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Parliamentary Notice—Royal Assent Avis parlementaire—sanction royale

THE PROVINCE OF ONTARIO

Toronto, Tuesday, May 29, 2001.

9:05 a.m.

In the name of Her Majesty the Queen, His Honour the Administrator assented to the following bill in the Lieutenant Governor's office :-

Bill 55 An Act to protect the Oak Ridges Moraine.
[S.O. 2001, Chapter 3]

(6470) 31 CLAUDE L. DESROSIERS,
Clerk of the Legislative Assembly.

PROVINCE DE L'ONTARIO

Toronto, mardi 29 mai 2001

9h 05

Au nom de Sa Majesté la Reine, Son Honneur l'administrateur a accordé la sanction royale au projet de loi suivant au bureau de la lieutenante-gouverneure :

Projet de loi 55 Loi visant à protéger la moraine d'Oak Ridges.
[L.O. 2001, Chapitre 3]

(6471) 31 CLAUDE L. DESROSIERS,
Le greffier de l'Assemblée législative.

THE PROVINCE OF ONTARIO

Toronto, Friday, June 29, 2001.

10:00 a.m.

In the name of Her Majesty the Queen, His Honour the Administrator assented to the following bills in the Lieutenant Governor's office :-

Bill 12 An act to increase the safety of equestrian riders.
[S.O. 2001, Chapter 4]

Bill 18 An Act to recognize the emblem of the Ontario French-speaking community.
[S.O. 2001, Chapter 5]

Bill 19 An Act to amend the Ministry of Training, Colleges and Universities Act.
[S.O. 2001, Chapter 6]

Bill 25 An Act to amend the Public Service Act and Crown Employees Collective Bargaining Act, 1993.
[S.O. 2001, Chapter 7]

Bill 45 An Act to implement measures contained in the 2001 Budget and to amend various statutes.
[S.O. 2001, Chapter 8]

Bill 57 An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts.
[S.O. 2001, Chapter 9]

Bill 58 An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers.
[S.O. 2001, Chapter 10]

Bill 59 An Act to amend the Police Services Act.
[S.O. 2001, Chapter 11]

Bill 66 An Act to amend the Wilfrid Laurier University Act, 1973.
[S.O. 2001, Chapter 12]

Bill 71 An Act to repeal the Homes for Retarded Persons Act, amend the Developmental Services Act and make related amendments to other statutes.
[S.O. 2001, Chapter 13]

Bill 80 An Act to promote a stable learning environment and support teacher excellence.
[S.O. 2001, Chapter 14]

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et aux entreprises

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Bill 82	An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation. [S.O. 2001, Chapter 15]		Loi de 1993 sur la négociation collective des employés de la Couronne. [L.O. 2001, Chapitre 7]
Bill 85	An Act to minimize the use of restraints on patients in hospitals and on patients of facilities. [S.O. 2001, Chapter 16]	Projet de loi 45	Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois. [L.O. 2001, Chapitre 8]
Bill Pr4	An Act respecting the City of Elliot Lake. [S.O. 2001, Chapter Pr1]	Projet de loi 57	Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois. [L.O. 2001, Chapitre 9]
Bill Pr7	An Act to revive Premium Auto Collision Inc. [S.O. 2001, Chapter Pr2]	Projet de loi 58	Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance. [L.O. 2001, Chapitre 10]
Bill Pr8	An Act to revive 1072550 Ontario Limited. [S.O. 2001, Chapter Pr3]	Projet de loi 59	Loi modifiant la Loi sur les services policiers. [L.O. 2001, Chapitre 11]
Bill Pr9	An Act respecting the Town of Newmarket. [S.O. 2001, Chapter Pr4]	Projet de loi 66	Loi modifiant la Loi intitulée The Wilfrid Laurier University Act, 1973. [L.O. 2001, Chapitre 12]
Bill Pr11	An Act to amend The Welland-Port Colborne Airport Act, 1976. [S.O. 2001, Chapter Pr5]	Projet de loi 71	Loi abrogeant la Loi sur les foyers pour déficients mentaux, modifiant la Loi sur les services aux personnes atteintes d'un handicap de développement et apportant des modifications connexes à d'autres lois. [L.O. 2001, Chapitre 13]
Bill Pr12	An Act respecting Master's College and Seminary (formerly Eastern Pentecostal Bible College). [S.O. 2001, Chapter Pr6]	Projet de loi 80	Loi favorisant la stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants. [L.O. 2001, Chapitre 14]
Bill Pr13	An Act respecting The Boys' Home. [S.O. 2001, Chapter Pr7]	Projet de loi 82	Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés. [L.O. 2001, Chapitre 15]
Bill Pr14	An Act to revive 1150982 Ontario Inc. [S.O. 2001, Chapter Pr8]	Projet de loi 85	Loi visant à réduire au minimum l'utilisation des moyens de contention sur les malades des hôpitaux et des établissements. [L.O. 2001, Chapitre 16]
Bill Pr16	An Act to revive 1252563 Ontario Limited. [S.O. 2001, Chapter Pr9]	Bill Pr4	An Act respecting the City of Elliot Lake. [S.O. 2001, Chapter Pr1]
Bill Pr17	An Act to revive RDP Computer Consulting Inc. [S.O. 2001, Chapter Pr10]	Bill Pr7	An Act to revive Premium Auto Collision Inc. [S.O. 2001, Chapter Pr2]
Bill Pr18	An Act respecting Conrad Grebel University College. [S.O. 2001, Chapter Pr11]	Bill Pr8	An Act to revive 1072550 Ontario Limited. [S.O. 2001, Chapter Pr3]
Bill Pr19	An Act to revive 569924 Ontario Limited. [S.O. 2001, Chapter Pr12]	Bill Pr9	An Act respecting the Town of Newmarket. [S.O. 2001, Chapter Pr4]
Bill Pr20	An Act respecting the City of Toronto. [S.O. 2001, Chapter Pr13]	Bill Pr11	An Act to amend The Welland-Port Colborne Airport Act, 1976. [S.O. 2001, Chapter Pr5]
(6472) 31	CLAUDE L. DESROSIERS, Clerk of the Legislative Assembly.	Bill Pr12	An Act respecting Master's College and Seminary (formerly Eastern Pentecostal Bible College). [S.O. 2001, Chapter Pr6]
	PROVINCE DE L'ONTARIO	Bill Pr13	An Act respecting The Boys' Home. [S.O. 2001, Chapter Pr7]
	Toronto, vendredi 29 juin 2001	Bill Pr14	An Act to revive 1150982 Ontario Inc. [S.O. 2001, Chapter Pr8]
10 h		Bill Pr16	An Act to revive 1252563 Ontario Limited. [S.O. 2001, Chapter Pr9]
	Au nom de Sa Majesté la Reine, Son Honneur l'administrateur a accordé la sanction royale aux projets de loi suivants au bureau de la lieutenant-gouverneure :		
Projet de loi 12	Loi visant à accroître la sécurité des cavaliers. [L.O. 2001, Chapitre 4]		
Projet de loi 18	Loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario. [L.O. 2001, Chapitre 5]		
Projet de loi 19	Loi modifiant la Loi sur le ministère de la Formation et des Collèges et Universités. [L.O. 2001, Chapitre 6]		
Projet de loi 25	Loi modifiant la Loi sur la fonction publique et la		

Bill Pr17 An Act to revive RDP Computer Consulting Inc.
[S.O. 2001, Chapter Pr10]

Bill Pr18 An Act respecting Conrad Grebel University College.
[S.O. 2001, Chapter Pr11]

Bill Pr19 An Act to revive 569924 Ontario Limited.
[S.O. 2001, Chapter Pr12]

Bill Pr20 An Act respecting the City of Toronto.
[S.O. 2001, Chapter Pr13]

(6473) 31 CLAUDE L. DESROSIERS,
Le greffier de l'Assemblée législative.

TÉMOIN :

L'HONORABLE
PATRICK J. LeSAGE

JUGE EN CHEF DE LA COUR SUPÉRIEURE

ADMINISTRATEUR DU GOUVERNEMENT DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 19 juillet 2001.

PAR ORDRE

(6474) 31 DAVID H. TSUBOUCHI
Président du Conseil de gestion du gouvernement

(Great Seal of Ontario)

Proclamation

PATRICK J. LeSAGE

(Great Seal of Ontario)

PATRICK J. LeSAGE

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

EMPLOYMENT STANDARDS ACT, 2000

We, by and with the advice of the Executive Council of Ontario, name Tuesday, September 4, 2001 as the date on which sections 1 to 142, subsections 144(1) to (3) and subsection 144(5) of the *Employment Standards Act, 2000* come into force.

