’engage auprès du tribunal à déposer une déclaration sous serment sur la valeur totale de la succession et à payer l’impôt supplémentaire payable, dans les six mois du dépôt de l’engagement, si la valeur réelle est supérieure à la valeur estimative.

(3) Le tribunal peut délivrer le certificat de nomination sans avoir reçu le dépôt égal à l’impôt si le requérant a obtenu une ordonnance en application du paragraphe 4 (1) de la *Loi de 1998 de l’impôt sur l’administration des successions*.

(4) En cas d’inexécution de l’engagement pris aux termes du paragraphe (2) ou de non-conformité aux conditions d’une ordonnance en application du paragraphe 4 (1) de la *Loi de 1998 de l’impôt sur l’administration des successions*, le tribunal peut, sur demande du greffier, rendre une ordonnance de se conformer.

15. La règle 75.01 du Règlement est modifiée par substitution de «semblant avoir» à «ayant» à la première ligne.

16. Le paragraphe 75.03 (1) du Règlement est modifié par substitution de «semble avoir un intérêt financier» à «a un intérêt financier» à la deuxième ligne.

17. La règle 75.04 du Règlement est modifiée par substitution de «semble avoir un intérêt financier» à «a un intérêt financier» à la première ligne.

18. (1) Le paragraphe 75.06 (1) du Règlement est modifié par substitution de «semble avoir» à «a» à la première ligne.

(2) Subrule 75.06 (2) of the Regulation is amended by striking out “having” in the second line and substituting “appearing to have”.

19. Rule 76.11 of the Regulation is revoked and the following substituted:

REVOCATION

76.11 This Rule is revoked on December 31, 2000.

20. Subrule 77.09 (4.1) of the Regulation is revoked and the following substituted:

(4.1) Subrules (1) and (4) do not apply where a defence is filed electronically.

21. Forms 74.1 and 74.2 of the Regulation are amended by striking out,

“TESTATOR:

(surname) (forename(s))”

wherever it appears and substituting in each case the following:

Details about the Testator

Complete in full
as applicable

And if the testator is known by
any other name, state below the
full names used

First given name	Given name or names
Second given name	
Third given name	Surname
Surname	

(2) Le paragraphe 75.06 (2) du Règlement est modifié par substitution de «semblent avoir» à «ont» à la troisième ligne.

19. La règle 76.11 du Règlement est abrogée et remplacée par ce qui suit :

ABROGATION

76.11 La présente règle est abrogée le 31 décembre 2000.

20. Le paragraphe 77.09 (4.1) du Règlement est abrogé et remplacé par ce qui suit :

(4.1) Les paragraphes (1) et (4) ne s'appliquent pas si une défense est déposée par voie électronique.

21. Les formules 74.1 et 74.2 du Règlement sont modifiées par substitution de ce qui suit :

Renseignements sur le testateur

Remplir au complet
le cas échéant.

De plus, si le testateur est connu
sous un autre nom, inscrire le
nom complet ci-dessous.

Premier prénom	Prénom(s)
Deuxième prénom	
Troisième prénom	Nom de famille
Nom de famille	

à ce qui suit, partout où figurent ces mots :

«TESTATEUR :

(nom de famille) (prénom(s))»

22. Form 74.3 of the Regulation is amended by striking out,

“IN THE ESTATE OF (insert name), deceased.”

and substituting the following:

In the Estate of the deceased person described below:

Details about the Deceased Person

Complete in full
as applicable

And if the deceased was known
by any other name, state below
the full names used

First given name	Given name or names
Second given name	
Third given name	Surname
Surname	

22. La formule 74.3 du Règlement est modifiée par substitution de ce qui suit :

Succession du défunt nommé ci-dessous :

Renseignements sur le défunt

Remplir au complet
le cas échéant.

De plus, si le défunt était connu
sous un autre nom, inscrire le
nom complet ci-dessous.

Premier prénom	Prénom(s)
Deuxième prénom	
Troisième prénom	Nom de famille
Nom de famille	

à ce qui suit :

«SUCCESSION DE FEU (inscrire le nom)»

23. Form 74.4 of the Regulation is amended by,

(a) striking out the box entitled “Name” and substituting the following:

23. La formule 74.4 du Règlement est modifiée :

a) par substitution de ce qui suit à la case «nom» :

Complete in full
as applicable

And if the deceased was known
by any other name, state below
the full names used

First given name	Given name or names
Second given name	
Third given name	Surname
Surname	

(b) adding immediately before “AFFIDAVIT(S) OF APPLICANT(S)” the following:

If the spouse of the deceased is an applicant, has the spouse elected to receive the entitlement under section 5 of the *Family Law Act*? ☐ No ☐ Yes

If yes, explain why the spouse is entitled to apply

24. Form 74.5 of the Regulation is amended by,

(a) striking out the box entitled “Name” and substituting the following :

Complete in full
as applicable

And if the deceased was known
by any other name, state below
the full names used

First given name	Given name or names
Second given name	
Third given name	Surname
Surname	

(b) adding the following immediately after the boxes below the heading “VALUE OF ASSETS OF ESTATE”:

Is there any person interested in the estate who is not an applicant? ☐ No ☐ Yes

(c) adding the following immediately before “AFFIDAVIT(S) OF APPLICANT(S)”:

If the spouse of the deceased is an applicant, has the spouse elected to receive the entitlement under section 5 of the *Family Law Act*? ☐ No ☐ Yes

If yes, explain why the spouse is entitled to apply

25. Paragraph 2 of Form 74.6 of the Regulation is amended,

(a) by striking out “paragraph 4 or 7” in the fifth line and substituting “paragraph 6”;

(b) by striking out “paragraph 5” in the sixth line and substituting “paragraph 4”;

(c) by striking out “paragraph 6” in the seventh line and substituting “paragraph 5”; and

(d) by striking out “paragraph 8” in the eighth line and substituting “paragraph 7”.

26. Form 74.7 of the Regulation is revoked and the following substituted:

Remplir au complet
le cas échéant.

De plus, si le défunt était connu
sous un autre nom, inscrire le
nom complet ci-dessous.

Premier prénom	Prénom(s)
Deuxième prénom	
Troisième prénom	Nom de famille
Nom de famille	

b) par adjonction de ce qui suit immédiatement avant «AFFIDAVIT(S) DU/DES REQUÉRANT(S)» :

Si le conjoint du défunt est un requérant, a-t-il choisi de jouir du droit prévu à l'article 5 de la *Loi sur le droit de la famille*? ☐ Non ☐ Oui

Dans l'affirmative, expliquer pourquoi le conjoint a le droit de présenter une requête.

24. La formule 74.5 du Règlement est modifiée :

a) par substitution de ce qui suit à la case «nom» :

Remplir au complet
le cas échéant.

Si le défunt était connu sous un
autre nom, inscrire le nom
complet ci-dessous.

Premier prénom	Prénom(s)
Deuxième prénom	
Troisième prénom	Nom de famille
Nom de famille	

b) par adjonction de ce qui suit immédiatement après les cases situées sous le titre «VALEUR DES BIENS DE LA SUCCESSION» :

Y a-t-il des personnes ayant un intérêt dans la succession qui ne soient pas des requérants? ☐ Non ☐ Oui

c) par adjonction de ce qui suit immédiatement avant «AFFIDAVIT(S) DU/DES REQUÉRANT(S)» :

Si le conjoint du défunt est un requérant, a-t-il choisi de jouir du droit prévu à l'article 5 de la *Loi sur le droit de la famille*? ☐ Non ☐ Oui

Dans l'affirmative, expliquer pourquoi le conjoint a le droit de présenter une requête.

25. La disposition 2 de la formule 74.6 du Règlement est modifiée :

a) par substitution de «disposition 6» à «disposition 4 ou 7» à la cinquième ligne;

b) par substitution de «disposition 4» à «disposition 5» à la septième ligne;

c) par substitution de «disposition 5» à «disposition 6» à la septième ligne;

d) par substitution de «disposition 7» à «disposition 8» à la huitième ligne.

26. La formule 74.7 du Règlement est abrogée et remplacée par ce qui suit :

Court file no.

N° de dossier du tribunal :

Form 74.7*Courts of Justice Act*

ONTARIO

SUPERIOR COURT OF JUSTICE

IN THE ESTATE OF (*insert name*), deceased,NOTICE OF AN APPLICATION FOR A
CERTIFICATE OF APPOINTMENT OF ESTATE
TRUSTEE WITH A WILL

1. The deceased died on (*insert date*).
2. Attached to this notice are:
 - (A) If the notice is sent to or in respect of a person entitled only to a specified item of property or stated amount of money, an extract of the part or parts of the will or codicil relating to the gift, or a copy of the will (and codicil(s), if any).
 - (B) If the notice is sent to or in respect of any other beneficiary, a copy of the will (and codicil(s), if any).
 - (C) If the notice is sent to the Children's Lawyer or the Public Guardian and Trustee, a copy of the will (and codicil(s), if any), and if it is not included in the notice, a statement of the estimated value of the interest of the person represented.
3. The applicant named in this notice is applying for a certificate of appointment of estate trustee with a will.

APPLICANT

Name Address

4. The following persons who are less than 18 years of age are entitled, whether their interest is contingent or vested, to share in the distribution of the estate:

Name	Date of Birth (d/m/y)	Name and Address of Parent or Guardian	Estimated Value of Interest in Estate*
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* Note: *The Estimated Value of Interest in Estate may be omitted in the form if it is included in a separate schedule attached to the notice sent to the Children's Lawyer.*

5. The following persons who are mentally incapable within the meaning of section 6 of the *Substitute Decisions Act, 1992* in respect of an issue in the proceeding, and who have guardians or attorneys acting under powers of attorney with authority to act in the proceeding, are entitled, whether their interest is contingent or vested, to share in the distribution of the estate:

Name and Address of Person	Estimated Value of Interest in Estate *
	*Specify whether guardian or attorney

6. The following persons who are mentally incapable within the meaning of section 6 of the *Substitute Decisions Act, 1992* in respect of an issue in the proceeding, and who do not have guardians or attorneys acting under powers of attorney with authority to act in the proceeding, are entitled, whether their interest is contingent or vested, to share in the distribution of the estate:

Formule 74.7*Loi sur les tribunaux judiciaires*

ONTARIO

COUR SUPÉRIEURE DE JUSTICE

SUCCESSION DE FEU (*insérer le nom*)AVIS DE REQUÊTE EN VUE D'OBTENIR UN CERTIFICAT
DE NOMINATION À TITRE DE FIDUCIAIRE DE LA
SUCCESSION TESTAMENTAIRE

1. Le défunt est décédé le (*insérer la date*).
2. Les pièces suivantes sont annexées à l'avis :
 - (A) Si l'avis est envoyé à une personne ou à l'égard d'une personne qui n'a droit qu'à un bien particulier ou à une somme d'argent précisée, un extrait de la ou des parties du testament ou codicille portant sur le legs, ou une copie du testament (et du ou des codicilles, le cas échéant).
 - (B) Si l'avis est envoyé à un autre bénéficiaire ou à l'égard d'un autre bénéficiaire, une copie du testament (et du ou des codicilles, le cas échéant).
 - (C) Si l'avis est envoyé à l'avocat des enfants ou au Tuteur et curateur public, une copie du testament (et du ou des codicilles, le cas échéant) et, si elle n'est pas comprise dans l'avis, une déclaration de la valeur estimative de l'intérêt de la personne représentée.
3. Le requérant désigné dans le présent avis présente une requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire.

REQUÉRANT

Nom Adresse

4. Les personnes suivantes qui ont moins de 18 ans ont droit, que leur intérêt soit acquis ou éventuel, à une partie de la succession :

Nom	Date de naissance (j/m/a)	Nom et adresse du père, de la mère ou du tuteur	Valeur estimative de l'intérêt dans la succession*
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*Remarque : *La valeur estimative de l'intérêt dans la succession peut être omise de la formule si elle est indiquée dans une annexe distincte jointe à l'avis envoyé à l'avocat des enfants.*

5. Les personnes suivantes qui sont des incapables mentaux au sens de l'article 6 de la *Loi de 1992 sur la prise de décisions au nom d'autrui* à l'égard d'une question dans l'instance et qui ont un tuteur ou un procureur constitué en vertu d'une procuration qui est habilité à agir dans l'instance ont droit, que leur intérêt soit acquis ou éventuel, à une partie de la succession :

Nom et adresse de la personne	Valeur estimative de l'intérêt dans la succession *
	*Préciser s'il s'agit d'un tuteur ou d'un procureur

6. Les personnes suivantes qui sont des incapables mentaux au sens de l'article 6 de la *Loi de 1992 sur la prise de décisions au nom d'autrui* à l'égard d'une question dans l'instance et qui n'ont pas de tuteur ni de procureur constitué en vertu d'une procuration qui est habilité à agir dans l'instance ont droit, que leur intérêt soit acquis ou éventuel, à une partie de la succession :

Name and Address of Person Estimated Value of Interest in Estate *

* Note: *The Estimated Value of Interest in Estate may be omitted in the form if it is included in a separate schedule attached to the notice sent to the Public Guardian and Trustee.*

7. Unborn or unascertained persons may be entitled to share in the distribution of the estate. *(Delete if not applicable)*

8. All other persons and charities entitled, whether their interest is contingent or vested, to share in the distribution of the estate are as follows:

Name Address

9. This notice is being sent, by regular lettermail, to all adult persons and charities named in this notice (except to an applicant who is entitled to share in the distribution of the estate), to the Public Guardian and Trustee if paragraph 6 applies, to a parent or guardian of the minor and to the Children's Lawyer if paragraph 4 applies, to the guardian or attorney if paragraph 5 applies, and to the Children's Lawyer if paragraph 7 applies.

DATE:

27. Forms 74.14, 74.15, 74.20.1, 74.21, 74.24 and 74.27 of the Regulation are amended by striking out the box entitled "Name" wherever it appears and substituting in each case the following:

<i>Complete in full as applicable</i>	<i>And if the deceased was known by any other name, state below the full names used</i>
First given name	Given name or names
Second given name	
Third given name	Surname
Surname	

28. Forms 74.31, 74.34 and 74.35 of the Regulation are amended by striking out "Ontario Court (General Division)" wherever those words appear and substituting in each case "Superior Court of Justice".

29. Form 74.32 of the Regulation is amended by striking out "a corporation authorized to act as a surety in the Province of Ontario" in the third paragraph and substituting "an insurer licensed under the Insurance Act to write surety and fidelity insurance in Ontario".

30. Form 75.1 of the Regulation is amended by striking out,

"IN THE ESTATE OF (insert name), deceased" and substituting the following:

In the Estate of the deceased person described below:

Details about the Deceased Person

<i>Complete in full as applicable</i>	<i>And if the deceased was known by any other name, state below the full names used</i>
First given name	Given name or names
Second given name	
Third given name	Surname
Surname	

Nom et adresse de la personne Valeur estimative de l'intérêt dans la succession *

*Remarque : *La valeur estimative de l'intérêt dans la succession peut être omise de la formule si elle est indiquée dans une annexe distincte jointe à l'avis envoyé au Tuteur et curateur public.*

7. Des personnes qui ne sont pas encore nées ou qui ne sont pas identifiées peuvent avoir droit à une partie de la succession. *(Rayer la présente disposition si elle ne s'applique pas.)*

8. Toutes les autres personnes et sociétés de bienfaisance qui ont droit, que leur intérêt soit acquis ou éventuel, à une partie de la succession sont les suivantes :

Nom Adresse

9. Le présent avis est envoyé, par courrier ordinaire, à toutes les personnes adultes et sociétés de bienfaisance qui y sont désignées (sauf au requérant qui a droit à une partie de la succession), au Tuteur et curateur public si la disposition 6 s'applique, au père, à la mère ou au tuteur du mineur et à l'avocat des enfants si la disposition 4 s'applique, au tuteur ou au procureur si la disposition 5 s'applique et à l'avocat des enfants si la disposition 7 s'applique.

DATE :

27. Les formules 74.14, 74.15, 74.20.1, 74.21, 74.24 et 74.27 du Règlement sont modifiées par substitution de ce qui suit à la case «Nom» partout où elle figure :

<i>Remplir au complet le cas échéant.</i>	<i>De plus, si le défunt était connu sous un autre nom, inscrire le nom complet ci-dessous.</i>
Premier prénom	Prénom(s)
Deuxième prénom	
Troisième prénom	Nom de famille
Nom de famille	

28. Les formules 74.31, 74.34 et 74.35 du Règlement sont modifiées par substitution de «Cour supérieure de justice» à «Cour de l'Ontario (Division générale)» partout où figure cette expression.

29. La formule 74.32 du Règlement est modifiée par substitution de « un assureur titulaire d'un permis délivré en vertu de la Loi sur les assurances qui l'autorise à faire souscrire de l'assurance de cautionnement et de l'assurance contre les détournements en Ontario » à « une personne morale autorisée à agir à ce titre dans la province de l'Ontario » au troisième paragraphe.

30. La formule 75.1 du Règlement est modifiée par substitution de ce qui suit :

Succession du défunt nommé ci-dessous :

Renseignements sur le défunt

<i>Remplir au complet le cas échéant.</i>	<i>De plus, si le défunt était connu sous un autre nom, inscrire le nom complet ci-dessous.</i>
Premier prénom	Prénom(s)
Deuxième prénom	
Troisième prénom	Nom de famille
Nom de famille	

à ce qui suit :

«SUCCESSION DE FEU

(inscrire le nom)»

31. Form 75.10 of the Regulation is amended by striking out “subrule 75.07 (3)” in the portion immediately before clause (a) and substituting “rule 75.07.1”.

32. Item 23.1 of Part II of Tariff A to the Regulation is revoked and the following substituted:

23.1 Fees actually paid to a mediator in accordance with Ontario Regulation 451/98 or Ontario Regulation 291/99 made under the *Administration of Justice Act*.

33. This Regulation comes into force on March 1, 2000.

8/00

ONTARIO REGULATION 25/00
made under the
COURTS OF JUSTICE ACT

Made: January 25, 2000
Approved: February 2, 2000
Filed: February 4, 2000

Amending Reg. 194 of R.R.O. 1990
(Rules of Civil Procedure)

Note: Since the end of 1998, Regulation 194 has been amended by Ontario Regulations 288/99, 290/99, 292/99, 484/99, 488/99, 583/99 and 24/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Form 74.14 of Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by striking out “conjugal relationship outside marriage with a person of the opposite sex” and substituting “conjugal relationship outside marriage with a person of the opposite sex or of the same sex”.

2. Form 74.15 of the Regulation is amended by striking out “conjugal relationship outside marriage with a person of the opposite sex” and substituting “conjugal relationship outside marriage with a person of the opposite sex or of the same sex”.

3. This Regulation comes into force on the day section 18 of the *Amendments Because of the Supreme Court Decision in M. v. H. Act, 1999* comes into force.

8/00

ONTARIO REGULATION 26/00
made under the
FAMILY LAW ACT

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 391/97
(Child Support Guidelines)

Note: Ontario Regulation 391/97 has not previously been amended.