WITNESS:

THE HONOURABLE
PATRICK J. LeSAGE

CHIEF JUSTICE OF THE SUPERIOR COURT

ADMINISTRATOR OF THE GOVERNMENT OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on July 19, 2001.

BY COMMAND

DAVID H. TSUBOUCHI
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

PATRICK J. LeSAGE

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 2000 SUR LES NORMES D'EMPLOI

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le mardi 4 septembre 2001 comme la date où entrent en vigueur les articles 1 à 142, les paragraphes 144(1) à (3) et le paragraphe 144(5) de la *Loi de 2000 sur les normes d'emploi*.

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

GOVERNMENT EFFICIENCY ACT, 2001

We, by and with the advice of the Executive Council of Ontario, name Tuesday, September 4, 2001 as the date on which section 1 of Schedule 1 of the *Government Efficiency Act, 2001* comes into force.

WITNESS:

THE HONOURABLE
PATRICK J. LeSAGE

CHIEF JUSTICE OF THE SUPERIOR COURT

ADMINISTRATOR OF THE GOVERNMENT OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on July 19, 2001.

BY COMMAND

DAVID H. TSUBOUCHI
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

PATRICK J. LeSAGE

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 2001 SUR L'EFFICIENCE DU GOUVERNEMENT

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le mardi 4 septembre 2001 comme la date où entre en vigueur l'article 1 de l'annexe 1 de la *Loi de 2001 sur l'efficacité du gouvernement*.

TÉMOIN :

L'HONORABLE
PATRICK J. LeSAGE

JUGE EN CHEF DE LA COUR SUPÉRIEURE

ADMINISTRATEUR DU GOUVERNEMENT DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 19 juillet 2001.

PAR ORDRE

(6475) 31 DAVID H. TSUBOUCHI
Président du Conseil de gestion du gouvernement

(Great Seal of Ontario)

PATRICK J. LeSAGE

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*We, by and with the advice of the Executive Council of Ontario, name August 3, 2001, as the date on which subsection 11(5) and section 12 of Schedule F of the *Red Tape Reduction Act, 1999*, Chapter 12, Statutes of Ontario, 1999, come into force.

WITNESS:

THE HONOURABLE
PATRICK J. LeSAGE

CHIEF JUSTICE OF THE SUPERIOR COURT

ADMINISTRATOR OF THE GOVERNMENT OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on July 23, 2001.

BY COMMAND

DAVID H. TSUBOUCHI
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

PATRICK J. LeSAGE

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*Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le 3 août 2001 comme la date où entrent en vigueur le paragraphe 11(5) et l'article 12 de l'annexe F de la *Loi de 1999 visant à réduire les formalités administratives*, Lois de l'Ontario, 1999, chapitre 12.

TÉMOIN :

L'HONORABLE
PATRICK J. LeSAGE

JUGE EN CHEF DE LA COUR SUPÉRIEURE

ADMINISTRATEUR DU GOUVERNEMENT DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 23 juillet 2001.

PAR ORDRE

(6476) 31 DAVID H. TSUBOUCHI
Président du Conseil de gestion du gouvernement
(Great Seal of Ontario)

PATRICK J. LeSAGE

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

*RESPONSIBLE CHOICES FOR GROWTH AND ACCOUNTABILITY ACT (2001 BUDGET), 2001*We, by and with the advice of the Executive Council of Ontario, name Wednesday, August 1, 2001 as the day on which section 197 of the *Responsible Choices for Growth and Accountability Act (2001 Budget), 2001* comes into force.

WITNESS:

THE HONOURABLE
PATRICK J. LeSAGE

CHIEF JUSTICE OF THE SUPERIOR COURT

ADMINISTRATOR OF THE GOVERNMENT OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on July 23, 2001.

BY COMMAND

DAVID H. TSUBOUCHI
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

PATRICK J. LeSAGE

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 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILISATION (BUDGET DE 2001)*Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le mercredi 1^{er} août 2001 comme le jour où entre en vigueur l'article 197 de la *Loi de 2001 sur des choix réfléchis favorisant la croissance et la responsabilité (budget de 2001)*.

TÉMOIN :

L'HONORABLE
PATRICK J. LeSAGE

JUGE EN CHEF DE LA COUR SUPÉRIEURE

ADMINISTRATEUR DU GOUVERNEMENT DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 23 juillet 2001.

(Great Seal of Ontario)

PAR ORDRE

PATRICK J. LeSAGE

DAVID H. TSUBOUCHI
(6477) 31 Président du Conseil de gestion du gouvernement
(Great Seal of Ontario)

PATRICK J. LeSAGE

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

SAFE SCHOOLS ACT, 2000

We, by and with the advice of the Executive Council of Ontario, name September 1, 2001, as the day on which the following come into force:

subsections 1(7), 1(9), 1(10) and section 2 of the *Safe Schools Act, 2000*,
and
sections 309 to 311 of the *Education Act*, as enacted by section 3 of the *Safe Schools Act, 2000*.

WITNESS:

THE HONOURABLE
PATRICK J. LeSAGE

CHIEF JUSTICE OF THE SUPERIOR COURT

ADMINISTRATOR OF THE GOVERNMENT OF OUR
PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on July 19, 2001.

BY COMMAND

DAVID H. TSUBOUCHI
Chair of the Management Board of Cabinet

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 2000 SUR LA SÉCURITÉ DANS LES ÉCOLES

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le 1^{er} septembre 2001 comme le jour où ce qui suit entre en vigueur :

les paragraphes 1(7), 1(9), 1(10) et l'article 2 de la *Loi de 2000 sur la sécurité dans les écoles*,
et
les articles 309 à 311 de la *Loi sur l'éducation*, décrétés par l'article 3 de la *Loi de 2000 sur la sécurité dans les écoles*.

TÉMOIN :

L'HONORABLE
PATRICK J. LeSAGE

JUGE EN CHEF DE LA COUR SUPÉRIEURE

ADMINISTRATEUR DU GOUVERNEMENT DE NOTRE
PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 19 juillet 2001.

PAR ORDRE

DAVID H. TSUBOUCHI
(6478) 31 Président du Conseil de gestion du gouvernement

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 registraire 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.

ABBOTT, DANIEL, S
HILTON BEACH, ON

APNA CANADIAN FREIGHT LTD
TORONTO, ON

BALCOM, CHARLES
NICTAUX, NS

ABILITY HAULING & HOT SHOT LTD.
CALGARY, AB

ASHEN STAR TRUCKING LIMITED
ST CATHARINES, ON

BAYBOY TRUCKING INC.
LONDON, ON

ALL WAY SERVICE INC.
BRAMPTON, ON

ATLAS COLD LOGISTICS LIMITED
TORONTO, ON

BOLDUC, ALAIN
BEAUCEVILLE EST, QC

BULLOCK, EARL, E
PARKHILL, R3, ON

CAN KAN HAULAGE LTD.
MISSISSAUGA, ON

CHRSZASZCZ, MIROSLAW, W
GEORGETOWN (H), ON

CORTALE HAULAGE INC.
BRADFORD, ON

ENFIELD FREIGHTWAYS LTD
BRAMPTON, ON

DHADDA TRUCK LINES LTD
BRAMPTON, ON

DIVAROV, SLAVTZO/DENIZ, HUSEYIN
TORONTO, ON

DOSSEY, VICTOR, P
ORANGEVILLE (D), ON

DRAGAN, TADEUSZ
ACTON (H), RR2, ON

DYCUS, TOMMY
CYPRESS, TX

FLEMING FAST FREIGHT INC
FERGUS, ON

**GLOBAL LOGISTICS & TRANSPORTA-
TION INC**
MIDDLESBURG, OH

GOLDEN ARROW TRANSPORT LTD
BRAMPTON, ON

HARJEET TRUCKING COMPANY INC
BRAMPTON, ON

HOLLENBECK ENTERPRISES INC
MECOSTA, MI

JSD TRANSPORT LTD.
REXDALE, ON

K. SANGA TRANSPORT LTD.
BRAMPTON, ON

**KEPNER, H. SCOTT/
KEPNER, VICKIE, J**
MUNCY, PA

KHATGAR TRANSPORT INC.
ETOBICOKE, ON

LAVHOWICZ, MIROSLAW
ETOBICOKE, ON

MALEK, MARIAN
DUNDAS, ON

MCARDLE, CLARIBEL
BURLINGTON, ON

ME & COMPAGNIE INC.
ST-ALPHONSE RODRIGUEZ, QC

MICHAEL DUFF INC
WATERLOO, QC

**MIESZKOWSKI,
LECH-WOJCIECH**
MISSISSAUGA, ON

MN CARRIERS INC.
MISSISSAUGA, ON

MORRISON-EVERITT LTD.
STRATFORD, ON

PACIEJKO, ZYGFRYD
GEORGETOWN (H), ON

PARE, MARC
COMPTON, QC

PROFESSIONAL ALLIANCES INC.
KOMOKA, ON

ROAD LOAD CORP.
MAPLE, ON

ROBICHAUD, KENNETH, A.
PAIN COURT, ON

MARTIN, ROY
BEAUMONT, QC

SAMUELS, CALVIN, J
ETOBICOKE, ON

SEEPERSAD, MARK
NORTH YORK, ON

SPEEDWAY FREIGHT SYSTEMS INC.
MISSISSAUGA, ON

STACEY TRANSPORTATION INC.
FORT ERIE, ON

TRANSPORT DUNN EXPRESS INC.
MURDOCHVILLE, QC

TRANSPORT HALDARO INC.
ST-GEDEON, QC

TRANSPORT INTER-NET INC.
ST-COLOMBAN, QC

VINYARD, KENNETH
CENTRALIA, MO

WATER & COFFEE SERVICES INC.
CAMBRIDGE, ON

WILSON, RANDALL, K
MATHESON, ON

902857 ONTARIO INC.
AYLMER, R1, ON

1096722 ONTARIO LTD
STONE CREEK, ON

1142198 ONTARIO INC
AYLMER, R4, ON

1184361 ONTARIO LTD
BRAMPTON, ON

1251334 ONTARIO LTD
BRAMPTON, ON

1254038 ONTARIO INC
BRAMPTON, ON

1338682 ONTARIO INC
BRAMPTON, ON

1390760 ONTARIO INC
LONDON, ON

1412920 ONTARIO INC
BRAMPTON, ON

1434144 ONTARIO INC
TORONTO, ON

1454370 ONTARIO INC.
WILLIAMSTOWN, ON

1457175 ONTARIO LIMITED
LONDON, ON

1482945 ONTARIO INC
ETOBICOKE, ON

1483842 ONTARIO INC
TORONTO, ON

3830942 CANADA INC
CURRAN, ON

2526-1215 QUEBEC INC
ST-CHARLES BORROMEE, QC

9082-1992 QUEBEC INC.
ST-PIE, QC

9095-3076 QUEBEC INC
MONTREAL, QC

9097-9402 QUEBEC INC
ST-GABRIEL DE BRANDON, 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.

DRL Coachlines Ltd. 45971
100 New Gower St., Suite 1230, St. Johns,
Newfoundland A1C 6K3

Applies for an extra provincial operating licence as follows:

A. For the transportation of passengers on a chartered trip from points in the Provinces of Newfoundland and Nova Scotia to the Ontario/USA and Ontario/Quebec border crossings for furtherance as authorized by the relevant jurisdiction:
to points in Ontario;
in transit through Ontario to the Ontario/Manitoba, Ontario/Quebec and Ontario/USA border crossings for furtherance
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.

For the transportation of passengers on a chartered trip for DRL Vacations Ltd. from points in the Province of Ontario to the Ontario/USA, Ontario/Quebec and Ontario/Manitoba border crossings for furtherance to points as authorized by the relevant jurisdiction and for the return of the same passengers on the same chartered trip to point of origin.

PROVIDED THAT:

there be no pick up or discharge of passengers except at point of origin;
all charters operated from Ontario shall only be those initiated, organized and advertised by DRL Vacations Ltd.

Fun Run Express L. L. C. 45989
770 West St., Suite 1A, Lapeer, Michigan 48446, U.S.A.

Applies for an extra provincial operating licence as follows:

For the transportation of passengers on a chartered trip from points in the United States of America as authorized by the relevant jurisdiction from the Ontario/USA and Ontario/Quebec and Ontario/Manitoba border crossings:
to points in Ontario;

in transit through Ontario to the Ontario/Manitoba, Ontario/Quebec and Ontario/USA border crossings for furtherance
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.

Felix D'Mello
Board Secretary/
Secrétaire de la Commission

31/01

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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2001-05-11	
1014095 ONTARIO INC.	1014095
2001-06-15	
BLUELINE WATER PRODUCTS LTD.	905198
GIVEANDGET INC.	1409717
STRATHBURN FARMS LTD.	357005
UNIXAPPS CONSULTANT LTD.	1168577
732651 ONTARIO LTD.	732651
2001-06-18	
BILL KEDDY PUMP MAINTENANCE LIMITED	819354
BRUCE L. GILBERT (ENGLEHART) LIMITED	357544
T. K. TOOL & DIE CO. LTD.	1133238
JOAN DICK EAP CONSULTING SERVICE INC.	1170727
N.R.A. PRODUCTIONS LTD.	548618
NIRM CHOCHAN CONSULTING INC.	918672
PUROLA VINYL WINDOWS INC.	911682
SCENES ALIVE INC.	718024
1184236 ONTARIO LIMITED	1184236
2001-06-19	
P & P WU COMPANY LTD.	748999
1240138 ONTARIO INC.	1240138
903864 ONTARIO LIMITED	903864
2001-06-21	
CARL CORNELL ENTERPRISES INC.	252663
GERALD N. STARK LIMITED	96401
M H C MANUFACTURING LIMITED	350666
PYRUS ENTERPRISES LIMITED	1054974
1089985 ONTARIO LIMITED	1089985
692297 ONTARIO LTD.	692297
2001-06-29	
EMPORIUM TOWING LTD.	1014255
2001-07-10	
ALEXIS RESTAURANTS LIMITED	410174
2001-07-11	
937063 ONTARIO INC.	937063
2001-07-12	
MARINE & NAVAL CONSULTING SERVICES LIMITED	1259006
2001-07-13	
FCVC HOLDINGS (CANADA) CO. LTD.	1305196
HONEST TRAVEL INC.	922210
INDEPENDENT DRYWALL CO. LTD.	527748
M-TECH AROMA (CANADA) INTERNATIONAL INC. .	1192673
REGENT ACCEPTANCE CORPORATION LIMITED	69113
SALLABAN SALES & SERVICE LTD.	772543

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
TRIPPELL HOLDINGS LTD.	742350
761150 ONTARIO LIMITED	761150
2001-07-16	
DONWOODTECH LTGD.	959788
1087008 ONTARIO INC.	1087008
1375303 ONTARIO INC.	1375303
2002070 ONTARIO INC.	1002070
744397 ONTARIO LIMITED	744397
2001-07-17	
ANDKAR INC.	1111232
GOLDEN GIRL PRODUCTIONS INC.	1137596
MARZO UPHOLSTERY LIMITED	430690
NEWBATTLE HOLDINGS INC.	509842
POCHERRY LIMITED	1001220
1373128 ONTARIO INC.	1373128
1374779 ONTARIO INC.	1374779
2001687 ONTARIO INC.	2001687
643478 ONTARIO LIMITED	643478
936256 ONTARIO INC.	936256
2001-07-18	
COUNTRY ROOTS INCORPORATED	1110908
HELEN LUCAS HOLDINGS INC.	628723
WESTIN INTERNATIONAL (CANADA), LTD.	1131370
1064702 ONTARIO LTD.	1064702
1138797 ONTARIO INC.	1138797
1160508 ONTARIO INC.	1160508
1185686 ONTARIO INC.	1185686
1407937 ONTARIO INC.	1407937
1471057 ONTARIO INC.	1471057
816211 ONTARIO INC.	186211
2001-07-19	
STRYCO INVESTMENTS LIMITED	231124
T-K DISCOUNT LIMITED	221930
1375642 ONTARIO LTD.	1375642
904506 ONTARIO INC.	904506

B. G. HAWTON,
Director (A), Companies Branch
Directrice, intérimaire, Direction
des compagnies

31/01

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

NOTICE IS HEREBY GIVEN under subsection 317 (9) of the *Corporations Act*, that unless the corporations listed hereunder comply with the requirements of the *Corporations Information Act* within 90 days of this Notice, orders will be made dissolving the defaulting corporations. The effective date precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 317 (9) de la *Loi de sur les compagnies et associations*, si les compagnies mentionnées ci-dessous ne se conforment pas aux exigences 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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2001-07-25
CHRIST GOSPEL CHURCH (PRAYER CENTRE) 1174111

31/01

B. G. HAWTON,
Director (A), Companies Branch
Directrice, intérimaire, 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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CANRESPOND COMPUTERS & CONSULTING INC. ... 767695
417716 ONTARIO INC. 417716

31/01

B. G. HAWTON,
Director (A), Companies Branch
Directrice, intérimaire, Direction
des compagnies

Erratum Avis d'Erreur

Vide Ontario Gazette, **Vol. 131-34** dated **August 22, 1998**.