1. Section 3 of Schedule III to Ontario Regulation 391/97 is revoked and the following substituted:

31. La formule 75.10 du Règlement est modifiée par substitution de «à la règle 75.07.1» à «au paragraphe 75.07 (3)» au paragraphe qui précède immédiatement l'alinéa a).

32. Le poste 23.1 de la deuxième partie du tarif A du Règlement est abrogé et remplacé par ce qui suit :

23.1 Les honoraires effectivement payés à un médiateur conformément au Règlement de l'Ontario 451/98 ou au Règlement de l'Ontario 291/99 pris en application de la *Loi sur l'administration de la justice*.

33. Le présent règlement entre en vigueur le 1^{er} mars 2000.

RÈGLEMENT DE L'ONTARIO 25/00
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 25 janvier 2000
approuvé le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. 194 des R.R.O. de 1990
(Règles de procédure civile)

Remarque : Depuis la fin de 1998, le Règlement 194 a été modifié par les Règlements de l'Ontario 288/99, 290/99, 292/99, 484/99, 488/99, 583/99 et 24/00. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. La formule 74.14 du Règlement 194 des Règlements refondus de l'Ontario de 1990 est modifiée par substitution de «relation conjugale hors du mariage avec une personne du sexe opposé ou du même sexe» à «relation conjugale hors du mariage avec une personne du sexe opposé».

2. La formule 74.15 du Règlement est modifiée par substitution de «relation conjugale hors du mariage avec une personne du sexe opposé ou du même sexe» à «relation conjugale hors du mariage avec une personne du sexe opposé».

3. Le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 18 de la *Loi de 1999 modifiant des lois en raison de la décision de la Cour suprême du Canada dans l'arrêt M. c. H.*

RÈGLEMENT DE L'ONTARIO 26/00
pris en application de la
LOI SUR LE DROIT DE LA FAMILLE

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 391/97
(Lignes directrices sur les aliments pour les enfants)

Remarque : Le Règlement de l'Ontario 391/97 n'a pas été modifié antérieurement.

1. L'article 3 de l'annexe III du Règlement de l'Ontario 391/97 est abrogé et remplacé par ce qui suit :

Support other than child support

3. (1) To calculate income for the purpose of determining an amount under an applicable table, deduct the support, not including child support, received from the other parent or spouse.

Special or extraordinary expenses

(2) To calculate income for the purpose of determining an amount under section 7 of these guidelines, deduct the support, not including child support, paid to the other parent or spouse.

2. This Regulation comes into force on March 31, 2000.

8/00

ONTARIO REGULATION 27/00
made under the
LEGAL AID SERVICES ACT, 1998

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 107/99
(General)

Note: Ontario Regulation 107/99 has previously been amended by Ontario Regulation 337/99.

1. Subsections 1 (2) and (3) of Ontario Regulation 107/99 are revoked and the following substituted:

(2) The financial eligibility requirements for applicants for certificates are as set out in the document entitled "Financial Eligibility Criteria for Certificates: Policies and Procedures Manual", dated December 13, 1999 and produced by Legal Aid Ontario.

(3) The financial eligibility requirements for applicants for legal aid services to be provided by duty counsel are as set out in the document entitled "Duty Counsel: Financial Eligibility Test", being chapter 6, as revised December 13, 1999, of the Duty Counsel Manual dated January, 1996 and produced by Legal Aid Ontario.

2. (1) Item 7.5 of Part II of the Table to Schedule 2 to the Regulation is amended by striking out "matters in which spousal support or child support or both is in issue" and substituting "matters in which support of a child, support of a person who has lived in a conjugal relationship within or outside marriage with a person of the opposite sex or same sex, or both is in issue".

(2) Item 7.7 of Part II of the Table to Schedule 2 to the Regulation is amended by striking out "between spouses" and substituting "between persons of the opposite sex or same sex who have lived together in a conjugal relationship within or outside marriage".

(3) Item 7.9 of Part II of the Table to Schedule 2 to the Regulation is amended by striking out "order or agreement for child or spousal support" and substituting "order or agreement for support of a child, for support of a person who has lived in a conjugal relationship within or outside marriage with a person of the opposite sex or same sex, or both".

3. This Regulation comes into force on March 1, 2000.

8/00

Aliments autres que des aliments pour les enfants

3. (1) Afin de déterminer le revenu pour l'application des tables, déduire les aliments, à l'exclusion des aliments pour les enfants, reçus de l'autre parent ou époux.

Dépenses spéciales ou extraordinaires

(2) Afin de déterminer le revenu pour l'application de l'article 7 des présentes lignes directrices, déduire les aliments, à l'exclusion des aliments pour les enfants, payés à l'autre parent ou époux.

2. Le présent règlement entre en vigueur le 31 mars 2000.

RÈGLEMENT DE L'ONTARIO 27/00
pris en application de la
**LOI DE 1998 SUR LES SERVICES
D'AIDE JURIDIQUE**

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 107/99
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 107/99 a été modifié antérieurement par le Règlement de l'Ontario 337/99.

1. Les paragraphes 1 (2) et (3) du Règlement de l'Ontario 107/99 sont abrogés et remplacés par ce qui suit :

(2) Les conditions d'admissibilité financière des auteurs de demandes de certificats sont énoncées dans le document du 13 décembre 1999 intitulé «Financial Eligibility Criteria for Certificates: Policies and Procedures Manual» et produit par Aide juridique Ontario.

(3) Les conditions d'admissibilité financière des auteurs de demandes de services d'aide juridique que doivent fournir des avocats de service sont énoncées dans le document de janvier 1996 intitulé «Duty Counsel: Financial Eligibility Test», qui constitue le chapitre 6, tel qu'il a été révisé le 13 décembre 1999, du manuel intitulé «Duty Counsel Manual», et produit par Aide juridique Ontario.

2. (1) Le numéro 7.5 de la partie II du tableau de l'annexe 2 du Règlement est modifié par substitution de «les affaires dans lesquelles les aliments à l'égard d'un enfant, les aliments à l'égard d'une personne qui a vécu avec une personne du sexe opposé ou du même sexe dans une union conjugale dans les liens du mariage ou hors de celui-ci, ou les deux, sont une question en litige» à «les affaires dans lesquelles les aliments à l'égard du conjoint ou d'un enfant, ou les deux, sont une question en litige».

(2) Le numéro 7.7 de la partie II du tableau de l'annexe 2 du Règlement est modifié par substitution de «entre personnes du sexe opposé ou du même sexe qui ont vécu ensemble dans une union conjugale dans les liens du mariage ou hors de celui-ci» à «entre conjoints».

(3) Le numéro 7.9 de la partie II du tableau de l'annexe 2 du Règlement est modifié par substitution de «d'une ordonnance ou d'un accord relatifs aux aliments à l'égard d'un enfant, aux aliments à l'égard d'une personne qui a vécu avec une personne du sexe opposé ou du même sexe dans une union conjugale dans les liens du mariage ou hors de celui-ci, ou aux deux» à «d'une ordonnance ou d'un accord relatifs aux aliments à fournir à un enfant ou à un conjoint».

3. Le présent règlement entre en vigueur le 1^{er} mars 2000.

ONTARIO REGULATION 28/00
made under the
COURTS OF JUSTICE ACT

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 67/92
(Salaries and Benefits of Provincial Judges)

Note: Ontario Regulation 67/92 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 3 of Ontario Regulation 67/92 is amended by adding the following definition:

“same-sex partner” means either of two persons of the same sex who have lived together in a conjugal relationship,

- (a) continuously for a period of at least three years, or
- (b) in a relationship of some permanence, if they are the natural or adoptive parents of a child or if each of them has demonstrated a settled intention to treat a child as a child of his or her family, except under an arrangement where the child is placed for valuable consideration in a foster home by a person having lawful custody;

2. Subsection 17 (1) of the Regulation is revoked and the following substituted:

(1) The spouse or same-sex partner of a judge who dies while serving on a full-time basis and who would have been entitled to receive a pension under this Part if the judge had ceased to hold office before dying is entitled to a survivor allowance during the spouse's or same-sex partner's lifetime.

3. (1) Subsection 18 (1) of the Regulation is revoked and the following substituted:

(1) The spouse or same-sex partner of a person who dies while receiving a pension under this Part or who dies while entitled to receive a pension under this Part after ceasing to hold office as a judge is entitled to a survivor allowance during the spouse's or same-sex partner's lifetime.

(2) Subsection 18 (5) of the Regulation is revoked and the following substituted:

(5) Subsections (1) to (4) do not apply to the surviving spouse or same-sex partner of a deceased person if the spouse or same-sex partner became that person's spouse or same-sex partner after the date on which the deceased person ceased to hold office.

4. Sections 19, 20 and 21 of the Regulation are revoked and the following substituted:

19. (1) Only one survivor allowance is payable to a spouse or same-sex partner under this Part.

(2) If two or more spouses or same-sex partners of a person claim to be entitled to a survivor allowance under this Part, the survivor allowance shall be paid, subject to subsection 18 (5), to,

- (a) the spouse or same-sex partner with whom the person was living on the date of the person's death, if the person was living with a spouse or same-sex partner on that date; or
- (b) the spouse or same-sex partner chosen by the Board following a hearing, if the person was not living with a spouse or same-sex partner on the date of the person's death.

20. (1) The child or children of a person who is survived by a spouse or same-sex partner are entitled on the death of the spouse or same-sex partner to a survivor allowance if,

- (a) the person died while receiving or entitled to a pension under this Part; and
- (b) the spouse or same-sex partner received a survivor allowance under this Part in respect of the person.

(2) The annual amount of the survivor allowance under this section is an amount equal to the annual amount of the survivor allowance to which the spouse or same-sex partner of the deceased person was entitled on the date of the spouse's or same-sex partner's death.

21. (1) The child or children of a person who dies while receiving or entitled to a pension under this Part and who is not survived by a spouse or same-sex partner are entitled to a survivor allowance.

(2) The annual amount of the survivor allowance under this section is an amount equal to the annual amount of the survivor allowance to which the spouse or same-sex partner of the deceased person would be entitled under this Part if the deceased person were survived by a spouse or same-sex partner.

(3) Subsection (1) does not apply in respect of a child of a deceased person and the spouse or same-sex partner of the deceased person if they became spouses or same-sex partners after the date on which the deceased person ceased to hold office.

5. Section 23 of the Regulation is revoked and the following substituted:

23. (1) The Lieutenant Governor in Council may require the Board to authorize payment of a survivor allowance in such initial annual amount as is specified by the Lieutenant Governor in Council to the spouse or same-sex partner or the child or children of a deceased person in respect of whom the Lieutenant Governor in Council could have required the Board to authorize a pension under section 11 while the person was alive.

(2) If the Lieutenant Governor in Council requires the Board to authorize payment of a survivor allowance under this section to a spouse or same-sex partner,

- (a) the survivor allowance continues during the spouse's or same-sex partner's lifetime; and
- (b) the child or children of the deceased person are entitled on the death of the spouse or same-sex partner to a survivor allowance in an annual amount equal to the annual amount of the survivor allowance to which the spouse or same-sex partner was entitled on the date of the spouse's or same-sex partner's death.

(3) Subsection (1) and clause (2) (b) do not apply in respect of a child of the deceased person and the spouse or same-sex partner of the deceased person if they became spouses or same-sex partners after the date on which the deceased person ceased to hold office as a judge.

6. Section 47 of the Regulation is revoked and the following substituted:

47. (1) The Lieutenant Governor in Council may require the Board to authorize payment of a survivor allowance in such initial annual amount as is specified by the Lieutenant Governor in Council to the spouse or same-sex partner or the child or children of a deceased person in respect of whom the Lieutenant Governor in Council could have required the Board to authorize a pension under subsection 40 (4) or an annual income allowance under subsection 46 (2) while the person was alive.

(2) If the Lieutenant Governor in Council requires the Board to authorize payment of a survivor allowance under this section to a spouse or same-sex partner,

- (a) the survivor allowance continues during the spouse's or same-sex partner's lifetime; and
- (b) the child or children of the deceased person are entitled on the death of the spouse or same-sex partner to a survivor allowance in an annual amount equal to the annual amount of the survivor allowance to which the spouse or same-sex partner was entitled on the date of the spouse's or same-sex partner's death.

(3) Subsection (1) and clause (2) (b) do not apply in respect of a child of the deceased person and the spouse or same-sex partner of the deceased person if they became spouses or same-sex partners after the date on which the deceased person ceased to hold office as a judge.

7. Subsection 48 (1) of the Regulation is revoked and the following substituted:

(1) In this Part,

"same-sex partner" means either of two persons of the same sex who live together in a conjugal relationship outside marriage;

"spouse" means,

- (a) either of two persons of the opposite sex who are married to each other,
- (b) either of two persons of the opposite sex who have together entered into a marriage that is voidable or void, in good faith on the part of the person asserting a right under this Part, or
- (c) either of two persons of the opposite sex who live together in a conjugal relationship outside marriage.

8. Clause 56 (1) (b) of the Regulation is revoked and the following substituted:

- (b) three days leave of absence with pay in the event of the death of the judge's spouse, same-sex partner, parent, mother-in-law, father-in-law, child, brother or sister; and

9. Subsection 62 (1) of the Regulation is revoked and the following substituted:

(1) The Dependants' Life Insurance Plan shall provide, in respect of each judge who chooses to participate in the Plan, whichever of the following life insurance coverages is chosen by the judge:

- 1. \$1,000 for the spouse or same-sex partner of the judge and \$500 for each dependent child of the judge.
- 2. \$2,000 for the spouse or same-sex partner of the judge and \$1,000 for each dependent child of the judge.

10. (1) Subsection 63 (1) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(1) The Supplementary Health and Hospital Insurance Plan shall provide to every judge who joins the Plan the following benefits in respect of expenses incurred on behalf of the judge, the judge's spouse, the judge's same-sex partner and the judge's dependent children:

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(2) Subsection 63 (5) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(5) The Supplementary Health and Hospital Insurance Plan shall provide to every judge who elects to participate in the Plan's additional

coverage for vision care and hearing aids the following benefits in respect of expenses incurred on behalf of the judge, the judge's spouse, the judge's same-sex partner and the judge's dependent children:

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11. Subsection 64 (1) of the Regulation is revoked and the following substituted:

(1) The Dental Insurance Plan shall provide to every judge who joins the Plan the following benefits in respect of expenses incurred on behalf of the judge, the judge's spouse, the judge's same-sex partner and the judge's dependent children:

- 1. Reimbursement of 80 per cent of the cost of basic dental services, endodontic services, periodontic services and repair or maintenance services for existing dentures or bridges specified by the Plan, but not exceeding 80 per cent of the fees set out in the Ontario Dental Association schedule of fees for general practitioners in effect when the expense is incurred.
- 2. Reimbursement of 50 per cent of the cost of new dentures specified by the Plan, not exceeding 50 per cent of the fees for new dentures set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred, and subject to a limit of \$2,000 on the total amount of reimbursement under this paragraph in respect of any one of the judge, the judge's spouse, the judge's same-sex partner and the dependent children of the judge.
- 3. Reimbursement of 50 per cent of the cost of orthodontic services specified by the Plan and provided to a dependent child of the judge, not exceeding 50 per cent of the fees for those services set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred, and subject to a limit of \$2,000 on the total amount of reimbursement under this paragraph in respect of any one child.
- 4. Reimbursement of 50 per cent of the cost of crowns, bridgework and other major restorative services specified by the Plan, not exceeding 50 per cent of the fees for those services set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred, and subject to a limit of \$2,000 on the total amount of reimbursement under this paragraph in respect of any one of the judge, the judge's spouse, the judge's same-sex partner and the dependent children of the judge in any year.

12. This Regulation comes into force on the day section 18 of the Amendments Because of the Supreme Court of Canada Decision in *M. v. H. Act, 1999* comes into force.

8/00

ONTARIO REGULATION 29/00
made under the
FARM PRODUCTS MARKETING ACT

Made: February 2, 2000

Filed: February 4, 2000

Amending Reg. 420 of R.R.O. 1990
(Hogs — Plan)

Note: Regulation 420 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subclause 18 (6) (b) (ii) of the Schedule to Regulation 420 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (ii) is a spouse, same-sex partner, parent, child, grandchild, sibling or child of a sibling of the individual who has the interest described in subclause (i); or

(2) Clause 18 (6) (c) of the Schedule to the Regulation is revoked and the following substituted:

- (c) in cases where the producer is an individual, is a spouse, same-sex partner, parent, child, grandchild, sibling or child of a sibling of the producer.

(3) Section 18 of the Schedule to the Regulation is amended by adding the following subsection:

- (6.1) In subsection (6),

“same-sex partner” means either of two persons of the same sex who live together in a conjugal relationship outside marriage;

“spouse” means,

- (a) a spouse as defined in section 1 of the *Family Law Act*, or
- (b) either of two persons of the opposite sex who live together in a conjugal relationship outside marriage.

2. This Regulation comes into force on March 1, 2000.

8/00

ONTARIO REGULATION 30/00
made under the
MILK ACT

Made: February 2, 2000

Filed: February 4, 2000

Amending Reg. 760 of R.R.O. 1990
(Milk and Farm-Separated Cream — Plan)

Note: Since the end of 1998, Regulation 760 has been amended by Ontario Regulation 208/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Clause 9 (3) (a) of the Schedule to Regulation 760 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (a) is the spouse or same-sex partner or a parent, son or daughter of the licensed producer;

(2) Section 9 of the Schedule to the Regulation is amended by adding the following subsection:

- (3.1) In subsection (3),

“same-sex partner” means either of two persons of the same sex who live together in a conjugal relationship outside marriage;

“spouse” means,

- (a) a spouse as defined in section 1 of the *Family Law Act*, or
- (b) either of two persons of the opposite sex who live together in a conjugal relationship outside marriage.

2. This Regulation comes into force on March 1, 2000.

8/00

ONTARIO REGULATION 31/00
made under the
HUMAN RIGHTS CODE

Made: February 2, 2000

Filed: February 4, 2000

Amending O. Reg. 290/98
(Business Practices Permissible to Landlords in Selecting
Prospective Tenants for Residential Accommodation)

Note: Ontario Regulation 290/98 has not previously been amended.

1. Section 4 of Ontario Regulation 290/98 is amended by inserting “same-sex partnership status” after “marital status” in the fourth line.

2. This Regulation comes into force on the day subsection 28 (2) of the Amendments Because of the Supreme Court of Canada Decision in M. v. H. Act, 1999 comes into force.

8/00

RÈGLEMENT DE L'ONTARIO 31/00
pris en application de la
CODE DES DROITS DE LA PERSONNE

pris le 2 février 2000

déposé le 4 février 2000

modifiant le Règl. de l'Ont. 290/80
(Pratiques de commerce auxquelles les locateurs sont autorisés à
avoir recours pour choisir les locataires éventuels d'un logement)

Remarque : Le Règlement de l'Ontario 290/98 n'a pas été modifié antérieurement.

1. L'article 4 du Règlement de l'Ontario 290/98 est modifié par insertion de «le partenariat avec une personne de même sexe,» après «l'état matrimonial,» aux quatrième et cinquième lignes.

2. Le présent règlement entre en vigueur le jour de l'entrée en vigueur du paragraphe 28 (2) de la Loi de 1999 modifiant des lois en raison de la décision de la Cour suprême du Canada dans l'arrêt M. c. H.