The following corporation was dissolved in error under Section 7 (1) of the *Extra-Provincial Corporations Act*, and has reverted to active status.

Cf. Gazette de l'Ontario, **Vol. 131-34** datée du **22 Aout, 1998**.

La société a été dissoute par erreur en vertu du paragraphe 7 (1) de la *Loi sur les personnes morales extraprovinciales*; la société a été rétablie dans son statut de personne morale.

Name of Corporation:	Ontario Corporation Number
Dénomination de la	Numéro matricule de la
société :	Ontario

THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE
UNITED STATES 276969

B. G. HAWTON,
Director (A), Companies Branch
Directrice, intérimaire, Direction
des compagnies

31/01

**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 corpora-

tions named hereunder have been cancelled by an Order dated 9 July, 2001 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 9 juillet 2001 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:	Ontario Corporation Number
Dénomination sociale	Numéro de la
de la compagnie :	compagnie en Ontario

D.A. DEBRUYNE LANDSCAPING INC. 1000556

B. G. HAWTON,
Director (A), Companies Branch
Directrice, intérimaire, Direction
des compagnies

31/01

**Ministry of Municipal Affairs and Housing
Ministère des affaires municipales et du logement**

Social Housing Reform Act, 2000

Issuing of Amending Transfer Orders by the Lieutenant Governor in Council

NOTICE IS HEREBY GIVEN, pursuant to subsection 40(1) of the *Social Housing Reform Act, 2000* that Amending Transfer Orders have been made under subsection 39(1) of the *Social Housing Reform Act, 2000*, transferring employees, assets, liabilities, rights and obligations from the Transferors as noted below to the Transferees as noted below:

Transferor	Transferee	Effective Date
Algoma District Housing Authority	Algoma District Housing Corporation	January 1/01
Ontario Housing Corporation	Brant and Brantford Local Housing Corporation	January 1/01
Ontario Housing Corporation	Cochrane District Local Housing Corporation	January 1/01
Minster of Municipal Affairs and Housing		
Ontario Housing Corporation	Grey County and Owen Sound Housing Corporation	January 1/01
Ontario Housing Corporation	Kenora District Housing Corporation	January 1/01
Ontario Housing Corporation	Manitoulin Sudbury District Housing Corporation	January 1/01
Ontario Housing Corporation	Metro Toronto Housing Corporation	January 1/01
Ontario Housing Corporation	Nipissing District Housing Corporation	January 1/01
Minister of Municipal Affairs and Housing	Ottawa Housing Corporation – La Societe de logement Ottawa	January 1/01
Ontario Housing Corporation	Peterborough Housing Corporation	January 1/01
Minister of Municipal Affairs and Housing	Prescott & Russell Housing Corporation	January 1/01
Ontario Housing Corporation	Prince Edward-Lennox & Addington Housing Corporation	January 1/01
Ontario Housing Corporation	Renfrew County Housing Corporation	January 1/01
Algoma District Housing Authority	Sault Ste. Marie Housing Corporation	January 1/01
Ontario Housing Corporation	Thunder Bay District Housing Corporation	January 1/01
Minister of Municipal Affairs and Housing		
Ontario Housing Corporation	Timiskaming District Housing Corporation	January 1/01
Ontario Housing Corporation	Cochrane District Local Housing Corporation	January 1/01
Cochrane District Housing Authority		
Ontario Housing Corporation	Grey County and Owen Sound Housing Corporation	January 1/01
Grey County and Owen Sound Housing Authority		
Ontario Housing Corporation	Kenora District Housing Corporation	January 1/01
Kenora District Housing Authority		
Ontario Housing Corporation	Manitoulin Sudbury District Housing Corporation	January 1/01
Manitoulin Sudbury District Housing Authority		
Ontario Housing Corporation	Nipissing District Housing Corporation	January 1/01
Nipissing and Parry Sound District Housing Authority		
Ontario Housing Corporation	Peterborough Housing Corporation	January 1/01
Peterborough Housing Authority		

Transferor	Transferee	Effective Date
Ontario Housing Corporation Hastings Housing Authority, Prince Edward-Lennox & Addington Housing Authority	Prince Edward-Lennox & Addington Housing Corporation	January 1/01
Ontario Housing Corporation Renfrew County Housing Authority	Renfrew County Housing Corporation	January 1/01
Ontario Housing Corporation Sarnia & Lambton Housing Authority	Sarnia & Lambton Housing Corporation	January 1/01
Ontario Housing Corporation Thunder Bay District Housing Authority	Thunder Bay District Housing Corporation	January 1/01
Ontario Housing Corporation Timiskaming District Housing Authority	Timiskaming District Housing Corporation	January 1/01

31/01

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, and the guide "Procedures for Applying for Private Legislation", may be obtained from the Legislative Assembly's Internet site at <http://www.ontla.on.ca> or from:

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

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

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

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

Applications to Provincial Parliament Demandes au Parlement provincial

NIPISSING UNIVERSITY

NOTICE IS HEREBY GIVEN that on behalf of Nipissing University, application will be made to the Legislative Assembly of the Province of Ontario for an amendment to Article 6 of Bill Pr70, an Act respecting Nipissing University, December 1992, to permit Nipissing University to grant any and all degrees, honorary degrees and diplomas in all branches of learning. Currently, Nipissing University has the power to grant baccalaureate degrees, honorary degrees and the Masters of Education degree.

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

Dated at North Bay, this 1st day of August, 2001.

(3661) 31-34 DAVE MARSHALL, PhD
President and Vice-Chancellor
Nipissing University

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

UNDER AND BY VIRTUE OF a Writ of Seizure and Sale issued out of the Ontario Court of Appeal or the Superior Court of Justice at Windsor, Ontario, dated October 17, 1994, Court File Number 94-GD-30252, to me directed, against the real and personal property of S.S.B. Enterprises (Windsor) Ltd. Defendant, at the suit of SAI Developments Ltd., Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of S.S.B. Enterprises (Windsor) Ltd. Defendant in and to:

Lot 29, Registered Plan 1232, in the City of Windsor, in the County of Essex

All of which said right, title, interest and equity of redemption of S.S.B. Enterprises (Windsor) Ltd., Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below, at the Court House, 245 Windsor Avenue, Windsor, Ontario, on the 7th day of September, 2001 at 10:00 a.m.

CONDITIONS:

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

TERMS: Deposit 10% of bid price or \$1,000.00 whichever is greater

- Payable at time of sale by successful bidder

- To be applied to purchase price

- Non-refundable

Ten business days from date of sale to arrange financing and pay balance in full at Windsor

All payments in cash or by certified cheque made payable to the Minister of Finance

Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price

Other conditions as announced

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

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

Dated this 20th day of July, 2001.

(3665) 31

Sheriff County of Essex
245 Windsor Avenue
Windsor, On. N9A 1J2

Sales of Lands for Tax Arrears by Public Tender

Ventes de terrains par appel d'offres pour arriéré d'impôt

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

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

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 August 27, 2001, at Box 99, 2 Victoria Street, Berwick, Ontario K0C 1G0.

The tenders will then be opened in public on the same day at 2 Victoria Street, Berwick, Ontario immediately following the 3:00 p.m. deadline.

Description of Land(s)	Minimum Tender Amount
1. Lot 93, according to Registered Plan 66, formerly in the Township of Roxborough, now in the Township of North Stormont, County of Stormont save and except Part 1 on Plan 52R-5190 (located in Moose Creek, Ontario)	\$7,236.94
2. Lots 1, 2, 3 and 4, according to Registered Plan No. 64, formerly in the Township of Roxborough, now in the Township of North Stormont, County of Stormont (located in Monkland, Ontario).	\$10,425.90

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank, trust company or Province of Ontario Savings Office payable to the 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 GST if applicable and the relevant land transfer tax.