ONTARIO REGULATION 32/00
made under the
ONTARIO WORKS ACT, 1997

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 134/98
(General)

Note: Since the end of 1998, Ontario Regulation 134/98 has been amended by Ontario Regulations 165/99, 170/99 and 238/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) The definition of “dependant” in subsection 1 (1) of Ontario Regulation 134/98 is amended by,

- (a) striking out “spouse” in subclause (a) (i) and substituting “spouse or same-sex partner”;
- (b) striking out “spouse” in the second line of subclause (a) (ii) and substituting “spouse or same-sex partner”;
- (c) striking out “spouse” in the second line of subclause (a) (iii) and substituting “spouse or same-sex partner”; and
- (d) striking out “spouse” in the first line of clause (b) and substituting “spouse or same-sex partner”.

(2) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“same-sex partner”, in relation to an applicant or recipient, means,

- (a) a person of the same sex as the applicant or recipient, if the person and the applicant or recipient have together declared to the administrator or to the Director under the *Ontario Disability Support Program Act, 1997* that they are same-sex partners,
- (b) a person of the same sex as the applicant or recipient who is required under a court order or domestic contract to support the applicant or recipient or any of his or her dependants,
- (c) a person of the same sex as the applicant or recipient who has an obligation to support the applicant or recipient or any of his or her dependants under section 30 or 31 of the *Family Law Act*, whether or not there is a domestic contract or other agreement between the person and the applicant or recipient whereby they purport to waive or release such obligation to support, or
- (d) a person of the same sex as the applicant or recipient who is residing in the same dwelling place as the applicant or recipient, if the social and familial aspects of the relationship between the person and the applicant or recipient amount to cohabitation and,
 - (i) the person is providing financial support to the applicant or recipient,
 - (ii) the applicant or recipient is providing financial support to the person, or
 - (iii) the person and the applicant or recipient have a mutual agreement or arrangement regarding their financial affairs; (“partenaire de même sexe”)

RÈGLEMENT DE L'ONTARIO 32/00
pris en application de la
LOI DE 1997 SUR LE PROGRAMME ONTARIO AU TRAVAIL

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 134/98 a été modifié par les Règlements de l'Ontario 165/99, 170/99 et 238/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) La définition de «personne à charge» au paragraphe 1 (1) du Règlement de l'Ontario 134/98 est modifiée :

- a) par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» au sous-alinéa a) (i);
- b) par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne du sous-alinéa a) (ii);
- c) par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne du sous-alinéa a) (iii);
- d) par substitution de «du conjoint ou partenaire de même sexe» à «du conjoint» à la première ligne de l'alinéa b).

(2) Le paragraphe 1 (1) du Règlement est modifié par adjonction de la définition suivante :

«partenaire de même sexe» Relativement à l'auteur d'une demande ou à un bénéficiaire, s'entend, selon le cas :

- a) d'une personne du même sexe que celui de l'auteur de la demande ou du bénéficiaire, si elle a déclaré avec celui-ci à l'administrateur ou au directeur visé par la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* qu'ils sont partenaires de même sexe;
- b) d'une personne du même sexe que celui de l'auteur de la demande ou du bénéficiaire qui est tenue aux termes d'une ordonnance judiciaire ou d'un contrat familial de fournir des aliments à l'auteur de la demande ou au bénéficiaire ou à l'une ou l'autre des personnes à la charge de celui-ci;
- c) d'une personne du même sexe que celui de l'auteur de la demande ou du bénéficiaire qui est tenue, aux termes de l'article 30 ou 31 de la *Loi sur le droit de la famille*, de fournir des aliments à l'auteur de la demande ou au bénéficiaire ou à l'une ou l'autre des personnes à la charge de celui-ci, que la personne et l'auteur de la demande ou le bénéficiaire aient conclu ou non un contrat familial ou un autre accord selon lequel ils renonceraient à une telle obligation alimentaire ou y mettraient fin;
- d) d'une personne du même sexe que celui de l'auteur de la demande ou du bénéficiaire qui réside dans le même logement que celui-ci, si les aspects sociaux et familiaux des rapports existant entre eux constituent une cohabitation et que, selon le cas :
 - (i) la personne fournit un soutien financier à l'auteur de la demande ou au bénéficiaire,
 - (ii) l'auteur de la demande ou le bénéficiaire fournit un soutien financier à la personne,
 - (iii) la personne et l'auteur de la demande ou le bénéficiaire ont un accord ou un arrangement en ce qui concerne leurs affaires financières. («same-sex partner»)

(3) The definition of “sole support parent” in subsection 1 (1) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

(4) The definition of “spouse” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“spouse”, in relation to an applicant or recipient, means,

(a) a person of the opposite sex to the applicant or recipient, if the person and the applicant or recipient have together declared to the administrator or to the Director under the *Ontario Disability Support Program Act, 1997* that they are spouses,

(b) a person of the opposite sex to the applicant or recipient who is required under a court order or domestic contract to support the applicant or recipient or any of his or her dependants,

(c) a person of the opposite sex to the applicant or recipient who has an obligation to support the applicant or recipient or any of his or her dependants under section 30 or 31 of the *Family Law Act*, whether or not there is a domestic contract or other agreement between the person and the applicant or recipient whereby they purport to waive or release such obligation to support, or

(d) a person of the opposite sex to the applicant or recipient who is residing in the same dwelling place as the applicant or recipient, if the social and familial aspects of the relationship between the person and the applicant or recipient amount to cohabitation and,

(i) the person is providing financial support to the applicant or recipient,

(ii) the applicant or recipient is providing financial support to the person, or

(iii) the person and the applicant or recipient have a mutual agreement or arrangement regarding their financial affairs. (“conjoint”)

(5) Subsections 1 (2) and (3) of the Regulation are revoked and the following substituted:

(2) For the purpose of the definitions of “spouse” and “same-sex partner”, sexual factors shall not be investigated or considered in determining whether or not a person is a spouse or same-sex partner.

2. (1) Clause 2 (1) (a) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Clause 2 (2) (a) of the Regulation is amended by striking out “spouse” in the first line and in the third line and substituting in each case “spouse or same-sex partner”.

(3) Clause 2 (3) (a) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(4) Clause 2 (3) (c) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(5) The English version of subclause 2 (3) (c) (ii) of the Regulation is revoked and the following substituted:

(ii) is the parent with primary care and control of the child, if subclause (i) does not apply;

(3) La définition de «père ou mère seul soutien de famille» au paragraphe 1 (1) du Règlement est modifiée par substitution de «de conjoint ou de partenaire de même sexe» à «de conjoint» à la fin.

(4) La définition de «conjoint» au paragraphe 1 (1) du Règlement est abrogée et remplacée par ce qui suit :

«conjoint» Relativement à l’auteur d’une demande ou à un bénéficiaire, s’entend, selon le cas :

a) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire, si elle a déclaré avec celui-ci à l’administrateur ou au directeur visé par la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* qu’ils sont conjoints;

b) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire qui est tenue aux termes d’une ordonnance judiciaire ou d’un contrat familial de fournir des aliments à l’auteur de la demande ou au bénéficiaire ou à l’une ou l’autre des personnes à la charge de celui-ci;

c) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire qui est tenue, aux termes de l’article 30 ou 31 de la *Loi sur le droit de la famille*, de fournir des aliments à l’auteur de la demande ou au bénéficiaire ou à l’une ou l’autre des personnes à la charge de celui-ci, que la personne et l’auteur de la demande ou le bénéficiaire aient conclu ou non un contrat familial ou un autre accord selon lequel ils renonceraient à une telle obligation alimentaire ou y mettraient fin;

d) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire qui réside dans le même logement que celui-ci, si les aspects sociaux et familiaux des rapports existant entre eux constituent une cohabitation et que, selon le cas :

(i) la personne fournit un soutien financier à l’auteur de la demande ou au bénéficiaire,

(ii) l’auteur de la demande ou le bénéficiaire fournit un soutien financier à la personne,

(iii) la personne et l’auteur de la demande ou le bénéficiaire ont un accord ou un arrangement en ce qui concerne leurs affaires financières. («spouse»)

(5) Les paragraphes 1 (2) et (3) du Règlement sont abrogés et remplacés par ce qui suit :

(2) Pour l’application des définitions de «conjoint» et «partenaire de même sexe», les facteurs d’ordre sexuel ne doivent pas faire l’objet d’un examen ni être pris en considération pour déterminer si une personne est un conjoint ou un partenaire de même sexe.

2. (1) L’alinéa 2 (1) a) du Règlement est modifié par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» à la première ligne.

(2) L’alinéa 2 (2) a) du Règlement est modifié par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première ligne et à la troisième ligne.

(3) L’alinéa 2 (3) a) du Règlement est modifié par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» à la première ligne.

(4) L’alinéa 2 (3) c) du Règlement est modifié par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» à la première ligne.

(5) La version anglaise du sous-alinéa 2 (3) c) (ii) du Règlement est abrogée et remplacée par ce qui suit :

3. (1) Subsection 10 (1) of the Regulation is amended by striking out “an applicant, a recipient or a spouse of an applicant or recipient” in the second and third lines and substituting “an applicant or recipient or a spouse or same-sex partner of an applicant or recipient”.

(2) Paragraph 1 of subsection 10 (7) of the Regulation is revoked and the following substituted:

1. Participate in counselling together with one or more of the person’s parents, if the parent or parents are willing to participate in the counselling.

4. Subsection 18 (1) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner”.

5. Subsection 19 (1) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner”.

6. (1) Subsection 20 (1) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner”.

(2) Subsection 20 (4) of the Regulation is amended by,

- (a) striking out “spouse” in the second line and substituting “spouse or same-sex partner”; and
- (b) striking out “applicant or spouse” in the third line and substituting “applicant, spouse or same-sex partner”.

7. Paragraph 1 of section 31 of the Regulation is revoked and the following substituted:

1. An applicant or recipient under the *Ontario Disability Support Program Act, 1997* or a spouse or same-sex partner included in an applicant’s or a recipient’s benefit unit under that Act.

8. (1) Clause 38 (1) (b) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Clause 38 (1) (c) of the Regulation is amended by striking out “spouse” in the first line and in the third line and substituting in each case “spouse or same-sex partner”.

(3) Clause 38 (1) (d) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(4) Subsection 38 (2) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

9. Paragraph 14 of subsection 39 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

10. (1) The first row of the Table to paragraph 1 of section 41 of the Regulation is amended by striking out “Spouse” in the first column and in the fifth column and substituting in each case “Spouse or Same-Sex Partner”.

(2) The first row of the Table to paragraph 2 of section 41 of the Regulation is amended by striking out “Spouse” in the first column and in the third column and substituting in each case “Spouse or Same-Sex Partner”.

11. (1) The first row of the Table to paragraph 1 of subsection 44 (1) of the Regulation is amended by striking out “Spouse” in the first column and in the third column and substituting in each case “Spouse or Same-Sex Partner”.

3. (1) Le paragraphe 10 (1) du Règlement est modifié par substitution de «d’auteur de demande ou de bénéficiaire ou de conjoint ou partenaire de même sexe de l’auteur d’une demande ou d’un bénéficiaire» à «d’auteur de demande, de bénéficiaire ou de conjoint de l’auteur d’une demande ou d’un bénéficiaire» aux deuxième et troisième lignes.

(2) La disposition 1 du paragraphe 10 (7) du Règlement est abrogée et remplacée par ce qui suit :

1. Participer à des consultations avec ses père et mère, ou l’un deux, si le ou les intéressés, selon le cas, sont disposés à y participer.

4. Le paragraphe 18 (1) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» aux troisième et quatrième lignes.

5. Le paragraphe 19 (1) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» aux troisième et quatrième lignes.

6. (1) Le paragraphe 20 (1) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne.

(2) Le paragraphe 20 (4) du Règlement est modifié :

- a) par substitution de «du conjoint ou partenaire de même sexe» à «du conjoint» à la troisième ligne;
- b) par substitution de «celui-ci, le conjoint ou le partenaire de même sexe» à «celui-ci ou le conjoint» à la troisième ligne.

7. La disposition 1 de l’article 31 du Règlement est abrogée et remplacée par ce qui suit :

1. L’auteur d’une demande ou un bénéficiaire au sens de la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* ou un conjoint ou partenaire de même sexe compris dans le groupe de prestataires de l’auteur d’une demande ou d’un bénéficiaire au sens de cette loi.

8. (1) L’alinéa 38 (1) b) du Règlement est modifié par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(2) L’alinéa 38 (1) c) du Règlement est modifié par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première ligne et à la quatrième ligne.

(3) L’alinéa 38 (1) d) du Règlement est modifié par substitution de «de conjoint ou partenaire de même sexe» à «de conjoint» à la première ligne.

(4) Le paragraphe 38 (2) du Règlement est modifié par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

9. La disposition 14 du paragraphe 39 (1) du Règlement est modifiée par substitution de «d’un conjoint ou partenaire de même sexe» à «d’un conjoint» à la deuxième ligne.

10. (1) La première rangée du tableau de la disposition 1 de l’article 41 du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la cinquième colonne.

(2) La première rangée du tableau de la disposition 2 de l’article 41 du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la troisième colonne.

11. (1) La première rangée du tableau de la disposition 1 du paragraphe 44 (1) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la troisième colonne.

(2) The first row of the Table to paragraph 2 of subsection 44 (1) of the Regulation is amended by striking out “Spouse” in the first column and in the third column and substituting in each case “Spouse or Same-Sex Partner”.

(3) Subsection 44 (3) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner”.

(4) The first row of the Table to paragraph 1 of subsection 44 (3) of the Regulation is amended by striking out “Spouse” in the first column and in the fifth column and substituting in each case “Spouse or Same-Sex Partner”.

(5) The first row of the Table to paragraph 2 of subsection 44 (3) of the Regulation is amended by striking out “Spouse” in the first column and in the third column and substituting in each case “Spouse or Same-Sex Partner”.

12. (1) Paragraph 1 of subsection 45 (1) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

(2) Paragraph 2 of subsection 45 (1) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

(3) Paragraph 1 of subsection 45 (2) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner” and by striking out “recipient or spouse” in the fourth line and substituting “recipient, spouse or same-sex partner”.

13. (1) Sub-subparagraph 1 ii B of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Sub-subparagraph 1 ii C of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(3) Sub-subparagraph 1 ii D of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(4) Sub-subparagraph 1 ii E of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(5) Sub-subparagraph 1 ii F of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(6) Sub-subparagraph 1 ii G of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(7) Sub-subparagraph 1 ii H of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and in the third line and substituting in each case “spouse or same-sex partner”.

(8) Sub-subparagraph 1 ii I of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(9) Sub-subparagraph 1 ii J of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(10) Sub-subparagraph 1 ii K of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(11) Sub-subparagraph 1 ii L of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) La première rangée du tableau de la disposition 2 du paragraphe 44 (1) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la troisième colonne.

(3) Le paragraphe 44 (3) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la troisième ligne.

(4) La première rangée du tableau de la disposition 1 du paragraphe 44 (3) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la cinquième colonne.

(5) La première rangée du tableau de la disposition 2 du paragraphe 44 (3) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la troisième colonne.

12. (1) La disposition 1 du paragraphe 45 (1) du Règlement est modifiée par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne.

(2) La disposition 2 du paragraphe 45 (1) du Règlement est modifiée par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la troisième ligne.

(3) La disposition 1 du paragraphe 45 (2) du Règlement est modifiée par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la quatrième ligne.

13. (1) La sous-sous-disposition 1 ii B du paragraphe 49 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(2) La sous-sous-disposition 1 ii C du paragraphe 49 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(3) La sous-sous-disposition 1 ii D du paragraphe 49 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(4) La sous-sous-disposition 1 ii E du paragraphe 49 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(5) La sous-sous-disposition 1 ii F du paragraphe 49 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(6) La sous-sous-disposition 1 ii G du paragraphe 49 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(7) La sous-sous-disposition 1 ii H du paragraphe 49 (1) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première ligne et à la troisième ligne.

(8) La sous-sous-disposition 1 ii I du paragraphe 49 (1) du Règlement est modifiée par substitution de «de conjoint ou partenaire de même sexe» à «de conjoint» à la première ligne.

(9) La sous-sous-disposition 1 ii J du paragraphe 49 (1) du Règlement est modifiée par substitution de «de conjoint ou partenaire de même sexe» à «de conjoint» à la première ligne.

(10) La sous-sous-disposition 1 ii K du paragraphe 49 (1) du Règlement est modifiée par substitution de «de conjoint ou partenaire de même sexe» à «de conjoint» à la première ligne.

(11) La sous-sous-disposition 1 ii L du paragraphe 49 (1) du Règlement est modifiée par substitution de «de conjoint ou partenaire de même sexe» à «de conjoint» à la première ligne.

(12) Sub-subparagraph 1 ii M of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(13) Sub-subparagraph 1 ii N of subsection 49 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(14) Sub-subparagraph 1 iv A of subsection 49 (1) of the Regulation is revoked and the following substituted:

A. the child care expenses are necessary to permit a recipient, a spouse or same-sex partner included in the benefit unit or a dependent adult to be employed or to participate in an employment assistance activity,

14. Subsection 50 (2) of the Regulation is amended by striking out “the applicant, recipient or spouse included in the benefit unit” in the second line and substituting “the applicant or recipient or the spouse or same-sex partner included in the benefit unit”.

15. (1) The first row of the Table to subparagraph 1 ii of section 51 of the Regulation is amended by striking out “Spouse” in the first column and in the fifth column and substituting in each case “Spouse or Same-Sex Partner”.

(2) Subparagraph 3 iii of section 51 of the Regulation is amended by striking out “family violence” at the end and substituting “domestic violence”.

16. Sub-subparagraph 1 iv B of subsection 54 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

17. (1) Paragraph 6 of subsection 55 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Paragraph 7 of subsection 55 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

18. (1) Clause 58 (c) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Clause 58 (d) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(3) Clause 58 (e) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

19. The English version of the heading immediately preceding section 62 of the Regulation is amended by striking out “FAMILY”.

20. The Regulation is amended by adding the following Part:

PART X TRANSITION

84. (1) In this section,

“change in eligibility”, with respect to a recipient, means a change with respect to the recipient’s eligibility for assistance, the conditions of the recipient’s continuing eligibility for assistance or the amount of assistance that the recipient is to receive, if that change results from amendments made to this Regulation by Ontario Regulation 32/00.

(2) An administrator shall,

(12) La sous-sous-disposition 1 ii M du paragraphe 49 (1) du Règlement est modifiée par substitution de «de conjoint ou partenaire de même sexe» à «de conjoint» à la première ligne.

(13) La sous-sous-disposition 1 ii N du paragraphe 49 (1) du Règlement est modifiée par substitution de «de conjoint ou partenaire de même sexe» à «de conjoint» à la première ligne.

(14) La sous-sous-disposition 1 iv A du paragraphe 49 (1) du Règlement est abrogée et remplacée par ce qui suit :

A. les frais de garde d’enfants sont nécessaires afin de permettre à un bénéficiaire, à un conjoint ou partenaire de même sexe compris dans le groupe de prestataires ou à un adulte à charge d’être employé ou de participer à une activité d’aide à l’emploi,

14. Le paragraphe 50 (2) du Règlement est modifié par substitution de «l’auteur de la demande ou le bénéficiaire ou le conjoint ou partenaire de même sexe compris dans le groupe de prestataires» à «l’auteur de la demande, le bénéficiaire ou le conjoint compris dans le groupe de prestataires» aux deuxième et troisième lignes.

15. (1) La première rangée du tableau de la sous-disposition 1 ii de l’article 51 du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la cinquième colonne.

(2) La sous-disposition 3 iii de l’article 51 du Règlement est modifiée par substitution de «de violence au foyer» à «de violence familiale» à la fin.

16. La sous-sous-disposition 1 iv B du paragraphe 54 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

17. (1) La disposition 6 du paragraphe 55 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(2) La disposition 7 du paragraphe 55 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

18. (1) L’alinéa 58 c) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la première ligne.

(2) L’alinéa 58 d) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la première ligne.

(3) L’alinéa 58 e) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la première ligne.

19. La version anglaise de l’intertitre qui précède immédiatement l’article 62 du Règlement est modifiée par suppression de «FAMILY».

20. Le Règlement est modifié par adjonction de la partie suivante :

PARTIE X DISPOSITIONS TRANSITOIRES

84. (1) La définition qui suit s’applique au présent article.

«modification de l’admissibilité» Relativement à un bénéficiaire, s’entend d’une modification concernant son admissibilité à l’aide, les conditions du maintien de son admissibilité à l’aide ou le montant de l’aide qu’il doit recevoir, si cette modification provient des modifications apportées au présent règlement par le Règlement de l’Ontario 32/00.

(2) L’administrateur :

- (a) review and update the information recorded with respect to each recipient affected by the change in eligibility; and
 - (b) make the determination required for the change in eligibility to take effect.
- (3) A change in eligibility shall take effect with respect to a recipient on the day an administrator makes the determination mentioned in clause (2) (b) with respect to that recipient.

21. This Regulation comes into force on the day section 50 of the Amendments Because of the Supreme Court of Canada Decision in *M. v. H. Act, 1999* comes into force.

8/00

- a) d'une part, examine et met à jour les renseignements consignés à l'égard de chaque bénéficiaire visé par la modification de l'admissibilité;
 - b) d'autre part, prend la décision qui est nécessaire pour que prenne effet la modification de l'admissibilité.
- (3) La modification de l'admissibilité prend effet à l'égard d'un bénéficiaire le jour où l'administrateur prend la décision visée à l'alinéa (2) b) à son égard.

21. Le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 50 de la Loi de 1999 modifiant des lois en raison de la décision de la Cour suprême du Canada dans l'arrêt *M. c. H.*

ONTARIO REGULATION 33/00
made under the
ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 222/98
(General)

Note: Since the end of 1998, Ontario Regulation 222/98 has been amended by Ontario Regulations 167/99, 171/99 and 239/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) The definition of “dependant” in subsection 1 (1) of Ontario Regulation 222/98 is amended by,

- (a) striking out “spouse” in subclause (a) (i) and substituting “spouse or same-sex partner”;
- (b) striking out “spouse” in the second line of subclause (a) (ii) and substituting “spouse or same-sex partner”;
- (c) striking out “spouse” in the second line of subclause (a) (iii) and substituting “spouse or same-sex partner”; and
- (d) striking out “spouse” in the first line of clause (b) and substituting “spouse or same-sex partner”.

(2) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“same-sex partner”, in relation to an applicant or recipient, means,

- (a) a person of the same sex as the applicant or recipient if the person and the applicant or recipient have together declared to the Director or to an administrator under the *Ontario Works Act, 1997* that they are same-sex partners,
- (b) a person of the same sex as the applicant or recipient who is required under a court order or domestic contract to support the applicant or recipient or any of his or her dependants,
- (c) a person of the same sex as the applicant or recipient who has an obligation to support the applicant or recipient or any of his or her dependants under section 30 or 31 of the *Family Law Act*,

RÈGLEMENT DE L'ONTARIO 33/00
pris en application de la
LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 222/98
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 222/98 a été modifié par les Règlements de l'Ontario 167/99, 171/99 et 239/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) La définition de «personne à charge» au paragraphe 1 (1) du Règlement de l'Ontario 222/98 est modifiée :

- a) par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» au sous-alinéa a) (i);
- b) par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne du sous-alinéa a) (ii);
- c) par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne du sous-alinéa a) (iii);
- d) par substitution de «du conjoint ou partenaire de même sexe» à «du conjoint» à la première ligne de l'alinéa b).

(2) Le paragraphe 1 (1) du Règlement est modifié par adjonction de la définition suivante :

«partenaire de même sexe» Relativement à l'auteur d'une demande ou à un bénéficiaire, s'entend, selon le cas :

- a) d'une personne du même sexe que celui de l'auteur de la demande ou du bénéficiaire, si elle a déclaré avec celui-ci au directeur ou à un administrateur visé par la *Loi de 1997 sur le programme Ontario au travail* qu'ils sont partenaires de même sexe;
- b) d'une personne du même sexe que celui de l'auteur de la demande ou du bénéficiaire qui est tenue aux termes d'une ordonnance judiciaire ou d'un contrat familial de fournir des aliments à l'auteur de la demande ou au bénéficiaire ou à l'une ou l'autre des personnes à la charge de celui-ci;
- c) d'une personne du même sexe que celui de l'auteur de la demande ou du bénéficiaire qui est tenue, aux termes de l'article 30 ou 31 de la *Loi sur le droit de la famille*, de fournir des aliments à

whether or not there is a domestic contract or other agreement between the person and the applicant or recipient whereby they purport to waive or release such obligation to support, or

(d) a person of the same sex as the applicant or recipient who is residing in the same dwelling place as the applicant or recipient, if the social and familial aspects of the relationship between the person and the applicant or recipient amount to cohabitation and,

- (i) the person is providing financial support to the applicant or recipient,
- (ii) the applicant or recipient is providing financial support to the person, or
- (iii) the person and the applicant or recipient have a mutual agreement or arrangement regarding their financial affairs; (“partenaire de même sexe”)

(3) The definition of “sole support parent” in subsection 1 (1) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

(4) The definition of “spouse” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“spouse”, in relation to an applicant or recipient, means,

- (a) a person of the opposite sex to the applicant or recipient, if the person and the applicant or recipient have together declared to the Director or to an administrator under the *Ontario Works Act, 1997* that they are spouses,
- (b) a person of the opposite sex to the applicant or recipient who is required under a court order or domestic contract to support the applicant or recipient or any of his or her dependants,
- (c) a person of the opposite sex to the applicant or recipient who has an obligation to support the applicant or recipient or any of his or her dependants under section 30 or 31 of the *Family Law Act*, whether or not there is a domestic contract or other agreement between the person and the applicant or recipient whereby they purport to waive or release such obligation to support, or
- (d) a person of the opposite sex to the applicant or recipient who is residing in the same dwelling place as the applicant or recipient, if the social and familial aspects of the relationship between the person and the applicant or recipient amount to cohabitation and,
 - (i) the person is providing financial support to the applicant or recipient,
 - (ii) the applicant or recipient is providing financial support to the person, or
 - (iii) the person and the applicant or recipient have a mutual agreement or arrangement regarding their financial affairs. (“conjoint”)

(5) Subsections 1 (2) and (3) of the Regulation are revoked and the following substituted:

(2) For the purpose of the definitions of “spouse” and “same-sex partner”, sexual factors shall not be investigated or considered in determining whether or not a person is a spouse or same-sex partner.

l’auteur de la demande ou au bénéficiaire ou à l’une ou l’autre des personnes à la charge de celui-ci, que la personne et l’auteur de la demande ou le bénéficiaire aient conclu ou non un contrat familial ou un autre accord selon lequel ils renonceraient à une telle obligation alimentaire ou y mettraient fin;

d) d’une personne du même sexe que celui de l’auteur de la demande ou du bénéficiaire qui réside dans le même logement que celui-ci, si les aspects sociaux et familiaux des rapports existant entre eux constituent une cohabitation et que, selon le cas :

- (i) la personne fournit un soutien financier à l’auteur de la demande ou au bénéficiaire,
- (ii) l’auteur de la demande ou le bénéficiaire fournit un soutien financier à la personne,
- (iii) la personne et l’auteur de la demande ou le bénéficiaire ont un accord ou un arrangement en ce qui concerne leurs affaires financières. («same-sex partner»)

(3) La définition de «père ou mère seul soutien de famille» au paragraphe 1 (1) du Règlement est modifiée par substitution de «de conjoint ou de partenaire de même sexe» à «de conjoint» à la fin.

(4) La définition de «conjoint» au paragraphe 1 (1) du Règlement est abrogée et remplacée par ce qui suit :

«conjoint» Relativement à l’auteur d’une demande ou à un bénéficiaire, s’entend, selon le cas :

- a) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire, si elle a déclaré avec celui-ci au directeur ou à un administrateur visé par la *Loi de 1997 sur le programme Ontario au travail* qu’ils sont conjoints;
- b) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire qui est tenue aux termes d’une ordonnance judiciaire ou d’un contrat familial de fournir des aliments à l’auteur de la demande ou au bénéficiaire ou à l’une ou l’autre des personnes à la charge de celui-ci;
- c) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire qui est tenue, aux termes de l’article 30 ou 31 de la *Loi sur le droit de la famille*, de fournir des aliments à l’auteur de la demande ou au bénéficiaire ou à l’une ou l’autre des personnes à la charge de celui-ci, que la personne et l’auteur de la demande ou le bénéficiaire aient conclu ou non un contrat familial ou un autre accord selon lequel ils renonceraient à une telle obligation alimentaire ou y mettraient fin;
- d) d’une personne du sexe opposé à celui de l’auteur de la demande ou du bénéficiaire qui réside dans le même logement que celui-ci, si les aspects sociaux et familiaux des rapports existant entre eux constituent une cohabitation et que, selon le cas :

- (i) la personne fournit un soutien financier à l’auteur de la demande ou au bénéficiaire,
- (ii) l’auteur de la demande ou le bénéficiaire fournit un soutien financier à la personne,
- (iii) la personne et l’auteur de la demande ou le bénéficiaire ont un accord ou un arrangement en ce qui concerne leurs affaires financières. («spouse»)

(5) Les paragraphes 1 (2) et (3) du Règlement sont abrogés et remplacés par ce qui suit :

(2) Pour l’application des définitions de «conjoint» et «partenaire de même sexe», les facteurs d’ordre sexuel ne doivent pas faire l’objet d’un examen ni être pris en considération pour déterminer si une personne est un conjoint ou un partenaire de même sexe.

2. (1) Clause 2 (1) (a) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Clause 2 (2) (a) of the Regulation is amended by striking out “spouse” in the first line and in the third line and substituting in each case “spouse or same-sex partner”.

(3) Clause 2 (3) (a) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(4) Clause 2 (3) (c) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(5) The English version of subclause 2 (3) (c) (ii) of the Regulation is revoked and the following substituted:

(ii) is the parent with primary care and control of the child, if subclause (i) does not apply; and

3. Subsection 15 (1) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner”.

4. (1) Subsection 16 (1) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner”.

(2) Subsection 16 (4) of the Regulation is amended by,

(a) striking out “spouse” in the second line and substituting “spouse or same-sex partner”; and

(b) striking out “applicant or spouse” in the third line and substituting “applicant, spouse or same-sex partner”.

5. (1) Clause 27 (1) (b) of the Regulation is amended by striking out “spouse” and substituting “spouse or same-sex partner”.

(2) Clause 27 (1) (c) of the Regulation is amended by striking out “spouse” and substituting “spouse or same-sex partner”.

6. Paragraph 17 of subsection 28 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

7. (1) The Table to paragraph 1 of subsection 30 (1) of the Regulation is amended by,

(a) striking out “Spouse” in the first, fifth and sixth columns of the first row and substituting in each case “Spouse or Same-Sex Partner”;

(b) striking out “spouse” in Note 1 and substituting “spouse or same-sex partner”;

(c) striking out “spouse” in Note 2 and substituting “spouse or same-sex partner”; and

(d) striking out Note 3 and substituting the following:

Note 3. A recipient with a spouse or same-sex partner included in the benefit unit if each of the recipient and the spouse, or each of the recipient and the same-sex partner, is a person with a disability or a person referred to in subparagraph 1 i of subsection 4 (1) or paragraph 6 of subsection 4 (1).

(2) The first row of the Table to paragraph 2 of subsection 30 (1) of the Regulation is amended by striking out “Spouse” in the first column and in the third column and substituting in each case “Spouse or Same-Sex Partner”.

2. (1) L’alinéa 2 (1) a) du Règlement est modifié par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» à la première ligne.

(2) L’alinéa 2 (2) a) du Règlement est modifié par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première ligne et à la troisième ligne.

(3) L’alinéa 2 (3) a) du Règlement est modifié par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» à la première ligne.

(4) L’alinéa 2 (3) c) du Règlement est modifié par substitution de «le conjoint ou partenaire de même sexe» à «le conjoint» à la première ligne.

(5) La version anglaise du sous-alinéa 2 (3) c) (ii) du Règlement est abrogée et remplacée par ce qui suit :

3. Le paragraphe 15 (1) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la troisième ligne.

4. (1) Le paragraphe 16 (1) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» aux troisième et quatrième lignes.

(2) Le paragraphe 16 (4) du Règlement est modifié :

a) par substitution de «du conjoint ou partenaire de même sexe» à «du conjoint» à la troisième ligne;

b) par substitution de «celui-ci, le conjoint ou le partenaire de même sexe» à «celui-ci ou le conjoint» à la troisième ligne.

5. (1) L’alinéa 27 (1) b) du Règlement est modifié par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint».

(2) L’alinéa 27 (1) c) du Règlement est modifié par substitution de «conjoint ou partenaire de même sexe» à «conjoint».

6. La disposition 17 du paragraphe 28 (1) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la deuxième ligne.

7. (1) Le tableau de la disposition 1 du paragraphe 30 (1) du Règlement est modifié :

a) par substitution de «conjoint ou partenaire de même sexe» à «conjoint» aux première, cinquième et sixième colonnes de la première rangée;

b) par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la remarque 1;

c) par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la remarque 2;

d) par substitution de ce qui suit à la remarque 3 :

Remarque 3. Un bénéficiaire qui a un conjoint ou partenaire de même sexe compris dans le groupe de prestataires si le bénéficiaire, de même que le conjoint ou partenaire de même sexe, est une personne handicapée ou une personne visée à la sous-disposition 1 i du paragraphe 4 (1) ou à la disposition 6 de ce paragraphe.

(2) La première rangée du tableau de la disposition 2 du paragraphe 30 (1) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la troisième colonne.

(3) Subsection 30 (2) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

8. Paragraph 5 of subsection 31 (2) of the Regulation is amended by,

- (a) striking out “spouse” in the third line and substituting “spouse or same-sex partner”; and
- (b) striking out “both spouses” in the third line and substituting “both spouses or both same-sex partners”.

9. (1) Subparagraph 1 ii of subsection 33 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Subparagraph 1 iii of subsection 33 (1) of the Regulation is amended by,

- (a) striking out “spouse” in the first line and substituting “spouse or same-sex partner”; and
- (b) striking out “both spouses” in the second line and substituting “both spouses or both same-sex partners”.

(3) Paragraph 2 of subsection 33 (1) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

(4) The first column of the Table to paragraph 2 of subsection 33 (1) of the Regulation is amended by striking out “spouse” in the second row and in the third row and substituting in each case “spouse or same-sex partner”.

(5) The first row of the Table to paragraph 3 of subsection 33 (1) of the Regulation is amended by striking out “Spouse” in the first column and in the third column and substituting in each case “Spouse or Same-Sex Partner”.

10. (1) Paragraph 1 of subsection 34 (1) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

(2) Paragraph 2 of subsection 34 (1) of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

(3) Paragraph 1 of subsection 34 (2) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner” and by striking out “recipient or spouse” in the fourth line and substituting “recipient, spouse or same-sex partner”.

11. Sub-subparagraph 1 iv A of section 38 of the Regulation is amended by striking out “or spouse” in the second line and substituting “or a spouse or same-sex partner”.

12. Subsection 39 (2) of the Regulation is amended by striking out “the applicant, recipient or spouse included in the benefit unit” in the second line and substituting “the applicant or recipient or the spouse or same-sex partner included in the benefit unit”.

13. (1) The Table to subparagraph 1 ii of section 40 of the Regulation is amended by,

- (a) striking out “Spouse” in the first, fifth and sixth columns of the first row and substituting in each case “Spouse or Same-Sex Partner”;

(3) Le paragraphe 30 (2) du Règlement est modifié par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne.

8. La disposition 5 du paragraphe 31 (2) du Règlement est modifiée :

- a) par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la troisième ligne.
- b) par substitution de «chacun des conjoints ou partenaires de même sexe» à «chaque conjoint» à la quatrième ligne.

9. (1) La sous-disposition 1 ii du paragraphe 33 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(2) La sous-disposition 1 iii du paragraphe 33 (1) du Règlement est modifiée :

- a) par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne;
- b) par substitution de «chacun des conjoints ou partenaires de même sexe» à «chaque conjoint» à la deuxième ligne.

(3) La disposition 2 du paragraphe 33 (1) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la deuxième ligne.

(4) La première colonne du tableau de la disposition 2 du paragraphe 33 (1) du Règlement est modifiée par substitution de «de conjoint ou de partenaire de même sexe» à «de conjoint à charge» à la deuxième rangée et par substitution de «un conjoint ou un partenaire de même sexe» à «un conjoint à charge» à la troisième rangée.

(5) La première rangée du tableau de la disposition 3 du paragraphe 33 (1) du Règlement est modifiée par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la première colonne et à la troisième colonne.

10. (1) La disposition 1 du paragraphe 34 (1) du Règlement est modifiée par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la deuxième ligne.

(2) La disposition 2 du paragraphe 34 (1) du Règlement est modifiée par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la troisième ligne.

(3) La disposition 1 du paragraphe 34 (2) du Règlement est modifiée par substitution de «son conjoint ou partenaire de même sexe» à «son conjoint» à la quatrième ligne.

11. La sous-sous-disposition 1 iv A de l'article 38 du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la deuxième ligne.

12. Le paragraphe 39 (2) du Règlement est modifié par substitution de «l'auteur de la demande ou le bénéficiaire ou le conjoint ou partenaire de même sexe compris dans le groupe de prestataires» à «l'auteur de la demande, le bénéficiaire ou le conjoint compris dans le groupe de prestataires» aux deuxième et troisième lignes.

13. (1) Le tableau de la sous-disposition 1 ii de l'article 40 du Règlement est modifié :

- a) par substitution de «conjoint ou partenaire de même sexe» à «conjoint» aux première, cinquième et sixième colonnes de la première rangée;

- (b) striking out “spouse” in Note 1 and substituting “spouse or same-sex partner”;
- (c) striking out “spouse” in Note 2 and substituting “spouse or same-sex partner”; and
- (d) striking out Note 3 and substituting the following:

Note 3. A recipient with a spouse or same-sex partner included in the benefit unit if each of the recipient and the spouse, or each of the recipient and the same-sex partner, is a person with a disability or a person referred to in subparagraph 1 i of subsection 4 (1) or paragraph 6 of subsection 4 (1).