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

Mr. R.M. Charbonneau
Clerk-Treasurer
The Corporation of the Township
of North Stormont
P.O. Box 99,
2 Victoria Street,
Berwick, Ontario K0C 2G0
(telephone) 613-984-2821
(facsimile) 613-984-2908

(3661) 31

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 WAINFLEET

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 September 7, 2001 at the Township of Wainfleet Municipal Offices, 19M43 Highway No. 3, Wainfleet, Ontario L0S 1V0.

The tenders will then be opened in public on the same day at the Township of Wainfleet Offices, Committee Room.

Description of Land(s) Minimum
Tender Amount

Parcel No. 1

Assessment Roll No. 2714-000-010-04014
File No. 8002
Property Identifier 64026-0201(R)
Part Lot 12, Concession 5, Part 2, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$2,007.26

Parcel No. 2

Assessment Roll No. 2714-000-010-04012
File No. 8011
Property Identifier 64026-0225(LT)
Part Lot 12, Concession 5, Part 1, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$1,909.77

Parcel No. 3

Assessment Roll No. 2714-000-010-04016-0000
File No. 8012
Property Identifier 64026-0202(LT)
Part Lot 12, Concession 5, Part 3, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$1,944.80

Parcel No. 4

Assessment Roll No. 2714-000-010-04018
File No. 8013
Property Identifier 64026-0214(R)
Part Lot 12, Concession 5, Part 4, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$1,996.26

Parcel No. 5

Assessment Roll No. 2714-000-010-04020
File No. 8014
Property Identifier 64026-0207(LT)
Part Lot 12, Concession, Part 5, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$1,923.56

Parcel No. 6

Assessment Roll No. 2714-000-010-04022
File No. 8015
Property Identifier 64026-0215(R)
Part Lot 12, Concession 5, Part 6, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$1,996.26

Parcel No. 7

Assessment Roll No. 2714-000-010-04024
File No. 8016
Property Identifier 64026-0208(LT)
Part Lot 12, Concession 5, Part 7, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$1,923.47

Parcel No. 8

Assessment Roll No. 2714-000-010-04026
File No. 8017
Property Identifier 64026-0216(R)
Part Lot 12, Concession 5, Part 8, Plan 59R-7314
Township of Wainfleet
Regional Municipality of Niagara
Being all of the Pin \$1,996.26

Parcel No. 9

Assessment Roll No. 2714-000-010-04028
 File No. 8018
 Property Identifier 64026-0209(LT)
 Part Lot 12, Concession 5, Part 9, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,923.56

Parcel No. 10

Assessment Roll No. 2714-000-010-04030
 File No. 8019
 Property Identifier 64026-0217(R)
 Part Lot 12, Concession 5, Part 10, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,996.26

Parcel No. 11

Assessment Roll No. 2714-000-010-04032
 File No. 8020
 Property Identifier 64026-0210(LT)
 Part Lot 12, Concession 5, Part 11, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,923.56

Parcel No. 12

Assessment Roll No. 2714-000-010-04010
 File No. 8021
 Property Identifier 64026-0011(LT)
 Part Lot 12, Concession 5, Part 12, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,827.01

Parcel No. 13

Assessment Roll No. 2714-000-010-10160
 File No. 8022
 Property Identifier 64026-0015(LT)
 Part Lot 12, Concession 5&6,
 Pt. Road Allowance between
 Concession 5 and 6 (Closed by
 By-Law R0219904) All being
 Part 13, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,934.56

Parcel No. 14

Assessment Roll No. 2714-000-010-10158
 File No. 8023
 Property Identifier 64026-0221(R)
 Part of Lot 12, Concession 5&6, Part Road
 Allowance between Concession 5 and 6
 (Closed by By-Law R0219904), being
 Part 14, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,996.26

Parcel No. 15

Assessment Roll No. 2714-000-010-10156
 File No. 8024
 Property Identifier 64026-0203(LT)
 Part of Lot 12, Concession 5 & 6, Part of
 Road Allowance between Concession 5 & 6
 (Closed by By-Law R0219904) being
 Part 15, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,934.26

Parcel No. 16

Assessment Roll No. 2714-000-010-10154
 File No. 8025

Property Identifier 64026-0220(R)
 Part of Lot 12, Concession 5 & 6,
 Part of Road Allowance between
 Concession 5 & 6 (Closed by
 By-Law R0219904) being Part 16,
 Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,996.26

Parcel No. 17

Assessment Roll No. 2714-000-010-10152
 File No. 8026
 Property Identifier 64026-0213(LT)
 Part of Lot 12, Concession 5 & 6,
 Part Road Allowance between
 Concession 5 & 6 (Closed by
 By-Law R0219904) being Part 17,
 Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,923.56

Parcel No. 18

Assessment Roll No. 2714-000-010-04034
 File No. 8027
 Property Identifier 64026-0218(R)
 Part Lot 12, Concession 5, Part 18,
 Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,978.11

Parcel No. 19

Assessment Roll No. 2714-000-010-04036
 File No. 8028
 Property Identifier 64026-0211(LT)
 Part Lot 12, Concession 5, Part 19,
 Plan 59R-7314 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,905.41

Parcel No. 20

Assessment Roll No. 2714-000-010-04038
 File No. 8029
 Property Identifier 64026-0219(R)
 Part Lot 12, Concession 5,
 RDAL BTN Cons 5 & 6
 All being Part 20, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,978.11

Parcel No. 21

Assessment Roll No. 2714-000-010-10150
 File No. 8030
 Property Identifier 64026-0212(LT)
 Part Lot 12, Concession 5 & 6,
 Part Road Allowance between
 Concession 5 & 6 (closed by
 By-Law R0219904)
 being Part 21, Plan 59R-7314
 Township of Wainfleet
 Regional Municipality of Niagara
 Being all of the Pin \$1,607.77

Parcel No. 22

Assessment Roll No. 2714-000-010-10162
 File No. 8031
 Property Identifier 64026-0222(R)
 Part Lot 12, Concession 5 & 6,
 Part Road Allowance between
 Concession 5 & 6, (Closed by
 By-Law R0219904) all being
 part 22, Plan 59R-7314
 Township of Wainfleet

Regional Municipality of Niagara
Being all of the Pin \$1,996.26

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:

A.C. GUILER
Clerk-Treasurer
The Corporation of the
Township of Wainfleet,
19M43 Highway No. 3,
P.O. Box 40,
Wainfleet, Ontario L0S 1V0

(3662) (31)

MUNICIPAL TAX SALES ACT
R.S.O. 1990, c. M.60, s. 9 (1), R.R.O. 1990, Reg. 824

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

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 August 22, 2001 at the Municipal Office, P.O. Box 70, 4303 Highway 520, Magnetawan, Ontario P0A 1P0.

The tenders will then be opened in public on the same day at 6:30 p.m. at the Municipal Office, 4303 Highway 520, Magnetawan, Ontario P0A 1P0.

Description of Land(s)	Minimum Tender Amount
Part of Lot 1, Concession 14, Township of Chapman, now Municipality of Magnetawan, District of Parry Sound, described as follows: COMMENCING at a point in the northerly limit of said lot distant 198 feet measured westerly therealong from the northeasterly angle of said lot; THENCE westerly along the said northerly limit 198 feet; THENCE southerly parallel to the easterly limit of the said lot, 1,980 feet more or less to the water's edge of Cheer Lake partly situate on the said lot; THENCE southeasterly along the water's edge of the said lake to a point therein where it would be intersected by a line drawn parallel to the said easterly limit from the point of commencement in this description; THENCE northerly along the said parallel line, 1,980 feet more or less to the point of commencement, containing nine acres more or less. The herein described lands being last described in Instrument 145270	\$6,285.94

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:

LINDA SAUNDERS,
Treasurer-Tax Collector,
The Corporation of
the Municipality of Magnetawan,
P.O. Box 70,
4303 Highway 520,
Magnetawan, Ontario P0A 1P0

(3663) 31

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

THE CORPORATION OF THE CITY OF ORILLIA

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 September 14, 2001 at Orillia City Centre, 50 Andrew St. South, Orillia, Ontario L3V 7T5.