(2) Subparagraph 3 iii of section 40 of the Regulation is amended by striking out “family violence” at the end and substituting “domestic violence”.

14. Sub-subparagraph 1 vi B of subsection 43 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

15. (1) Paragraph 6 of subsection 44 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(2) Paragraph 7 of subsection 44 (1) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

16. Paragraph 1 of section 47 of the Regulation is amended by striking out “spouse” in the second line and substituting “spouse or same-sex partner”.

17. The English version of the heading immediately preceding section 51 of the Regulation is amended by striking out “FAMILY”.

18. Part IX of the Regulation is revoked and the following substituted:

PART IX TRANSITION

72. (1) In this section,
- “change in eligibility”, with respect to a recipient, means a change with respect to the recipient’s eligibility for income support, the conditions of the recipient’s continuing eligibility for income support or the amount of income support that the recipient is to receive, if that change results from amendments made to this Regulation by Ontario Regulation 33/00.
- (2) The Director shall,
- (a) review and update the information recorded with respect to each recipient affected by the change in eligibility; and
 - (b) make the determination required for the change in eligibility to take effect.
- (3) A change in eligibility shall take effect with respect to a recipient on the day the Director makes the determination mentioned in clause (2) (b) with respect to that recipient.

19. This Regulation comes into force on the day section 47 of the *Amendments Because of the Supreme Court of Canada Decision in M. v. H. Act, 1999* comes into force.

- b) par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la remarque 1;
- c) par substitution de «conjoint ou partenaire de même sexe» à «conjoint» à la remarque 2;
- d) par substitution de ce qui suit à la remarque 3 :

Remarque 3. Un bénéficiaire qui a un conjoint ou partenaire de même sexe compris dans le groupe de prestataires si le bénéficiaire, de même que le conjoint ou partenaire de même sexe, est une personne handicapée ou une personne visée à la sous-disposition 1 i du paragraphe 4 (1) ou à la disposition 6 de ce paragraphe.

(2) La sous-disposition 3 iii de l’article 40 du Règlement est modifiée par substitution de «de violence au foyer» à «de violence familiale» à la fin.

14. La sous-sous-disposition 1 vi B du paragraphe 43 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

15. (1) La disposition 6 du paragraphe 44 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

(2) La disposition 7 du paragraphe 44 (1) du Règlement est modifiée par substitution de «un conjoint ou partenaire de même sexe» à «un conjoint» à la première ligne.

16. La disposition 1 de l’article 47 du Règlement est modifiée par substitution de «d’un conjoint ou partenaire de même sexe» à «d’un conjoint» à la deuxième ligne.

17. La version anglaise de l’intertitre qui précède immédiatement l’article 51 du Règlement est modifiée par suppression de «Family».

18. La partie IX du Règlement est abrogée et remplacée par ce qui suit :

PARTIE IX DISPOSITIONS transitoires

72. (1) La définition qui suit s’applique au présent article.
- «modification de l’admissibilité» Relativement à un bénéficiaire, s’entend d’une modification concernant son admissibilité au soutien du revenu, les conditions du maintien de son admissibilité au soutien du revenu ou le montant du soutien du revenu qu’il doit recevoir, si cette modification provient des modifications apportées au présent règlement par le Règlement de l’Ontario 33/00.
- (2) Le directeur :
- a) d’une part, examine et met à jour les renseignements consignés à l’égard de chaque bénéficiaire visé par la modification de l’admissibilité;
 - b) d’autre part, prend la décision qui est nécessaire pour que prenne effet la modification de l’admissibilité.
- (3) La modification de l’admissibilité prend effet à l’égard d’un bénéficiaire le jour où le directeur prend la décision visée à l’alinéa (2) b) à son égard.

19. Le présent règlement entre en vigueur le jour de l’entrée en vigueur de l’article 47 de la *Loi de 1999 modifiant des lois en raison de la décision de la Cour suprême du Canada dans l’arrêt M. c. H.*

ONTARIO REGULATION 34/00
made under the
ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 223/98
(Employment Supports)

Note: Since the end of 1998, Ontario Regulation 223/98 has been amended by Ontario Regulation 168/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The definition of “B” in subsection 6 (3) Ontario Regulation 223/98 is revoked and the following substituted:

“B” equals the amount described by “A” for the person’s spouse or same-sex partner, if any;

2. This Regulation comes into force on the day section 47 of the Amendments Because of the Supreme Court of Canada Decision in M. v. H. Act, 1999 comes into force.

8/00

RÈGLEMENT DE L'ONTARIO 34/00
pris en application de la
LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 223/98
(Soutien de l'emploi)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 223/98 a été modifié par le Règlement de l'Ontario 168/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. La définition de «B» au paragraphe 6 (3) du Règlement de l'Ontario 223/98 est abrogée et remplacée par ce qui suit :

«B» correspond au montant visé en «A» pour le conjoint ou le partenaire de même sexe de la personne, le cas échéant;

2. Le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 47 de la Loi de 1999 modifiant des lois en raison de la décision de la Cour suprême du Canada dans l'arrêt M. c. H.

ONTARIO REGULATION 35/00
made under the
ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 224/98
(Assistance for Children with Severe Disabilities)

Note: Ontario Regulation 224/98 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) The definition of “family income” in section 1 of Ontario Regulation 224/98 is revoked.

(2) Section 1 of the Regulation is amended by adding the following definition:

“household income” means the aggregate of the amount of income, for the taxation year next preceding that during which financial assistance is paid or is to be paid, of,

- (a) the parent of the child with a severe disability,
- (b) the spouse or same-sex partner of that parent if he or she resides in the same dwelling place as the parent, and
- (c) the child with a severe disability; (“revenu du ménage”)

2. (1) Subsection 3 (1) of the Regulation is amended by striking out “the parent and spouse, if any” in the second line and substituting “the parent and the parent’s spouse or same-sex partner, if any”.

(2) Clause 3 (1) (b) of the Regulation is amended by striking out “family income” and substituting “household income”.

RÈGLEMENT DE L'ONTARIO 35/00
pris en application de la
LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 224/98
(Aide à l'égard d'enfants qui ont un handicap grave)

Remarque : Le Règlement de l'Ontario 224/98 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) La définition de «revenu familial» à l'article 1 du Règlement de l'Ontario 224/98 est abrogée.

(2) L'article 1 du Règlement est modifié par adjonction de la définition suivante :

«revenu du ménage» Le montant total du revenu des personnes suivantes pour l'année d'imposition précédant celle pendant laquelle une aide financière est ou doit être versée :

- a) le père ou la mère de l'enfant qui a un handicap grave;
- b) le conjoint ou partenaire de même sexe du père ou de la mère en question, s'il réside dans le même logement que cette personne;
- c) l'enfant qui a un handicap grave. («household income»)

2. (1) Le paragraphe 3 (1) du Règlement est modifié par substitution de «du père ou de la mère, et de son conjoint ou partenaire de même sexe, le cas échéant» à «du père ou de la mère, et de son conjoint, le cas échéant» aux deuxième et troisième lignes.

(2) L'alinéa 3 (1) b) du Règlement est modifié par substitution de «revenu du ménage» à «revenu familial».

3. Section 4 of the Regulation is amended by,

- (a) striking out “family income” in the first line and substituting “household income”; and
- (b) striking out “spouse” in the first line and substituting “spouse, same-sex partner”.

4. (1) Paragraph 2 of section 5 of the Regulation is amended by striking out “family income” in the first line and in the third line and substituting in each case “household income”.

(2) Paragraph 3 of section 5 of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse, same-sex partner”.

(3) Paragraph 4 of section 5 of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse, same-sex partner”.

5. Section 8 of the Regulation is revoked and the following substituted:

8. (1) In this section,

“change in eligibility”, with respect to a parent to whom financial assistance is provided under this Regulation, means a change with respect to the parent’s eligibility for financial assistance under this Regulation, the conditions of the parent’s continuing eligibility for financial assistance under this Regulation or the amount of financial assistance that the parent is to receive under this Regulation, if that change results from amendments made to this Regulation by Ontario Regulation 35/00.

(2) The Director shall,

- (a) review and update the information recorded with respect to each parent to whom financial assistance is provided under this Regulation and who is affected by the change in eligibility; and
- (b) make the determination required for the change in eligibility to take effect.

(3) A change in eligibility shall take effect with respect to a parent on the day the Director makes the determination mentioned in clause (2) (b) with respect to that parent.

6. This Regulation comes into force on the day section 47 of the *Amendments Because of the Supreme Court of Canada Decision in M. v. H. Act, 1999* comes into force.

3. L’article 4 du Règlement est modifié :

- a) par substitution de «revenu du ménage» à «revenu familial» à la première ligne;
- b) par substitution de «le conjoint, le partenaire de même sexe» à «le conjoint» aux première et deuxième lignes.

4. (1) La disposition 2 de l’article 5 du Règlement est modifiée par substitution de «revenu du ménage» à «revenu familial» à la première ligne et à la troisième ligne.

(2) La disposition 3 de l’article 5 du Règlement est modifiée par substitution de «du conjoint, du partenaire de même sexe» à «du conjoint» à la première ligne.

(3) La disposition 4 de l’article 5 du Règlement est modifiée par substitution de «du conjoint, du partenaire de même sexe» à «du conjoint» à la première ligne.

5. L’article 8 du Règlement est abrogé et remplacé par ce qui suit :

8. (1) La définition qui suit s’applique au présent article.

«modification de l’admissibilité» Relativement à un père ou à une mère à qui est fournie l’aide financière prévue par le présent règlement, s’entend d’une modification concernant son admissibilité à cette aide, les conditions du maintien de son admissibilité à cette aide ou le montant de l’aide financière que le père ou la mère doit recevoir aux termes du présent règlement, si cette modification provient des modifications apportées au présent règlement par le Règlement de l’Ontario 35/00.

(2) Le directeur :

- a) d’une part, examine et met à jour les renseignements consignés à l’égard de chaque père ou mère à qui est fournie l’aide financière prévue par le présent règlement et qui est visé par la modification de l’admissibilité;
- b) d’autre part, prend la décision qui est nécessaire pour que prenne effet la modification de l’admissibilité.

(3) La modification de l’admissibilité prend effet à l’égard d’un père ou d’une mère le jour où le directeur prend la décision visée à l’alinéa (2) b) à son égard.

6. Le présent règlement entre en vigueur le jour de l’entrée en vigueur de l’article 47 de la *Loi de 1999 modifiant des lois en raison de la décision de la Cour suprême du Canada dans l’arrêt M. c. H.*

8/00

ONTARIO REGULATION 36/00
made under the
FAMILY BENEFITS ACT

Made: February 2, 2000
Filed: February 4, 2000

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

Note: Since the end of 1998, Regulation 366 has been amended by Ontario Regulations 169/99 and 240/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 1 (1) of Regulation 366 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“same-sex partner” means,

- (a) a person of the same sex as an applicant or recipient who together with the applicant or recipient have declared to the Director that they are same-sex partners,
- (b) a person of the same sex as an applicant or recipient who is required under the provisions of a court order or domestic contract to support the applicant or recipient or any of his or her dependent children,
- (c) a person of the same sex as an applicant or recipient who has an obligation to support the applicant or recipient or any of his or her dependent children under section 30 or 31 of the *Family Law Act* despite a domestic contract or other agreement between the person and the applicant or recipient whereby they purport to waive or release such obligation to support, or
- (d) a person of the same sex as an applicant or recipient who is residing in the same dwelling place as the applicant or recipient if,

- (i) the person is providing financial support to the applicant or recipient,
- (ii) the applicant or recipient is providing financial support to the person, or
- (iii) the person and the applicant or recipient have a mutual agreement or arrangement regarding their financial affairs,

and the social and familial aspects of the relationship between the person and the applicant or recipient amount to cohabitation.

(2) The definition of “single person” in subsection 1 (1) of the Regulation is amended by striking out “spouse” in the third line and substituting “spouse or same-sex partner”.

(3) The definition of “spouse” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“spouse” means,

- (a) a person of the opposite sex to an applicant or recipient who together with the applicant or recipient have declared to the Director or a welfare administrator appointed under section 4 of the *General Welfare Assistance Act* that they are spouses,
- (b) a person of the opposite sex to an applicant or recipient who is required under the provisions of a court order or domestic contract to support the applicant, recipient or any of his or her dependent children,
- (c) a person of the opposite sex to an applicant or recipient who has an obligation to support the applicant or recipient or any of his or her dependent children under section 30 or 31 of the *Family Law Act* despite a domestic contract or other agreement between the person and the applicant or recipient whereby they purport to waive or release such obligation to support, or
- (d) a person of the opposite sex to an applicant or recipient who is residing in the same dwelling place as the applicant or recipient if,

- (i) the person is providing financial support to the applicant or recipient,
- (ii) the applicant or recipient is providing financial support to the person, or

- (iii) the person and the applicant or recipient have a mutual agreement or arrangement regarding their financial affairs,

and the social and familial aspects of the relationship between the person and the applicant or recipient amount to cohabitation.

(4) Subsection 1 (2) of the Regulation is amended by striking out “spouse” in the first line and substituting “spouse or same-sex partner”.

(5) Subsection 1 (3) of the Regulation is revoked.

2. Clause 2 (7) (b) of the Regulation is amended by striking out “spouse” in the first line and in the second line and substituting in each case “spouse or same-sex partner”.

3. (1) Subclause 5 (b) (i) of the Regulation is amended by striking out “spouse” and substituting “spouse or same-sex partner”.

(2) Clause 5 (d) of the Regulation is revoked.

4. (1) Subsection 13 (15) of the Regulation is amended by striking out “or nominating relative” in the second line.

(2) Subsection 13 (17) of the Regulation is amended by striking out “family violence” at the end and substituting “domestic violence”.

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

TRANSITION

43. (1) In this section,

“change in eligibility”, with respect to a recipient, means a change with respect to the recipient’s eligibility for benefits, the conditions of the recipient’s continuing eligibility for benefits or the amount of benefits that the recipient is to receive, if that change results from amendments made to this Regulation by Ontario Regulation 36/00.

(2) The Director shall,

- (a) review and update the information recorded with respect to each recipient affected by the change in eligibility; and
- (b) make the determination required for the change in eligibility to take effect.

(3) A change in eligibility shall take effect with respect to a recipient on the day the Director makes the determination mentioned in clause (2) (b) with respect to that recipient.

6. This Regulation comes into force on the day section 47 of the *Amendments Because of the Supreme Court of Canada Decision in M. v. H. Act, 1999* comes into force.

ONTARIO REGULATION 37/00
made under the
SOCIAL ASSISTANCE REFORM ACT, 1997

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 137/98
(Transition from General Welfare Assistance and
Family Benefits to Ontario Works)

Note: Since the end of 1998, Ontario Regulation 137/98 has been amended by Ontario Regulations 35/99 and 133/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsection 20 (0.2) of Ontario Regulation 137/98 is revoked and the following substituted:

(0.2) Paragraph 1 of section 31 of Ontario Regulation 134/98 shall be deemed to include a reference to a recipient under the *Family Benefits Act*.

2. This Regulation comes into force on March 1, 2000.

8/00

RÈGLEMENT DE L'ONTARIO 37/00
pris en application de la
LOI DE 1997 SUR LA RÉFORME DE L'AIDE SOCIALE

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 137/98
(Transition de l'aide sociale générale et de prestations
familiales au programme Ontario au travail)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 137/98 a été modifié par les Règlements de l'Ontario 35/99 et 133/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Le paragraphe 20 (0.2) du Règlement de l'Ontario 137/98 est abrogé et remplacé par ce qui suit :

(0.2) La disposition 1 de l'article 31 du Règlement de l'Ontario 134/98 est réputée comprendre la mention d'un bénéficiaire au sens de la *Loi sur les prestations familiales*.

2. Le présent règlement entre en vigueur le 1^{er} mars 2000.

ONTARIO REGULATION 38/00
made under the
DAY NURSERIES ACT

Made: February 2, 2000
Filed: February 4, 2000

Amending Reg. 262 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 262 has been amended by Ontario Regulations 38/99, 130/99 and 609/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 1 of Regulation 262 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:

“same-sex partner” has the same meaning as in Part III of the *Family Law Act*; (“partenaire de même sexe”)

“spouse” has the same meaning as in Part III of the *Family Law Act*; (“conjoint”)

2. Clause 2 (3) (b) of the Regulation is revoked and the following substituted:

(b) the person is living in a conjugal relationship outside marriage with the director or officer, whether the person is of the same sex as or of the opposite sex to the director or officer;

3. Form 1 of the Regulation is amended by,

(a) striking out “Mother” in the second column of the second row and substituting “Parent”;

(b) striking out “Father” in the second column of the third row and substituting “Spouse/Same-Sex Partner”;

RÈGLEMENT DE L'ONTARIO 38/00
pris en application de la
LOI SUR LES GARDERIES

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. 262 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement 262 a été modifié par les Règlements de l'Ontario 38/99, 130/99 et 609/99. 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 262 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des définitions suivantes :

«conjoint» S'entend au sens de la partie III de la *Loi sur le droit de la famille*. («spouse»)

«partenaire de même sexe» S'entend au sens de la partie III de la *Loi sur le droit de la famille*. («same-sex partner»)

2. L'alinéa 2 (3) b) du Règlement est abrogé et remplacé par ce qui suit :

b) elle vit dans une union conjugale hors du mariage avec l'administrateur ou le dirigeant, qu'elle soit du même sexe que lui ou du sexe opposé;

3. La formule 1 du Règlement est modifiée :

a) par substitution de «Père ou mère» à «Mère» à la deuxième colonne de la deuxième rangée;

b) par substitution de «Conjoint ou partenaire de même sexe» à «Père» à la deuxième colonne de la troisième rangée;

- (c) striking out “Family Composition” in the heading immediately preceding the second box and substituting “Household Composition”;
- (d) striking out “(Family)” in the heading to Part II and substituting “(Household)”;
- (e) striking out “family” in items 30, 31 and 32 and substituting in each case “household”;
- (f) striking out “spouse” wherever it occurs under the heading “Consent to Inspect Assets” and substituting in each case “spouse/same-sex partner”; and
- (g) striking out “Signature of Spouse” under the heading “Consent to Inspect Assets” and substituting “Signature of Spouse/Same-Sex Partner”.

4. This Regulation comes into force on March 1, 2000.

8/00

ONTARIO REGULATION 39/00
made under the
**MINISTRY OF COMMUNITY AND SOCIAL
SERVICES ACT**

Made: February 2, 2000
Filed: February 4, 2000

Amending Reg. 776 of R.R.O. 1990
(Social Assistance Review Board)

Note: Regulation 776 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subclause (b) (iii) of the definition of “recipient” in subsection 3 (1) of Regulation 776 of the Revised Regulations of Ontario, 1990 is amended by striking out “he or she has a relative including a spouse, or a relative of a spouse who” at the beginning and substituting “he or she has a spouse, a same-sex partner, a relative, a relative of a spouse or a relative of a same-sex partner who”.

(2) Subsection 3 (2) of the Regulation is amended by adding the following definitions:

“same-sex partner” means either of two persons of the same sex who live together in a conjugal relationship outside marriage; (“partenaire de même sexe”)

“spouse” means,

- (a) a spouse as defined in section 1 of the *Family Law Act*, or
- (b) either of two persons of the opposite sex who live together in a conjugal relationship outside marriage; (“conjoint”)

2. This Regulation comes into force on the day section 47 of the *Amendments Because of the Supreme Court of Canada Decision in M. v. H. Act, 1999* comes into force.

c) par substitution de «Composition du ménage» à «Composition de la famille» dans le titre qui précède immédiatement la deuxième boîte;

d) par substitution de «(ménage)» à «(famille)» dans le titre de la partie II;

e) par substitution de «du ménage» à «de la famille» aux numéros 30, 31 et 32;

f) par substitution de «conjoint ou partenaire de même sexe» à «conjoint» partout où ce terme figure sous le titre «Consentement à l’inspection des biens»;

g) par substitution de «Signature du conjoint ou partenaire de même sexe» à «Signature du conjoint» sous le titre «Consentement à l’inspection des biens».

4. Le présent règlement entre en vigueur le 1^{er} mars 2000.

RÈGLEMENT DE L'ONTARIO 39/00
pris en application de la
**LOI SUR LE MINISTÈRE DES SERVICES
SOCIAUX ET COMMUNAUTAIRES**

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. 776 des R.R.O. de 1990
(Commission de révision de l’aide sociale)

Remarque : Le Règlement 776 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l’Ontario de 1998.

1. (1) Le sous-alinéa b) (iii) de la définition de «bénéficiaire» au paragraphe 3 (1) du Règlement 776 des Règlements refondus de l’Ontario de 1990 est modifié par substitution de «a un conjoint, un partenaire de même sexe, un parent, un parent de son conjoint ou un parent de son partenaire de même sexe qui» à «a un parent, notamment son conjoint, ou un parent de son conjoint, qui» au début.

(2) Le paragraphe 3 (2) du Règlement est modifié par adjonction des définitions suivantes :

«conjoint» S’entend :

- a) soit d’un conjoint au sens de l’article 1 de la *Loi sur le droit de la famille*;
- b) soit de l’une ou l’autre de deux personnes de sexe opposé qui vivent ensemble dans une union conjugale hors du mariage. («spouse»)

«partenaire de même sexe» L’une ou l’autre de deux personnes de même sexe qui vivent ensemble dans une union conjugale hors du mariage. («same-sex partner»)

2. Le présent règlement entre en vigueur le jour de l’entrée en vigueur de l’article 47 de la *Loi de 1999 modifiant des lois en raison de la décision de la Cour suprême du Canada dans l’arrêt M. c. H.*

8/00

ONTARIO REGULATION 40/00
made under the
DISTRICT SOCIAL SERVICES
ADMINISTRATION BOARDS ACT

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 278/98
(General)

Note: Ontario Regulation 278/98 has previously been amended by Ontario Regulations 37/99, 112/99 and 608/99.

1. (1) Clause 3.1 (2) (c) of Ontario Regulation 278/98 is amended by striking out “spouse” and substituting “spouse or same-sex partner”.

(2) Section 3.1 of the Regulation is amended by adding the following subsection:

(4) In this section,

“same-sex partner” means either of two persons of the same sex who live together in a conjugal relationship outside marriage;

“spouse” means,

(a) a spouse as defined in section 1 of the *Family Law Act*, or

(b) either of two persons of the opposite sex who live together in a conjugal relationship outside marriage.

2. This Regulation comes into force on the day section 47 of the *Amendments Because of the Supreme Court of Canada Decision in M. v. H. Act, 1999* comes into force.

8/00

ONTARIO REGULATION 41/00
made under the
CHANGE OF NAME ACT

Made: February 2, 2000
Filed: February 4, 2000

Amending Reg. 68 of R.R.O. 1990
(General)

Note: Regulation 68 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Forms 3 and 4 of Regulation 68 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

Form 3

Change of Name Act

JOINT DECLARATION OF CONJUGAL RELATIONSHIP

We, ... and
(forename(s) and surname)

.....
(forename(s) and surname)

of declare that we began living together
(city, town or village)

in a conjugal relationship outside marriage on
(date)

and that we still live together.

.....
(date)

(signature)

(signature)

Form 4

Change of Name Act

DECLARATION THAT CONJUGAL RELATIONSHIP HAS ENDED

I, ... of
(forename(s) and present surname)

RÈGLEMENT DE L'ONTARIO 41/00
pris en application de la
LOI SUR LE CHANGEMENT DE NOM

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. 68 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 68 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Les formules 3 et 4 du Règlement 68 des Règlements refondus de l'Ontario de 1990 sont abrogées et remplacées par ce qui suit :

Formule 3

Loi sur le changement de nom

DÉCLARATION COMMUNE D'UNION CONJUGALE

Nous soussignés, ... et
(prénom(s) et nom de famille)

.....
(prénom(s) et nom de famille)

domiciliés à déclarons que nous avons commencé
(cité, ville ou village)

à cohabiter dans une union conjugale hors du mariage le
(date)

et que nous vivons toujours ensemble.

.....
(date)

(signature)

(signature)

Formule 4

Loi sur le changement de nom

DÉCLARATION DE FIN D'UNE UNION CONJUGALE

Je soussigné(e), ... , domicilié(e) à
(prénom(s) et nom de famille actuel)

..... filed a joint declaration of conjugal relationship
(city, town or village)

with
(forename(s) and surname of other person who made declaration of
conjugal relationship)

on I declare that the relationship
(date)

has ended.

.....
(date) (signature of person making this declaration)

2. This Regulation comes into force on March 1, 2000.

8/00

ONTARIO REGULATION 42/00
made under the
COLLECTION AGENCIES ACT

Made: February 2, 2000
Filed: February 4, 2000

Amending Reg. 74 of R.R.O. 1990
(General)

Note: Regulation 74 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Regulation 74 of the Revised Regulations of Ontario, 1990 is amended by adding the following section after the heading:

19.2 In sections 20 and 21,

“same-sex partner” means either of two persons of the same sex who live together in a conjugal relationship outside marriage;

“spouse” means,

- (a) a spouse as defined in section 1 of the *Family Law Act*, or
- (b) either of two persons of the opposite sex who live together in a conjugal relationship outside marriage.

ONTARIO REGULATION 43/00
made under the
CORPORATIONS ACT

Made: February 2, 2000
Filed: February 4, 2000

Amending Reg. 181 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 181 has been amended by Ontario Regulations 189/99 and 192/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 3 (4) of Regulation 181 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

..... ai déposé une déclaration commune d'union conjugale
(cité, ville ou village)

avec
(prénom et nom de famille de l'autre personne qui a fait la déclaration
d'union conjugale)

le Je déclare que cette union conjugale
(date)

a pris fin.

.....
(date) (signature de la personne qui fait la présente
déclaration)

2. Le présent règlement entre en vigueur le 1^{er} mars 2000.

2. (1) Clause 20 (d) of the Regulation is revoked and the following substituted:

- (d) make telephone calls or personal calls of such nature or with such frequency as to constitute harassment of the debtor, his or her spouse or same-sex partner or any member of the debtor's family or household;

(2) Clause 20 (f) of the Regulation is revoked and the following substituted:

- (f) give any person, directly or indirectly, by implication or otherwise, any false or misleading information that may be detrimental to a debtor, his or her spouse or same-sex partner or any member of the debtor's family;

3. Section 21 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

21. Except for the purpose of obtaining the debtor's address or telephone number, no collection agency or collector shall contact a debtor's employer, spouse, same-sex partner, relatives, neighbours or friends unless,

.....

4. This Regulation comes into force on March 1, 2000.

8/00

RÈGLEMENT DE L'ONTARIO 43/00
pris en application de la
LOI SUR LES PERSONNES MORALES

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. 181 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement 181 a été modifié par les Règlements de l'Ontario 189/99 et 192/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) Le paragraphe 3 (4) du Règlement 181 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

(4) If the name of a corporation includes the word “veteran”, “ancien combattant” or any abbreviation or derivation of those words, the letters patent of the corporation shall provide that at all times at least 95 per cent of the members of the corporation shall be composed of war veterans, their spouses, same-sex partners or children, unless the name has been in continuous use for at least 20 years.

(2) Subsection 3 (5) of the Regulation is amended by adding the following definitions:

“same-sex partner” means either of two persons of the same sex who live together in a conjugal relationship outside marriage; (“partenaire de même sexe”)

“spouse” means,

- (a) a spouse as defined in section 1 of the *Family Law Act*, or
- (b) either of two persons of the opposite sex who live together in a conjugal relationship outside marriage. (“conjoint”)

2. This Regulation comes into force on March 1, 2000.

8/00

ONTARIO REGULATION 44/00
made under the
**MINISTRY OF CORRECTIONAL
SERVICES ACT**

Made: February 2, 2000
Filed: February 4, 2000

Amending Reg. 778 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 778 has been amended by Ontario Regulation 260/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsection 62 (1) of Regulation 778 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (1) In this section,

“victim” means a person who, as a result of the commission of any offence under the *Criminal Code* (Canada) by another, suffers emotional or physical harm, loss of or damage to property or economic harm and, if the commission of the offence results in the death of the person, includes,

- (a) a spouse or same-sex partner of the person, within the meaning of section 2 of the *Police Services Act*,
- (b) a child or parent of the person, within the meaning of section 1 of the *Family Law Act*, and
- (c) a dependant of the person within the meaning of section 29 of the *Family Law Act*,

but does not include a spouse, same-sex partner, child, parent or dependant who is charged with or has been convicted of committing the offence.

2. This Regulation comes into force on March 1, 2000.

8/00

(4) Si la dénomination sociale d’une personne morale comprend le terme «ancien combattant», «veteran» ou une abréviation ou un dérivé de ces termes, les lettres patentes de la personne morale prévoient que, de façon ininterrompue, au moins 95 pour cent de ses membres sont composés d’anciens combattants, de leurs conjoints, de leurs partenaires de même sexe ou de leurs enfants, à moins que la dénomination sociale n’ait été employée sans interruption pendant au moins 20 ans.

(2) Le paragraphe 3 (5) du Règlement est modifié par adjonction des définitions suivantes :

«conjoint» S’entend :

- a) soit d’un conjoint au sens de l’article 1 de la *Loi sur le droit de la famille*;
- b) soit de l’une ou l’autre de deux personnes de sexe opposé qui vivent ensemble dans une union conjugale hors du mariage. («spouse»)

«partenaire de même sexe» L’une ou l’autre de deux personnes de même sexe qui vivent ensemble dans une union conjugale hors du mariage. («same-sex partner»)

2. Le présent règlement entre en vigueur le 1^{er} mars 2000.

RÈGLEMENT DE L'ONTARIO 44/00
pris en application de la
**LOI SUR LE MINISTÈRE DES
SERVICES CORRECTIONNELS**

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. 778 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement 778 a été modifié par le Règlement de l’Ontario 260/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l’Ontario de 1998.

1. Le paragraphe 62 (1) du Règlement 778 des Règlements refondus de l’Ontario de 1990 est abrogé et remplacé par ce qui suit :

- (1) La définition qui suit s’applique au présent article.

«victime» S’entend de la personne qui, par suite de la commission par autrui d’une infraction au *Code criminel* (Canada), subit des maux d’ordre affectif ou physique ou une perte ou des dommages d’ordre matériel ou financier et, si la commission de l’infraction cause le décès de la personne, s’entend également des personnes suivantes :

- a) le conjoint ou le partenaire de même sexe de la personne, au sens de l’article 2 de la *Loi sur les services policiers*;
- b) un enfant ou le père ou la mère de la personne, au sens de l’article 1 de la *Loi sur le droit de la famille*;
- c) une personne à charge de la personne, au sens de l’article 29 de la *Loi sur le droit de la famille*.

Sont toutefois exclus le conjoint, le partenaire de même sexe, l’enfant, le père, la mère ou la personne à charge qui sont inculpés ou ont été condamnés pour la commission de l’infraction.

2. Le présent règlement entre en vigueur le 1^{er} mars 2000.

ONTARIO REGULATION 45/00
made under the
CHILD AND FAMILY SERVICES ACT

Made: February 2, 2000

Filed: February 4, 2000

Amending Reg. 70 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 70 has been amended by Ontario Regulation 199/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Part III of Regulation 70 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

36.1 (1) A warrant for access to a record or a specified part of a record under section 74.1 of the Act shall be in Form 42.

(2) An information in support of a warrant for access to a record or a specified part of a record under section 74.1 of the Act shall be in Form 43.

(2) Part III of the Regulation is amended by adding the following sections:

36.2 (1) A warrant for access to a record or a specified part of a record under section 74.2 of the Act shall be in Form 44.

(2) An information in support of a warrant for access to a record or a specified part of a record under section 74.2 of the Act shall be in Form 45.

36.3 (1) To apply for a warrant under section 74.2 of the Act, a Director or a person designated by a society may, instead of submitting to the justice an information on oath, submit to the justice by facsimile transmission an information that is not on oath but that includes a written statement, signed by the Director or the person designated by the society, stating that all matters contained in the information are true to his or her knowledge and belief.

(2) A written statement described in subsection (1) shall be deemed to be a statement made under oath.

(3) A justice who receives by facsimile transmission an information described in subsection (1) shall, as soon as practicable, cause the information, certified by the justice as to the place, time and date of its receipt, to be filed with the clerk of the court having jurisdiction in the area where the warrant is to be executed.

(4) A justice who issues a warrant under subsection 74.2 (3) of the Act on the basis of an information submitted by facsimile transmission under subsection (1) shall,

(a) complete and sign the warrant, noting on its face the date on which, and the time and place at which, it was issued;

(b) send the warrant by facsimile transmission to the Director or person designated by a society who submitted the information; and

(c) as soon as practicable after the warrant is issued, cause it to be filed with the clerk of the court having jurisdiction in the area where the warrant is to be executed.

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

Form 42

*Child and Family Services Act***WARRANT FOR ACCESS TO RECORD(S)**
(Section 74.1 of the Act)

Name of Court

Court file no.

at

.....

(address)

On the basis of an Information laid before me on oath by
(name of Informant)under section 74.1 of the *Child and Family Services Act*, I am satisfied that there are reasonable grounds to believe that:

- Check one box ☐ the record relating to
(name of person)
under the custody and control of
(name of record holder)
at
(address)
- ☐ the part of the record relating to
(name of person)
which part consists of
(describe the part of the record)
under the custody and control of
(name of record holder)
at
(address)

is relevant to investigate an allegation that a child is or may be in need of protection.

This warrant authorizes

- Check one box ☐ a Director appointed under the *Child and Family Services Act*
- ☐ a person designated by
(name of children's aid society)

to inspect the above-mentioned record

- Check one box ☐ during normal business hours
- ☐
(specify other time period)

and to make copies from the record in any manner that does not damage the record and to remove the record for the purpose of making copies. The person who removes the record must promptly return it after copying.

The Director or the person designated by the children's aid society may call on a peace officer for assistance in executing the warrant. (Subsection 74.1(6) of the Act)

This warrant is valid for seven days from the date it is issued. (Subsection 74.1(5) of the Act)

.....
(Date)

.....
Judge or Justice of the Peace in and for
the Province of Ontario

.....
(City, town, etc. where this Warrant signed)

Form 43

*Child and Family Services Act*INFORMATION IN SUPPORT OF A WARRANT FOR ACCESS TO A RECORD
(Section 74.1 of the Act)

Name of Court

Court file no.

at

.....

(address)

This is the Information of
(name of Director or person designated by the children's aid society)

I am:

Check one box ☐ a Director appointed under the *Child and Family Services Act*

☐ a person designated by
(name of children's aid society)

I have reasonable grounds to believe that:

Check one box ☐ the record relating to, under
(name of person)
the custody and control of
(name of record holder)
at
(address)

☐ the part of the record relating to
(name of person)
which part consists of
(describe the part of the record)
under the custody and control of
(name of record holder)
at
(address)

is relevant to investigate an allegation that, a child actually
(name of child)
or apparently under the age of sixteen, is or may be in need of protection. The record or part
of the record is relevant for the following reasons:

Set out reasons

(Strike out the following if access outside normal business hours not required)

I believe that it is reasonable and necessary to inspect the record specified above outside normal business hours and specifically between the hours of a.m./p.m. to a.m./p.m. for the following reasons:

Sworn (or affirmed) before me this day
of 20..... at
the of
in the of
.....
.....

Judge or Justice of the Peace in and for
the Province of Ontario

.....
Signature of Informant

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

Form 44

*Child and Family Services Act*WARRANT (TELEWARRANT) FOR ACCESS TO RECORD(S)
(Section 74.2 of the Act)

On the basis of an Information of under
(name of Informant)
section 74.2 of the *Child and Family Services Act*, I am satisfied that there are reasonable
grounds for dispensing with personal appearance and reasonable grounds to believe that:

- Check one box* ☐ the record relating to
(name of person)
under the custody and control of
(name of record holder)
at
(address)
- ☐ the part of the record relating to
(name of person)
which part consists of
(describe the part of the record)
under the custody and control of
(name of record holder)
at
(address)

is relevant to investigate an allegation that a child is or may be in need of protection.

This warrant authorizes

- Check one box* ☐ a Director appointed under the *Child and Family Services Act*
- ☐ a person designated by
(name of children's aid society)

to inspect the above-mentioned record

- Check one box* ☐ during normal business hours
- ☐
(specify other time period)

and to make copies from the record in any manner that does not damage the record and to

remove the record for the purpose of making copies. The person who removes the record must promptly return it after copying.

The Director or the person designated by the children's aid society may call on a peace officer for assistance in executing the warrant. (Subsection 74.2(5) of the Act)

This warrant is valid for seven days from the date it is issued. (Subsection 74.2(5) of the Act)

.....
(Date) Justice of the Peace in and for the
Province of Ontario

.....
(Time)

.....
(City, town, etc. where this Warrant signed)

Note: This warrant was issued by facsimile transmission. If you wish to know the basis on which this warrant was issued, you may apply to the clerk of the court having jurisdiction in the area where the warrant was executed, at to obtain a copy of the information.
(address)

Form 45

*Child and Family Services Act*INFORMATION IN SUPPORT OF A WARRANT (TELEWARRANT) FOR ACCESS TO A RECORD
(Section 74.2 of the Act)

This is the Information of
(name of Director or person designated by the children's aid society)

I am :

- Check one box* ☐ a Director appointed under the *Child and Family Services Act*
- ☐ a person designated by
(name of children's aid society)

I have reasonable grounds to believe that:

- Check one box* ☐ the record relating to, under
(name of person)
the custody and control of, at
(name of record holder)
.....
(address)
- ☐ the part of the record relating to, which
(name of person)
part consists of
(describe the part of the record)
under the custody and control of , at
(name of record holder)
.....
(address)

is relevant to investigate an allegation that, a child actually or
(name of child)

apparently under the age of sixteen, is or may be in need of protection. The record or part of

the record is relevant for the following reasons:

Set out reasons

It is impracticable to appear personally before a court or justice of the peace because
Describe circumstances that make it impracticable to appear personally

(Strike out the following if access outside normal business hours not required)

I believe that it is reasonable and necessary to inspect the record specified above outside normal business hours and specifically between the hours of a.m./p.m. to a.m./p.m. for the following reasons:

The Informant states that all matters contained in the Information are true to his/her knowledge and belief.