The tenders will then be opened in public on the same day at Orillia City Centre, 50 Andrew St. South, Orillia, Ontario L3V 7T5.

Description of Land(s)	Minimum Tender Amount
95 Barrie Road, Orillia, being Lots 20, 21, 29, 30, 31, 32, 33, 34, 35 and 36 and part of Lot 19 lying south of Barrie Road, and all of Lots 12, 13, 22, 23, 24, 25, 26, 27 and 28 and part of Lots 14 and 15 lying north of Elizabeth Street and all of Lots 43 and 44 lying west of Andrew Street and all of Wyandot Street lying south of the Barrie Road and part of Elizabeth Street, Registered Plan 158, designated as Parts 1, 2, 3, 4 and 5 on Plan 51R-6242, City of Orillia, County of Simcoe. As an Instrument No. 01363414 Roll No. 43 52 020 212 32600 File No. 00-08	\$324,150.09
485 Sundial Dr., Orillia, being part of the east part of Lots 7 and 8, Plan 171, City of Orillia, County of Simcoe, designated as Part 6 on Reference Plan 51R-4424. Roll No. 43 52 040 414 06000 File No. 00-12	\$90,534.84

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:

Mr. BOB RIPLEY,
Treasurer,
The Corporation of the
City of Orillia,
50 Andrew St. South,
Orillia, Ontario L3V 7T5

(3664) 31

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

2001—08—04

ONTARIO REGULATION 278/01

made under the
ASSESSMENT ACT

Made: July 17, 2001
Filed: July 18, 2001

Amending O. Reg. 282/98
(General)

Note: Since the end of 2000, Ontario Regulation 282/98 has been amended by Ontario Regulations 54/01 and 62/01. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. Ontario Regulation 282/98 is amended by adding the following section:

NEW RESIDENTIAL UNIT — EXEMPT PORTION

45.2 For the purposes of paragraph 22 of subsection 3 (1) of the Act, the prescribed portion of a new residential unit described in that paragraph is 10 per cent of the assessment of the unit.

JAMES M. FLAHERTY
Minister of Finance

Dated on July 17, 2001.

31/01

ONTARIO REGULATION 279/01

made under the
CONSUMER PROTECTION ACT

Made: July 19, 2001
Filed: July 19, 2001

Amending Reg. 176 of R.R.O. 1990
(General)

Note: Regulation 176 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. Regulation 176 of the Revised Regulations of Ontario, 1990 is amended by adding the following Part:

PART I.1 EXECUTORY CONTRACTS

17.1 For the purposes of section 18 of the Act, the prescribed amount is \$50.

2. This Regulation comes into force on the day section 12 of Schedule F of the *Red Tape Reduction Act, 1999* comes into force.

RÈGLEMENT DE L'ONTARIO 279/01

pris en application de la
**LOI SUR LA PROTECTION
DU CONSOMMATEUR**

pris le 19 juillet 2001
déposé le 19 juillet 2001

modifiant le Règl. 176 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 176 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements publiée dans la *Gazette de l'Ontario* du 20 janvier 2001.

1. Le Règlement 176 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la partie suivante :

PARTIE I.1 CONTRATS EXÉCUTOIRES

17.1 Pour l'application de l'article 18 de la Loi, le montant prescrit est de 50 \$.

2. Le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 12 de l'annexe F de la *Loi de 1999 visant à réduire les formalités administratives*.

31/01

ONTARIO REGULATION 280/01

made under the
**SAFETY AND CONSUMER STATUTES
ADMINISTRATION ACT, 1996**

Made: July 19, 2001
Filed: July 19, 2001

Amending O. Reg. 159/97
(Administration of Various Acts)

Note: Ontario Regulation 159/97 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. Paragraphs 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, 0.10, 2.1, 2.2, 5 and 6 of section 1 of Ontario Regulation 159/97 are revoked and the following substituted:

- 0.1 All provisions of the *Technical Standards and Safety Act, 2000* except for sections 33, 34 and 35 and subsections 36 (1), (2) and (5).
- 0.2 All provisions of the regulations made under the *Technical Standards and Safety Act, 2000*.

2. Section 1.1 of the Regulation is amended by striking out "paragraphs 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, 0.10, 2.1, 2.2, 5 and 6 of section 1" at the end and substituting "paragraphs 0.1 and 0.2 of section 1".

31/01

ONTARIO REGULATION 281/01

made under the

**OAK RIDGES MORAINÉ
PROTECTION ACT, 2001**

Made: July 19, 2001

Filed: July 19, 2001

EXEMPTIONS**Land exempt from ss. 1 to 6**

1. The following land is exempt from the application of sections 1 to 6 of the Act:

1. Any land that is the subject of a draft plan of subdivision and in respect of which, on or before May 16, 2001, approval was given under subsection 51 (31) of the *Planning Act* but approval was not yet given under subsection 51 (58) of that Act, if an agreement pursuant to subsection 51 (26) of that Act was entered into on or before May 16, 2001 by the municipality and the owner of the land as a condition of the approval.
2. Any land that is the subject of a draft plan of subdivision, for which the file number is set out in a schedule to this Regulation, and in respect of which, on or before May 16, 2001, approval was given under subsection 51 (31) of the *Planning Act* but approval was not yet given under subsection 51 (58) of that Act.
3. Any land described in a schedule to this Regulation.

Schedule 1**TOWN OF RICHMOND HILL —
DRAFT PLANS OF SUBDIVISION**

1. 19T-94049.
2. 19T-88038.
3. 19T-88092.
4. 19T-89099.
5. 19T-91013.
6. 19T(R)-98004.
7. 19T-94002.
8. 19T-86100.
9. 19T-89092.
10. 19T(R)-98012.
11. 19T(R)-99003.
12. 19T-95121.
13. 19T-85049.
14. 19T-89105.
15. 19T-85088.
16. 19T-94026.
17. 19T-93003.
18. 19T(R)-00002.

Schedule 2**LAND IN THE TOWN OF RICHMOND HILL**

1. Part of Lot 56, Concession 1, Vaughan, identified as PIN No. 03208-0076 (LT) in the Land Registry Office for York Region (No. 65).

Schedule 3**CITY OF VAUGHAN — DRAFT PLANS OF SUBDIVISION**

1. 19T-99V05.
2. 19T-95093.

Schedule 4**LAND IN THE CITY OF VAUGHAN**

1. The lands described as “Avondale” and “Primary Buffer Area” on Schedule “1” to By-law Number 364-91 being Schedule “E-838” to By-law Number 1-88 of the City of Vaughan.

2. The lands zoned “OS2(H)” and “OS1(H)” on Schedule “1” to By-law Number 237-98 of the City of Vaughan, as amended by Ontario Municipal Board Order No. 0202, issued February 2, 1999.

Schedule 5**TOWN OF WHITCHURCH-STOUFFVILLE —
DRAFT PLANS OF SUBDIVISION**

1. 19T-88097.

Schedule 6**LAND IN THE TOWN OF WHITCHURCH-STOUFFVILLE**

1. Blocks 1, 6 and 8 on Registered Plan 65M-3356, Township of Whitchurch (Town of Whitchurch-Stouffville), identified respectively as PIN Nos. 03686-0218 (LT), 03686-0223 (LT) and 03686-0225 (LT) in the Land Registry Office for York Region (No. 65).

Schedule 7**TOWN OF EAST GWILLIMBURY —
DRAFT PLANS OF SUBDIVISION**

1. 19T-89010.

Schedule 8**TOWN OF NEWMARKET —
DRAFT PLANS OF SUBDIVISION**

1. 19T-99N02.
2. 19T-98N02.
3. 19T-97N02.

Schedule 9**LAND IN THE TOWN OF AURORA**

1. The lands zoned “Detached Dwelling First Density (H)R1-28 Exception Zone”, “Environmental Protection (EP-13) Exception Zone” and “Open Space (O-14) Exception Zone” on Schedule “AC” to By-law Number 4172-00.D, as amended by the Ontario Municipal Board.

Schedule 10**TOWN OF UXBRIDGE —
DRAFT PLANS OF SUBDIVISION**

1. 18T-98020.
2. 18T-95019.

Schedule 11**LAND IN THE TOWN OF UXBRIDGE**

1. Lots 1, 2, 12, 13 and 14 on Registered Plan 40M-1679, Township of Uxbridge, identified respectively as PIN Nos. 26830-0025 (LT), 26830-0027 (LT), 26830-0040 (LT), 26830-0041 (LT) and 26830-0042 (LT) in the Land Registry Office for Durham (No. 40).