.....
Signature of Informant

I certify that this Information was received at at on the day
of , ...
(month) (year) (city) (time) (day)

.....
Justice of the Peace in and for
the Province of Ontario

4. (1) Subsection 1 (1) and section 2 come into force on the day section 25 of the *Child and Family Services Amendment Act (Child Welfare Reform)*, 1999 comes into force.

(2) Subsection 1 (2) and section 3 come into force on the day section 26 of the *Child and Family Services Amendment Act (Child Welfare Reform)*, 1999 comes into force.

8/00

ONTARIO REGULATION 46/00
made under the
ONTARIO WORKS ACT, 1997

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 134/98
(General)

Note: Since the end of 1998, Ontario Regulation 134/98 has been amended by Ontario Regulations 165/99, 170/99, 238/99 and 32/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subparagraph 1 iii of subsection 49 (1) of Ontario Regulation 134/98 is amended by striking out “subsection (2)” and substituting “subsections (2) and (2.1)”.

(2) Subsection 49 (2) of the Regulation is revoked and the following substituted:

(2) Subject to subsection (2.1), the percentage referred to in subparagraph 1 iii of subsection (1) shall be,

- (a) 25 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is less than or equal to 12;
- (b) 15 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is greater than 12 and less than or equal to 24;
- (c) 0 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is greater than 24.

(2.1) If the person has had income from employment during any of the first three months that assistance was payable to the person following a determination of eligibility, and if under paragraph 3 of subsection (1) an income reduction under subparagraph 1 iii of subsection (1) has not been made for any of those first three months of assistance, the number of months referred to in clauses (2) (a), (b) and (c) shall be increased by the number of those first three months of assistance for which the income reduction under subparagraph 1 iii of subsection (1) has not been made.

2. This Regulation comes into force on October 1, 2000.

RÈGLEMENT DE L'ONTARIO 46/00
pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 134/98 a été modifié par les Règlements de l'Ontario 165/99, 170/99, 238/99 et 32/00. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) La sous-disposition 1 iii du paragraphe 49 (1) du Règlement de l'Ontario 134/98 est modifiée par substitution de «des paragraphes (2) et (2.1)» à «du paragraphe (2)».

(2) Le paragraphe 49 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Sous réserve du paragraphe (2.1), le pourcentage visé à la sous-disposition 1 iii du paragraphe (1) correspond à ce qui suit :

- a) 25 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est inférieur ou égal à 12;
- b) 15 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est supérieur à 12 et inférieur ou égal à 24;
- c) 0 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est supérieur à 24.

(2.1) Si la personne a eu un revenu d'emploi pendant l'un ou l'autre des trois premiers mois pendant lesquels l'aide lui était payable à la suite de la détermination de l'admissibilité et que, aux termes de la disposition 3 du paragraphe (1), la réduction du revenu visée à la sous-disposition 1 iii du paragraphe (1) n'a pas été effectuée pour l'un ou l'autre de ces trois premiers mois, le nombre de mois visé aux alinéas (2) a), b) et c) est augmenté du nombre de mois, sur ces trois premiers mois, pour lesquels la réduction en question n'a pas été effectuée.

2. Le présent règlement entre en vigueur le 1^{er} octobre 2000.

8/00

ONTARIO REGULATION 47/00
made under the
ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 222/98
(General)

Note: Since the end of 1998, Ontario Regulation 222/98 has been amended by Ontario Regulations 167/99, 171/99, 239/99 and 33/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 25 of Ontario Regulation 222/98 is revoked and the following substituted:

25. (1) The Director shall refuse to provide income support to an applicant, and shall cancel the income support provided to a recipient, if the applicant or recipient has been convicted of an offence described in subsection (5) that was committed in whole or in part on or after April 1, 2000 and,

- (a) the applicant or recipient is a single person; or
- (b) the benefit unit of the applicant or recipient includes a spouse or same-sex partner who,
 - (i) has not been convicted of an offence described in subsection (5) that was committed in whole or in part on or after April 1, 2000, and
 - (ii) is not a person described in subsection 3 (1) of the Act.

(2) Unless subsection (1) applies, the Director shall refuse to include the amount determined under subsection (4) in the income support to be provided to an applicant, and shall reduce the income support provided to a recipient by the amount determined under subsection (4), if,

- (a) the benefit unit of the applicant or recipient includes one or more dependants; and
- (b) one or more of the members of the benefit unit have been convicted of an offence described in subsection (5) that was committed in whole or in part on or after April 1, 2000.

(3) Subsection (2) applies if the applicant or recipient is otherwise eligible for income support.

(4) The amount referred to in subsection (2) is an amount equal to the sum of the budgetary requirements and benefits of each member of the benefit unit who has been convicted of an offence described in subsection (5) that was committed in whole or in part on or after April 1, 2000.

(5) This section and section 25.1 apply to an offence, whether under Ontario or federal legislation, in relation to the receipt of,

- (a) income support under the Act;
- (b) assistance under the *Ontario Works Act, 1997*;
- (c) benefits under the *Family Benefits Act*; or
- (d) assistance under the *General Welfare Assistance Act*, which was, before its repeal, the Revised Statutes of Ontario, 1990, chapter G.6, as amended.

RÈGLEMENT DE L'ONTARIO 47/00
pris en application de la
LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 222/98
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 222/98 a été modifié par les Règlements de l'Ontario 167/99, 171/99, 239/99 et 33/00. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. L'article 25 du Règlement de l'Ontario 222/98 est abrogé et remplacé par ce qui suit :

25. (1) Le directeur refuse de fournir le soutien du revenu à l'auteur d'une demande et annule le soutien du revenu fourni à un bénéficiaire si l'auteur de la demande ou le bénéficiaire a été déclaré coupable d'une infraction visée au paragraphe (5) qui a été commise en totalité ou en partie le 1^{er} avril 2000 ou par la suite et que, selon le cas :

- a) l'auteur de la demande ou le bénéficiaire est une personne seule;
- b) le groupe de prestataires de l'auteur de la demande ou du bénéficiaire comprend un conjoint ou partenaire de même sexe qui :
 - (i) d'une part, n'a pas été déclaré coupable d'une infraction visée au paragraphe (5) qui a été commise en totalité ou en partie le 1^{er} avril 2000 ou par la suite,
 - (ii) d'autre part, n'est pas une personne visée au paragraphe 3 (1) de la Loi.

(2) À moins que le paragraphe (1) ne s'applique, le directeur refuse d'inclure le montant déterminé aux termes du paragraphe (4) dans le soutien du revenu qui doit être fourni à l'auteur d'une demande et réduit de ce montant le soutien du revenu fourni à un bénéficiaire si :

- a) d'une part, le groupe de prestataires de l'auteur de la demande ou du bénéficiaire comprend une ou plusieurs personnes à charge;
- b) d'autre part, un ou plusieurs membres du groupe de prestataires ont été déclarés coupables d'une infraction visée au paragraphe (5) qui a été commise en totalité ou en partie le 1^{er} avril 2000 ou par la suite.

(3) Le paragraphe (2) s'applique si l'auteur de la demande ou le bénéficiaire est par ailleurs admissible au soutien du revenu.

(4) Le montant visé au paragraphe (2) correspond à la somme des besoins matériels et des prestations à l'égard de chaque membre du groupe de prestataires qui a été déclaré coupable d'une infraction visée au paragraphe (5) qui a été commise en totalité ou en partie le 1^{er} avril 2000 ou par la suite.

(5) Le présent article et l'article 25.1 s'appliquent à une infraction prévue par une disposition législative de l'Ontario ou du Canada et concernant la réception, selon le cas :

- a) du soutien du revenu prévu par la Loi;
- b) de l'aide prévue par la *Loi de 1997 sur le programme Ontario au travail*;
- c) des prestations prévues par la *Loi sur les prestations familiales*;
- d) de l'aide prévue par la *Loi sur l'aide sociale générale* qui constituait, avant son abrogation, le chapitre G.6 des Lois refondues de l'Ontario de 1990, tel que modifié.

25.1 (1) Section 25, as it read immediately before April 1, 2000, continues to apply in respect of convictions for offences described in subsection 25 (5) that were committed in whole before that day.

(2) For greater certainty, where section 25, as it read immediately before April 1, 2000, applies in respect of convictions for offences that were committed in whole before that day and where section 25, as it reads on or after April 1, 2000, applies in respect of convictions for offences that were committed in whole or in part on or after that day, nothing prevents both provisions from being applied to a benefit unit, whether at different times or at the same time.

2. This Regulation comes into force on April 1, 2000.

8/00

ONTARIO REGULATION 48/00 made under the **ONTARIO WORKS ACT, 1997**

Made: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 134/98
(General)

Note: Since the end of 1998, Ontario Regulation 134/98 has been amended by Ontario Regulations 165/99, 170/99, 238/99, 32/00 and 46/00. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 36 of Ontario Regulation 134/98 is revoked and the following substituted:

36. (1) An administrator shall refuse to provide assistance to an applicant, and shall cancel the assistance provided to a recipient, if the applicant or recipient is a single person who has been convicted of an offence described in subsection (5) that was committed in whole or in part on or after April 1, 2000.

(2) An administrator shall refuse to include the amount determined under subsection (4) in the assistance to be provided to an applicant, and shall reduce the assistance provided to a recipient by the amount determined under subsection (4), if,

- (a) the benefit unit of the applicant or recipient includes one or more dependants; and
- (b) one or more of the members of the benefit unit have been convicted of an offence described in subsection (5) that was committed in whole or in part on or after April 1, 2000.

(3) Subsection (2) applies if the applicant or recipient is otherwise eligible for assistance.

(4) The amount referred to in subsection (2) is an amount equal to the sum of the budgetary requirements and benefits of each member of the benefit unit who has been convicted of an offence described in subsection (5) that was committed in whole or in part on or after April 1, 2000.

(5) This section and section 36.1 apply to an offence, whether under Ontario or federal legislation, in relation to the receipt of,

25.1 (1) L'article 25, tel qu'il existait immédiatement avant le 1^{er} avril 2000, continue de s'appliquer à l'égard des déclarations de culpabilité relatives aux infractions visées au paragraphe 25 (5) qui ont été commises en totalité avant ce jour-là.

(2) Il est entendu que, dans les cas où l'article 25, tel qu'il existait immédiatement avant le 1^{er} avril 2000, s'applique à l'égard des déclarations de culpabilité relatives aux infractions qui ont été commises en totalité avant ce jour-là et où l'article 25, tel qu'il existe le 1^{er} avril 2000 ou par la suite, s'applique à l'égard des déclarations de culpabilité relatives aux infractions qui ont été commises en totalité ou en partie ce jour-là ou par la suite, rien n'empêche l'application des deux dispositions à un groupe de prestataires, que ce soit à des moments différents ou au même moment.

2. Le présent règlement entre en vigueur le 1^{er} avril 2000.

RÈGLEMENT DE L'ONTARIO 48/00 pris en application de la **LOI DE 1997 SUR LE PROGRAMME** **ONTARIO AU TRAVAIL**

pris le 2 février 2000
déposé le 4 février 2000

modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 134/98 a été modifié par les Règlements de l'Ontario 165/99, 170/99, 238/99, 32/00 et 46/00. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. L'article 36 du Règlement de l'Ontario 134/98 est abrogé et remplacé par ce qui suit :

36. (1) L'administrateur refuse de fournir l'aide à l'auteur d'une demande et annule l'aide fournie à un bénéficiaire si l'auteur de la demande ou le bénéficiaire est une personne seule qui a été déclarée coupable d'une infraction visée au paragraphe (5) qui a été commise en totalité ou en partie le 1^{er} avril 2000 ou par la suite.

(2) L'administrateur refuse d'inclure le montant déterminé aux termes du paragraphe (4) dans l'aide qui doit être fournie à l'auteur d'une demande et réduit de ce montant l'aide fournie à un bénéficiaire si :

- a) d'une part, le groupe de prestataires de l'auteur de la demande ou du bénéficiaire comprend une ou plusieurs personnes à charge;
- b) d'autre part, un ou plusieurs membres du groupe de prestataires ont été déclarés coupables d'une infraction visée au paragraphe (5) qui a été commise en totalité ou en partie le 1^{er} avril 2000 ou par la suite.

(3) Le paragraphe (2) s'applique si l'auteur de la demande ou le bénéficiaire est par ailleurs admissible à l'aide.

(4) Le montant visé au paragraphe (2) correspond à la somme des besoins matériels et des prestations à l'égard de chaque membre du groupe de prestataires qui a été déclaré coupable d'une infraction visée au paragraphe (5) qui a été commise en totalité ou en partie le 1^{er} avril 2000 ou par la suite.

(5) Le présent article et l'article 36.1 s'appliquent à une infraction prévue par une disposition législative de l'Ontario ou du Canada et concernant la réception, selon le cas :

- (a) assistance under the Act;
- (b) income support under the *Ontario Disability Support Program Act, 1997*;
- (c) benefits under the *Family Benefits Act*; or
- (d) assistance under the *General Welfare Assistance Act*, which was, before its repeal, the Revised Statutes of Ontario, 1990, chapter G.6, as amended.

36.1 (1) Section 36, as it read immediately before April 1, 2000, continues to apply in respect of convictions for offences described in subsection 36 (5) that were committed in whole before that day.

(2) For greater certainty, where section 36, as it read immediately before April 1, 2000, applies in respect of convictions for offences that were committed in whole before that day and where section 36, as it reads on or after April 1, 2000, applies in respect of convictions for offences that were committed in whole or in part on or after that day, nothing prevents both provisions from being applied to a benefit unit, whether at different times or at the same time.

2. This Regulation comes into force on April 1, 2000.

8/00

- a) de l'aide prévue par la Loi;
- b) du soutien du revenu prévu par la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées*;
- c) des prestations prévues par la *Loi sur les prestations familiales*;
- d) de l'aide prévue par la *Loi sur l'aide sociale générale* qui constituait, avant son abrogation, le chapitre G.6 des Lois refondues de l'Ontario de 1990, tel que modifié.

36.1 (1) L'article 36, tel qu'il existait immédiatement avant le 1^{er} avril 2000, continue de s'appliquer à l'égard des déclarations de culpabilité relatives aux infractions visées au paragraphe 36 (5) qui ont été commises en totalité avant ce jour-là.

(2) Il est entendu que, dans les cas où l'article 36, tel qu'il existait immédiatement avant le 1^{er} avril 2000, s'applique à l'égard des déclarations de culpabilité relatives aux infractions qui ont été commises en totalité avant ce jour-là et où l'article 36, tel qu'il existe le 1^{er} avril 2000 ou par la suite, s'applique à l'égard des déclarations de culpabilité relatives aux infractions qui ont été commises en totalité ou en partie ce jour-là ou par la suite, rien n'empêche l'application des deux dispositions à un groupe de prestataires, que ce soit à des moments différents ou au même moment.

2. Le présent règlement entre en vigueur le 1^{er} avril 2000.

ONTARIO REGULATION 49/00
made under the
MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: December 6, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Revoking O. Reg. 745/93
(Committee Composition)

1. Ontario Regulations 745/93 and 397/94 are revoked.

COUNCIL OF THE COLLEGE OF
MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
President

SHARON SABERTON
Registrar

Dated on December 6, 1999.

8/00

ONTARIO REGULATION 50/00
made under the
MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: December 6, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Revoking O. Reg. 911/93
(Elections)

1. Ontario Regulations 911/93 and 452/95 are revoked.

COUNCIL OF THE COLLEGE OF
MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
President

SHARON SABERTON
Registrar

Dated on December 6, 1999.

8/00

ONTARIO REGULATION 51/00
made under the
MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: December 6, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Revoking O. Reg. 912/93
(Fees)

1. Ontario Regulation 912/93 is revoked.

COUNCIL OF THE COLLEGE OF
MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
President

SHARON SABERTON
Registrar

Dated on December 6, 1999.

8/00

ONTARIO REGULATION 52/00
made under the
MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: December 6, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 545/94
(General)

Note: Ontario Regulation 545/94 has previously been amended.
Those amendments are listed in the Table of Regulations in the
Statutes of Ontario, 1998.

1. Part I of Ontario Regulation 545/94 is revoked.

COUNCIL OF THE COLLEGE OF
MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
President

SHARON SABERTON
Registrar

Dated on December 6, 1999.

8/00

ONTARIO REGULATION 53/00
made under the
MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: December 6, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 866/93
(Registration)

Note: Ontario Regulation 866/93 has not previously been amended.

1. Paragraph 4 of subsection 4 (1) of Ontario Regulation 866/93 is revoked and the following substituted:

4. The applicant must pay the annual fee required by the by-laws and the examination fee.

2. Paragraph 4 of subsection 5 (1) of the Regulation is revoked and the following substituted:

4. The applicant must pay the annual fee required by the by-laws and the examination fee.

COUNCIL OF THE COLLEGE OF
MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

JAMES ROBERTS
President

SHARON SABERTON
Registrar

Dated on December 6, 1999.

8/00

ONTARIO REGULATION 54/00
made under the
OPTOMETRY ACT, 1991

Made: November 30, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Revoking O. Reg. 836/93
(Committees)

1. Ontario Regulation 836/93 is revoked.

COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

SUSAN COOPER
President

MURRAY J. TURNOUR
Registrar

Dated on November 30, 1999.

8/00

ONTARIO REGULATION 55/00
made under the
OPTOMETRY ACT, 1991

Made: November 30, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Revoking O. Reg. 917/93
(Electoral District)

1. Ontario Regulation 917/93 is revoked.

COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

SUSAN COOPER
President

MURRAY J. TURNOUR
Registrar

Dated on November 30, 1999.

8/00

ONTARIO REGULATION 56/00
made under the
OPTOMETRY ACT, 1991

Made: November 30, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 119/94
(General)

Note: Since the end of 1998, Ontario Regulation 119/94 has been amended by Ontario Regulation 250/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Parts I, II, III, V, VI and VII of Ontario Regulation 119/94 are revoked.

COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

SUSAN COOPER
President

MURRAY J. TURNOUR
Registrar

Dated on November 30, 1999.

8/00

ONTARIO REGULATION 57/00
made under the
OPTOMETRY ACT, 1991

Made: November 30, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 837/93
(Registration)

Note: Since the end of 1998, Ontario Regulation 837/93 has been amended by Ontario Regulation 249/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Sections 12 and 13 of Ontario Regulation 837/93 are revoked.

2. Subsection 15 (2) of the Regulation is revoked and the following substituted:

(2) The Registrar shall reinstate a member who applies under subsection (1) if the member pays the reinstatement fee set out in the by-laws of the College and,

- (a) where the suspension was due in whole or in part to the non-payment of fees, pays those fees as well as any other money owed to the College;
- (b) where the suspension was due in whole or in part to a failure to complete and return the annual report or the continuing education report, completes and returns the required reports; or

- (c) where the suspension was due in whole or in part to a failure to provide proof of professional liability insurance, provides proof of such insurance.

COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

SUSAN COOPER
President

MURRAY J. TURNOUR
Registrar

Dated on November 30, 1999.

8/00

ONTARIO REGULATION 58/00
made under the
LIQUOR LICENCE ACT

Made: February 2, 2000
Filed: February 4, 2000

BREW ON PREMISE FACILITIES

DEFINITIONS

1. In this Regulation,

“carboy” means a fermentation vessel where enzymes or yeast may be added to cause fermentation of beer wort, wine juice, wine juice concentrate or other juices or juice concentrates;

“container” means a bottle, can, cask or any other receptacle into which beer or wine may be placed following completion of the brewing or fermentation process;

“customer” means an individual who pays to make beer or wine on the licensed premises, but does not include the licensee or an employee of the licensee;

“licensed premises” means the premises for which a licence to operate a brew on premise facility has been issued;

“licensee” means the holder of a licence to operate a brew on premise facility;

“Registrar” means the Registrar of Alcohol and Gaming.

CONDITIONS OF A BREW ON PREMISE FACILITY LICENCE

2. A licence to operate a brew on premise facility is subject to the conditions set out in sections 3 to 14.

3. (1) The licensee and the licensee’s employees and agents shall ensure that,

- (a) before the end of the customer’s first visit to the licensed premises for the purpose of making beer or wine, the licensee transfers to the customer ownership of the ingredients being purchased by the customer from the licensee to make the beer or wine;
- (b) the customer combines or mixes his or her beer wort, wine juice, wine juice concentrate or other juice or juice concentrate with such of the customer’s other ingredients as the customer wishes to add, except that the licensee or the licensee’s employees or agents,
 - (i) may add finings or stabilizing agents to the customer’s other ingredients,

(ii) may operate equipment to filter and add carbonation to the customer's ingredients, and

(iii) may rack the customer's beer or wine;

(c) the customer adds to the beer wort, wine juice, wine juice concentrate or other raw material of beer or wine any yeast or enzymes required to begin the fermentation process;

(d) the customer places his or her beer or wine in containers;

(e) the customer labels, corks, caps, shrink wraps or packages his or her beer or wine;

(f) the customer removes his or her beer or wine from the licensed premises immediately after it has been placed in containers.

(2) Except as provided in clause (1) (b), the licensee and the licensee's employees and agents shall not carry out an operation mentioned in subsection (1) on behalf of a customer.

(3) If a customer is in need of assistance to carry out an operation that the customer is required to carry out under this section, the operation may be carried out by an assistant to the customer as long as the customer is on the licensed premises at the time it is carried out.

(4) The licensee is not in breach of this section if an assistant to a customer carries out an operation on behalf of the customer in accordance with subsection (3).

4. (1) The licensee and the licensee's employees and agents shall not,

(a) produce on the licensed premises beer or wine for sale or exchange;

(b) keep for sale or exchange, offer for sale or exchange, sell or exchange beer or wine on the licensed premises, regardless of who the beer or wine belongs to or who made it;

(c) give liquor to any person on the licensed premises;

(d) permit on the licensed premises the exchange, sale or giving of beer or wine made by customers.

(2) Despite clause (1) (c), the licensee or the licensee's employees or agents may give a customer a sample of the customer's beer or wine after fermentation, carbonation or filtration has occurred, as long as the sample is no larger than 170 millilitres and is consumed on the licensed premises.

5. (1) The licensee and the licensee's employees and agents shall not,

(a) permit anyone other than a customer to make beer or wine on the licensed premises;

(b) deliver a customer's beer or wine;

(c) store or permit the storage on the licensed premises of beer or wine that has been placed in containers;

(d) remove or permit the removal of carboys being used in the making of beer or wine from the licensed premises; or

(e) bring or permit to be brought onto the licensed premises liquor to be added to beer or wine or to ingredients for making beer or wine.

(2) Clause (1) (a) does not prevent the licensee or any of the licensee's employees from making beer or wine on the licensed premises.

(3) Clause (1) (b) does not prevent the licensee or any of the licensee's employees from carrying the customer's beer or wine out of the licensed premises to a waiting vehicle.

(4) The licensee and the licensee's employees shall not, and shall ensure that the customer does not, place the customer's ingredients in a carboy that contains ingredients belonging to any other customer.

6. (1) The licensee shall not operate or permit to be operated at the licensed premises any business other than the operation of a brew on premise facility and the sale of items ancillary to such operation.

(2) The licensee shall ensure that the licensed premises are clearly defined and are kept separate from other premises that are used for different purposes.

(3) The licensee shall ensure that the licensed premises are kept separate from other premises for which another type of licence has been issued under the Act by way of a fixed floor-to-ceiling wall.

7. The licensee shall ensure that the licence is posted in a conspicuous place on the licensed premises.

8. (1) The licensee shall retain for at least one year,

(a) records of the licensee's purchases of ingredients; and

(b) a copy of each invoice prepared under subsection 9 (1).

(2) The licensee shall, upon request, file with the Registrar annual figures setting out the amount of beer and wine produced on the licensed premises in a form provided by the Registrar.

(3) The licensee shall, upon request, make available for inspection to any person designated under section 43 of the Act all records retained by the licensee.

9. (1) Before a person begins to make beer or wine on the licensed premises, the licensee shall prepare and provide to the person making the beer or wine an invoice setting out,

(a) the name, address and telephone number of the licensee;

(b) the name, address and telephone number of the person making the beer or wine;

(c) whether beer or wine is being made and the quantity;

(d) the ingredients provided to the person making the beer or wine and the price charged for the ingredients;

(e) the services provided to the person making the beer or wine and the price charged for the services;

(f) the date on which the making of the beer or wine is to begin;

(g) the amount of payment received from the person making the beer or wine; and

(h) a notice to the person making the beer or wine that it must be for the person's personal use only.

(2) For greater certainty, subsection (1) applies whether the person making the beer or wine is a customer or is the licensee or one of the licensee's employees.

(3) The licensee shall ensure that each carboy being used for the making of beer or wine on the licensed premises has attached to it a tag bearing the number of the invoice provided to the person whose ingredients have been placed in the carboy and, where applicable, the date on which enzymes or yeast were added to beer wort, wine juice, wine juice concentrate or other juice or juice concentrate in the carboy.

10. (1) Subject to subsection (2), the licensee shall not, without the prior approval of the Registrar, advertise beer or wine, the availability of beer or wine, the price on a per bottle basis for making beer or wine, or any promotions relating to the making of beer or wine.

(2) In an advertisement, the licensee may, without the prior approval of the Registrar,

- (a) state that the licensee is licensed to operate a brew on premise facility where equipment for the making of beer or wine is provided for customers;
- (b) state the name of the licensed premises and its address;
- (c) provide a list of the goods and services available and their prices;
- (d) advertise the availability of various types of materials, beer wort, wine juices, wine juice concentrates or other juices or juice concentrates.

(3) The licensee shall ensure that no advertisement used by the licensee,

- (a) promotes immoderate consumption; or
- (b) indicates that beer or wine is available for sale or exchange on the licensed premises.

(4) The licensee shall ensure that no customer advertises, on the licensed premises, beer or wine for sale or exchange.

11. (1) To prevent a person under the age of 19 from making beer or wine on the licensed premises, the licensee shall ensure that an item of identification from every person who is apparently under the age of 19 is inspected and that the person is not permitted to make beer or wine on the licensed premises unless the item of identification indicates that the person is at least 19 years old.

(2) The item of identification must include a photograph of the person and state his or her date of birth and must reasonably appear to have been issued by a government.

(3) Without limiting the generality of subsection (2), the item of identification may be any of the types of identification prescribed in subsection (4).

(4) The following types of identification are prescribed in relation to brew on premise facilities for the purposes of subsection 30 (6) of the Act:

- 1. A driver's licence issued by the Province of Ontario with a photograph of the person to whom the licence was issued.
- 2. A Canadian passport.
- 3. A Canadian citizenship card with a photograph of the person to whom the card was issued.
- 4. A Canadian armed forces identification card with a photograph of the person to whom the card was issued.

5. A photo identification card issued by the former Liquor Licence Board of Ontario.

6. A photo identification card issued by the Liquor Control Board of Ontario.

12. (1) At the request of an employee of the Alcohol and Gaming Commission of Ontario, the licensee shall request a person on the licensed premises to provide evidence as to his or her age.

(2) An employee of the Alcohol and Gaming Commission of Ontario may make the request if he or she believes the person may be under 19 years of age.

13. (1) Subject to subsection (2), the licensee shall not contract out the operation of the brew on premise facility.

(2) Except where a proposal has been issued for the suspension or revocation of the licensee's licence, the licensee may contract out the operation of the brew on premise facility on the licensed premises for a maximum period of 90 days to a person who is applying for a licence to operate a brew on premise facility on the licensed premises if,

- (a) the person has filed with the Registrar an application for the licence and has paid the required fee; and
- (b) the licensee has signed an authorization on a form supplied by the Registrar for the applicant to operate the brew on premise facility on the licensed premises and has filed the authorization with the Registrar.

(3) The licensee remains liable under the licence during the period for which the operation of the brew on premise facility has been contracted out.

14. (1) The licensee shall not carry on the business to which the licence applies under a name other than the name set out on the licence or a name authorized by the Registrar under subsection (2).

(2) The Registrar may authorize a licensee to carry on business under a name other than the name set out on the licence if the Registrar considers that the public will not be misled as to the obligations of the licensee under the Act and the regulations.

APPLICATION FOR, EXPIRY, SURRENDER AND SUSPENSION OF A LICENCE

15. (1) An application for the issuance or renewal of a licence to operate a brew on premise facility or for a change of name of such a facility shall be in a form supplied by the Registrar.

(2) Subject to section 13 of the Act, a licence to operate a brew on premise facility expires on the date set out on the licence.

(3) For the purpose of section 13 of the Act, the time prescribed for applying for renewal of a licence to operate a brew on premise facility and for payment of the required fee is three months after the date on which the licence expires.

(4) A licensee who ceases to operate a brew on premise facility shall immediately surrender the licence to the Registrar.

(5) A licensee whose licence to operate a brew on premise facility is suspended shall post the sign provided by the Registrar concerning the suspension on the licensed premises, in a conspicuous place that is visible from the exterior of the premises, and shall ensure that the sign remains so posted throughout the suspension.

CHANGE OF OWNERSHIP

16. (1) A change of ownership described in this section is a prescribed change for the purposes of subsection 16 (1) of the Act.

(2) A prescribed change occurs in the circumstances described in any of the following paragraphs:

1. A partner withdraws from a partnership that is a licensee.
2. A licensee that is a sole proprietor becomes a corporation and the former sole proprietor is the only officer, director and shareholder of the corporation.
3. A licensee that is a partnership becomes a corporation and the former partners are the only officers, directors and shareholders of the corporation.
4. A licensee that is a corporation becomes a new corporation and the officers, directors and shareholders of the former corporation are the only officers, directors and shareholders of the new corporation.
5. A licensee that is a corporation with a single officer, director and shareholder becomes a sole proprietorship and the single officer, director and shareholder of the former corporation is the sole proprietor.
6. A licensee that is a corporation becomes a partnership and the officers, directors and shareholders of the former corporation are the only partners.

(3) Even if a prescribed change occurs as a result of the withdrawal of a partner from a partnership, the partnership may, for the purposes of subsection 16 (1) of the Act, continue to operate the brew on premise facility if the partnership gives the Registrar notice of the change within 30 days after it occurs.

17. (1) A change of ownership described in this section is a prescribed change for the purposes of subsection 16 (2) of the Act.

(2) A prescribed change occurs when a person acquires more than 10 per cent of the equity shares of the licensee corporation as a result of the issuance of shares or the transfer of shares in the corporation.

(3) In subsection (2),

“equity shares” means shares that carry voting rights either under all circumstances or under some circumstances that have occurred and are continuing.

(4) A prescribed change occurs when the shares of the licensee corporation are converted into shares of another corporation upon a merger or amalgamation.

(5) A prescribed change occurs when,

- (a) a person becomes or ceases to be a director or officer of the licensee corporation; or
- (b) a person becomes or ceases to be a shareholder of a holding company that owns a controlling interest in the licensee corporation.

(6) Even if a prescribed change occurs under subsection (5), the licensee corporation may, for the purposes of subsection 16 (2) of the Act, continue to operate the brew on premise facility if the licensee corporation gives the Registrar notice of the change within 30 days after it occurs.

18. For the purposes of subsection 18 (1) of the Act (temporary transfer), the Registrar may transfer a licence to operate a brew on premise facility for a period of not more than one year,

- (a) when a trustee in bankruptcy acquires the business of the licensee;
- (b) when a court-appointed receiver acquires the business of the licensee;
- (c) when a mortgagee takes possession of the premises to which the licence applies;
- (d) when a franchiser takes possession of the premises to which the licence applies; or
- (e) when the landlord takes possession of the premises to which the licence applies.

19. If a change occurs as described in paragraph 2, 3, 4, 5 or 6 of subsection 16 (2), subsection 17 (2) or (4) or clause 18 (a), (b), (c), (d) or (e), the licensee shall immediately notify the Registrar in writing and file any additional information or application required by the Registrar.

TRANSITION

20. A person who was operating a brew on premise facility immediately before the coming into force of this Regulation and who applies to the Registrar within three months after the coming into force of this Regulation for a licence to operate the brew on premise facility shall be deemed to be licensed to operate the brew on premise facility from the day this Regulation comes into force,

- (a) until the Registrar issues the licence; or
- (b) if the applicant is served with notice of a proposal to refuse to issue the licence,
 - (i) until the time for giving notice requiring a hearing by the Board has expired without the applicant requiring a hearing by the Board in accordance with section 21 of the Act, or
 - (ii) if before the time for giving notice requiring a hearing by the Board expires, the applicant requires a hearing by the Board in accordance with section 21 of the Act, until the Board holds a hearing, makes a decision or order and the decision or order has become final.

COMMENCEMENT

21. (1) **Subject to subsection (2), this Regulation comes into force on the day section 15 of the *Liquor Licence Amendment Act, 1998* comes into force.**

(2) **Subsection 5 (4) comes into force six months after the day section 15 of the *Liquor Licence Amendment Act, 1998* comes into force.**

8/00

ONTARIO REGULATION 59/00 made under the OPTICIANRY ACT, 1991

Made: October 29, 1999
Approved: February 2, 2000
Filed: February 4, 2000

Amending O. Reg. 869/93
(Registration)

Note: Since the end of 1998, Ontario Regulation 869/93 has been amended by Ontario Regulation 481/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Paragraph 1 of subsection 5 (1) of Ontario Regulation 869/93 is revoked and the following substituted:

1. The applicant must,

- i. have successfully completed and graduated from an Ontario opticianry program approved by the Ministry of Training, Colleges and Universities at an institution set out in the Schedule,
- ii. have successfully completed and graduated from a program which is deemed equivalent to a program referred to in subparagraph i in accordance with the policy guidelines of the Registration Committee, or
- iii. in the case of an applicant who does not meet the requirements of subparagraph i or ii or who cannot provide documentary evidence of meeting those requirements, satisfy the Registration Committee that he or she has a level of knowledge and skill in the practice of opticianry that is equivalent to that acquired by graduates of the programs referred to in subparagraphs i and ii and,
 - A. be licensed or registered to dispense eye glasses, contact lenses and subnormal vision devices in a jurisdiction outside Canada and be in good standing with the licensing or registering body of that jurisdiction, or
 - B. be engaged in the practice of dispensing eye glasses, contact lenses and subnormal vision devices in a jurisdiction outside Canada in which no licence or certificate of registration is required to do so and be in good standing with a professional association in that jurisdiction which requires compliance with professional standards.

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

(1.1) For the purposes of ascertaining whether the level of knowledge and skill of an applicant referred to in subparagraph 1 iii of subsection (1) is equivalent to that acquired by graduates of a program referred to in subparagraph 1 i or ii of that subsection, the applicant shall undergo an assessment of his or her prior learning and experience.

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(2.1) Despite subsections (1) and (2), an applicant may be issued a certificate of registration as a registered optician if, at the time he or she applies for a certificate, the applicant is licensed or registered by a statutory regulatory authority in a province or territory of Canada other than Ontario to dispense eye glasses, contact lenses and subnormal vision devices in that province or territory and is in good standing with that regulatory authority.

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(4) The conditions of registration of a certificate of registration as a registered optician issued to a person under subsection (2.1) include the terms, conditions and limitations imposed on the licence or certificate of registration issued to the applicant by the statutory regulatory authority in the other province or territory.

(5) No member other than a member who holds a certificate of registration as a registered optician may use the title "Registered Optician" or the abbreviation "RO".

2. (1) Subsection 6 (1) of the Regulation is revoked and the following substituted:

(1) It is a non-exemptible registration requirement for a certificate of registration as a registered student optician that the applicant meet one of the following qualifications:

- 1. The applicant is enrolled in an Ontario opticianry program approved by the Ministry of Training, Colleges and Universities at an institution set out in the Schedule.

- 2. The applicant, having applied for a certificate of registration as a registered optician or as a registered intern optician, is in the process of completing additional training, as ordered by a panel of the Registration Committee under subsection 18 (2) of the Health Professions Procedural Code.

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

- 2. The registered student optician shall be enrolled in an opticianry program referred to in paragraph 1 of subsection (1) or shall be in the process of completing additional training as ordered by a panel of the Registration Committee under subsection 18 (2) of the Health Professions Procedural Code.

(3) Section 6 of the Regulation is amended by adding the following subsection:

(3) The Registrar shall revoke the certificate of registration of a registered student optician if the student is no longer enrolled in an opticianry program referred to in paragraph 1 of subsection (1) or is no longer undertaking the additional training referred to in paragraph 2 of subsection (1).

3. (1) Paragraph 1 of subsection 7 (1) of the Regulation is revoked and the following substituted:

- 1. The applicant must either,
 - i. have successfully completed and graduated from an opticianry program referred to in subparagraph 1 i or ii of subsection 5 (1) or meet the requirements of subparagraph 1 iii of subsection 5 (1), or
 - ii. having applied for a certificate of registration as a registered optician and been required by an order made by the Registration Committee under subsection 18 (2) of the Health Professions Procedural Code to complete additional training or specified examinations, or both, have completed the additional training, if any, but not have completed the examinations.

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

(2) The following are conditions of a certificate of registration as a registered intern optician:

- 1. The registered intern optician shall dispense subnormal vision devices, contact lenses or eyeglasses only under the supervision or direction of a registered optician who is physically present in the place in which the dispensing takes place at the time it takes place.
- 2. The registered intern optician shall be eligible for the examinations or supplemental examinations set by the College.

(3) The Registrar shall revoke the certificate of registration of a registered intern optician if the intern ceases to be eligible for the examinations or supplemental examinations set by the College or fails to successfully complete the examinations required by an order made by the Registration Committee under subsection 18 (2) of the Health Professions Procedural Code.

COUNCIL OF THE COLLEGE OF OPTICIANS OF ONTARIO:

GORDON L. HYLAND
Registrar

JEAN WARBUCKS
President

Dated on October 29, 1999.

8/00

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