Schedule 12**TOWN OF CALEDON — DRAFT PLANS OF SUBDIVISION**

1. 21T-94009C.
2. 21T-86007C.
3. 21T-89003C.

Schedule 13**LAND IN THE CITY OF KAWARTHA LAKES**

1. Lots 7, 8 and 12 on Plan 9M-754, City of Kawartha Lakes, in the Land Registry Office for Victoria (No. 57).

31/01

ONTARIO REGULATION 282/01
made under the
SOCIAL HOUSING REFORM ACT, 2000

Made: July 19, 2001
Filed: July 20, 2001

Amending O. Reg. 643/00
(Local Housing Corporations — Transition Rules)

Note: Ontario Regulation 643/00 has previously been amended by Ontario Regulations 161/01 and 165/01.

1. Schedule 1 to Ontario Regulation 643/00 is amended by striking out the following local housing corporations:

Peel Regional Housing Corporation

Waterloo Local Housing Corporation

Kingston & Frontenac Housing Corporation

Sarnia & Lambton Housing Corporation

2. This Regulation comes into force on October 1, 2001.

RÈGLEMENT DE L'ONTARIO 282/01
pris en application de la
LOI DE 2000 SUR LA RÉFORME
DU LOGEMENT SOCIAL

pris le 19 juillet 2001
déposé le 20 juillet 2001

modifiant le Règl. de l'Ont. 643/00
(Sociétés locales de logement — Règles de transition)

Remarque : Le Règlement de l'Ontario 643/00 a été modifié antérieurement par les Règlements de l'Ontario 161/01 et 165/01.

1. L'annexe 1 du Règlement de l'Ontario 643/00 est modifiée par suppression des commissions locales de logement suivantes :

Peel Regional Housing Corporation

Waterloo Local Housing Corporation

Kingston & Frontenac Housing Corporation

Sarnia & Lambton Housing Corporation

2. Le présent règlement entre en vigueur le 1^{er} octobre 2001.

31/01

ONTARIO REGULATION 283/01
made under the
BUILDING CODE ACT, 1992

Made: July 19, 2001
Filed: July 20, 2001

Amending O. Reg. 403/97
(General)

Note: Ontario Regulation 403/97 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. The title of Ontario Regulation 403/97 is revoked and the following substituted:

BUILDING CODE

2. Sentence 2.2.2.1.(1) of the Regulation is revoked and the following substituted:

(1) The fee on an application to the Building Materials Evaluation Commission is \$950.00.

3. (1) Table 2.6.3.2. of the Regulation is amended by striking out the rows referring to Documents CAN/CGA-6.19-M93, "Residential Carbon Monoxide Detectors" and UL 2034-1992, "Single and Multiple Station Carbon Monoxide Detectors" and substituting the following rows:

CSA	CAN/CGA-6.19-M93 (R1999)	Residential Carbon Monoxide Detectors	6.2.5A.3.(1) 9.33.4.3.(1)
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UL	UL 2034-1996	Single and Multiple Station Carbon Monoxide Detectors	6.2.5A.3.(1) 9.33.4.3.(1)
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(2) Table 2.6.3.2. of the Regulation is amended by adding the following row:

CSA	CSA 6.19-01	Residential Carbon Monoxide Alarming Devices	6.2.5A.3.(1) 9.33.4.3.(1)
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4. Section 6.2. of the Regulation is amended by adding the following Subsection:

6.2.5A. Carbon Monoxide Detectors

6.2.5A.1. Application

- (1)** This subsection applies to every *building* that
- (a) contains a *residential occupancy*, and
 - (b) contains a fuel-burning *appliance* or a *storage garage*.

6.2.5A.2. Location of Carbon Monoxide Detectors

(1) Where a fuel-burning *appliance* is installed in a *suite* of *residential occupancy*, a carbon monoxide detector shall be installed adjacent to each sleeping area in the *suite*.

(2) Where a fuel-burning *appliance* is installed in a *service room* that is not in a *suite* of *residential occupancy*, a carbon monoxide detector shall be installed

- (a) adjacent to each sleeping area in every *suite* of *residential occupancy* that is adjacent to the *service room*, and
- (b) in the *service room*.

(3) Where a *storage garage* is located in a building containing a *residential occupancy*, a carbon monoxide detector shall be installed adjacent to each sleeping area in every *suite of residential occupancy* that is adjacent to the *storage garage*.

6.2.5A.3. Installation and Conformance to Standards

(1) The carbon monoxide detector required by Article 6.2.5A.2. shall

- (a) be permanently connected to an electrical circuit and shall have no disconnect switch between the overcurrent device and the carbon monoxide detector,
- (b) be wired so that its activation will activate all carbon monoxide detectors within the *suite*, where located within a *suite of residential occupancy*,
- (c) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located in a *suite of residential occupancy*, and
- (d) conform to
 - (i) CAN/CGA-6.19, "Residential Carbon Monoxide Detectors",
 - (ii) CSA 6.19, "Residential Carbon Monoxide Alarming Devices", or
 - (iii) UL 2034, "Single and Multiple Station Carbon Monoxide Detectors".

5. (1) Sentences 9.32.3.8.(2) to (5) of the Regulation are revoked.

(2) Section 9.33. of the Regulation is amended by adding the following Subsection:

9.33.4 Carbon Monoxide Detectors

9.33.4.1. Application

- (1) This subsection applies to every *building* that
 - (a) contains a *residential occupancy*, and
 - (b) contains a fuel-burning *appliance* or a *storage garage*.

9.33.4.2. Location of Carbon Monoxide Detectors

(1) Where a fuel-burning *appliance* is installed in a *suite of residential occupancy*, a carbon monoxide detector shall be installed adjacent to each sleeping area in the *suite*.

(2) Where a fuel-burning *appliance* is installed in a *service room* that is not in a *suite of residential occupancy*, a carbon monoxide detector shall be installed

- (a) adjacent to each sleeping area in every *suite of residential occupancy* that is adjacent to the *service room*, and
- (b) in the *service room*.

(3) Where a *storage garage* is located in a building containing a *residential occupancy*, a carbon monoxide detector shall be installed adjacent to each sleeping area in every *suite of residential occupancy* that is adjacent to the *storage garage*.

(4) Where a *storage garage* serves only the *dwelling unit* to which it is attached or built in, a carbon monoxide detector shall be installed adjacent to each sleeping area in the *dwelling unit*.

9.33.4.3. Installation and Conformance to Standards

(1) The carbon monoxide detector required by Article 9.33.4.2. shall

- (a) be permanently connected to an electrical circuit and shall have no disconnect switch between the overcurrent device and the carbon monoxide detector,
- (b) be wired so that its activation will activate all carbon monoxide detectors within the *suite*, where located within a *suite of residential occupancy*,
- (c) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located adjacent to a sleeping area, and
- (d) conform to
 - (i) CAN/CGA-6.19, "Residential Carbon Monoxide Detectors",
 - (ii) CSA 6.19, "Residential Carbon Monoxide Alarming Devices", or
 - (iii) UL 2034, "Single and Multiple Station Carbon Monoxide Detectors".

6. (1) Table 11.5.1.1.C. of the Regulation is amended by adding the following row under "PART 6 REQUIREMENTS":

C82.1	6.2.5A.3.(1)	Carbon monoxide detectors may be battery operated or plugged into an electrical outlet.
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(2) Table 11.5.1.1.C. of the Regulation is amended by adding the following row under "PART 9 REQUIREMENTS":

C181.1	9.33.4.3.(1)	Carbon monoxide detectors may be battery operated or plugged into an electrical outlet.
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7. Section 12.1. of the Regulation is amended by adding the following Subsection:

12.1.3 Transition, July 2001

12.1.3.1. Transition Rule

(1) Subject to Sentence (2), this Code as it reads on August 5, 2001 is deemed to continue in force with respect to *construction*

- (a) for which a permit is issued before August 6, 2001, or
- (b) for which the working drawings, plans and specifications are substantially completed before August 6, 2001 and for which an application for a permit is made before November 5, 2001 under this Code as it reads on August 5, 2001.

(2) Sentence (1) does not apply unless the *construction* is commenced within six months after the permit is issued.

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

(2) Sections 3, 4, 5, 6 and 7 come into force on the later of August 6, 2001 and the day on which this Regulation is filed.

31/01

ONTARIO REGULATION 284/01
made under the
COURTS OF JUSTICE ACT

Made: May 14, 2001
Approved: July 19, 2001
Filed: July 20, 2001

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

Note: Since the end of 2000, Regulation 194 has been amended by Ontario Regulations 113/01, 243/01 and 244/01. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. Clause 1.01 (2) (a) of Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by striking out “rules 1.01 to 1.06” and substituting “rules 1.01 to 1.08”.

2. Rule 1.03 of the Regulation is amended by adding the following definitions:

“partial indemnity costs” mean costs awarded under the partial indemnity scale of a costs grid established by Part I of Tariff A, and “on a partial indemnity basis” has a corresponding meaning; (“dépens d’indemnisation partielle”)

“substantial indemnity costs” mean costs awarded under the substantial indemnity scale of a costs grid established by Part I of Tariff A, and “on a substantial indemnity basis” has a corresponding meaning. (“dépens d’indemnisation substantielle”)

3. Rule 1.04 of the Regulation is amended by adding the following subrules:

“Party and Party” Costs

(4) If a statute, regulation or other document refers to party and party costs, these rules apply as if the reference were to partial indemnity costs.

“Solicitor and Client” Costs

(5) If a statute, regulation or other document refers to solicitor and client costs, these rules apply as if the reference were to substantial indemnity costs.

4. Rule 14.03.1 of the Regulation is amended by striking out “subrule 76.02 (2)” and substituting “subrule 76.02 (3)”.

5. Subrule 14.08 (3) of the Regulation is revoked and the following substituted:

Dismissal by Registrar

(3) Subrules (1) and (2) are subject to rules 76.06 and 77.08, which provide that in certain circumstances the registrar shall make an order dismissing the action as abandoned.

6. Subrule 20.04 (2) of the Regulation is revoked and the following substituted:

(2) The court shall grant summary judgment if,

(a) the court is satisfied that there is no genuine issue for trial with respect to a claim or defence; or

(b) the parties agree to have all or part of the claim determined by a summary judgment and the court is satisfied that it is appropriate to grant summary judgment.

7. (1) Subrule 20.06 (1) of the Regulation is amended by striking out “on a solicitor and client basis” and substituting “on a substantial indemnity basis”.

(2) Subrule 20.06 (2) of the Regulation is amended by striking out “on a solicitor and client basis” and substituting “on a substantial indemnity basis”.

8. Subrule 34.02 (3) of the Regulation is amended by striking out “on a solicitor and client basis” and substituting “on a substantial indemnity basis”.

9. Subrule 37.03 (5) of the Regulation is amended by striking out “on a solicitor and client basis” and substituting “on a substantial indemnity basis”.

10. Clause 39.02 (4) (b) of the Regulation is amended by striking out “party and party costs” and substituting “partial indemnity costs”.

11. (1) Subrule 49.10 (1) of the Regulation is amended,

(a) by striking out “party and party costs” and substituting “partial indemnity costs”; and

(b) by striking out “solicitor and client costs” and substituting “substantial indemnity costs”.

(2) Subrule 49.10 (2) of the Regulation is amended by striking out “party and party costs” wherever it appears and substituting in each case “partial indemnity costs”.

12. Rule 50.07 of the Regulation is amended by striking out “Subrule 50.04 (1)” and substituting “Rule 50.04”.

13. Rule 53.08 of the Regulation is revoked and the following substituted:

EVIDENCE ADMISSIBLE ONLY WITH LEAVE

53.08 (1) If evidence is admissible only with leave of the trial judge under a provision listed in subrule (2), leave shall be granted on such terms as are just and with an adjournment if necessary, unless to do so will cause prejudice to the opposite party or will cause undue delay in the conduct of the trial.

(2) Subrule (1) applies with respect to the following provisions:

1. Subrule 30.08 (1) (failure to disclose document).

2. Rule 30.09 (failure to abandon claim of privilege).

3. Rule 31.07 (refusal to disclose information on discovery).

4. Subrule 31.09 (3) (failure to correct answers on discovery).

5. Subrule 53.03 (3) (failure to serve expert’s report).

6. Subrule 76.03 (3) (failure to disclose witness).

14. The heading of Rule 57 of the Regulation is revoked and the following substituted:

RULE 57 COSTS OF PROCEEDINGS

15. (1) Subrule 57.01 (3) of the Regulation is revoked and the following substituted:

Fixing Costs: Tariffs

(3) When the court awards costs, it shall fix them in accordance with subrule (1) and the Tariffs.

Assessment in Exceptional Cases

(3.1) Despite subrule (3), in an exceptional case the court may refer costs for assessment under Rule 58.

(2) Clause 57.01 (4) (c) of the Regulation is amended by striking out “solicitor and client” and substituting “substantial indemnity”.

(3) Rule 57.01 of the Regulation is amended by adding the following subrule:

Bill of Costs

(5) After a trial, the hearing of a motion that disposes of a proceeding or the hearing of an application, a party who is awarded costs shall serve a bill of costs (Form 57A) on the other parties and shall file it, with proof of service.

16. Subrule 57.03 (1) of the Regulation is revoked and the following substituted:

Contested Motion

(1) On the hearing of a contested motion, unless the court is satisfied that a different order would be more just, the court shall,

- (a) fix the costs of the motion and order them to be paid within 30 days; or
- (b) in an exceptional case, refer the costs of the motion for assessment under Rule 58 and order them to be paid within 30 days after assessment.

17. Rule 58.01 of the Regulation is amended by striking out “between party and party”.

18. Subrules 58.05 (1) and (2) of the Regulation are revoked and the following substituted:

Generally

(1) If costs are to be assessed, the assessment officer shall assess and allow,

- (a) lawyers’ fees and disbursements in accordance with subrule 57.01 (1) and the Tariffs; and
- (b) disbursements for fees paid to the court, a court reporter, an official examiner or a sheriff under the regulations under the *Administration of Justice Act*.

(2) No other fees, disbursements or charges shall be assessed or allowed unless the court orders otherwise.

19. Rule 58.09 of the Regulation is amended by striking out “party and party costs” and substituting “costs”.

20. Subrule 58.12 (3) of the Regulation is amended by striking out “between party and party” and substituting “between parties”.

21. Clause 61.10 (1) (a) of the Regulation is revoked and the following substituted:

- (a) a table of contents describing each document by its nature and date;

22. Subrule 61.10.1 (2) of the Regulation is revoked.

23. (1) Subrule 61.12.1 (3) of the Regulation is amended by striking out “at least 60 days before the date scheduled for the hearing” and substituting “at least 10 days before the date scheduled for the hearing”.

(2) Subrule 61.12.1 (5) of the Regulation is revoked and the following substituted:

(5) A compendium or joint compendium shall contain the following, in consecutively numbered pages arranged in the following order:

- 1. A table of contents describing each excerpt from the transcript of evidence and each exhibit included in the compendium by its nature, date and exhibit number or letter.
- 2. The excerpts from the transcript of evidence referred to in the factum of the party filing the compendium (or in the factums of

the parties, in the case of a joint compendium), and any additional excerpts from the transcript of evidence to which the party filing the compendium intends to refer during the hearing of the appeal (or to which the parties intend to refer, in the case of a joint compendium).

- 3. The exhibits referred to in the factum of the party filing the compendium (or in the factums of the parties, in the case of a joint compendium), and any additional exhibits to which the party filing the compendium intends to refer during the hearing of the appeal (or to which the parties intend to refer, in the case of a joint compendium). The exhibits shall be arranged in order by date (or, if there are documents with common characteristics, grouped accordingly in order by date) and not by exhibit number.

(6) A party who intends to refer at the hearing of an appeal to an excerpt from the transcript of evidence or to an exhibit that is not contained in a compendium or joint compendium shall,

- (a) serve a supplementary compendium containing the relevant material on every other party and on any person entitled by statute or under rule 13.03 (intervention in appeal) to be heard on the appeal; and
- (b) file with proof of service, no later than two days before the hearing, three copies of the supplementary compendium, or five copies if the appeal is heard by five judges.

Relief from Compliance

(7) Where compliance with this rule would cause undue expense or delay, a judge of the appellate court may give special directions.

24. Subrule 69.24 (6.6) of the Regulation is amended by striking out “solicitor and client costs” and substituting “substantial indemnity costs”.

25. Rule 76 of the Regulation is revoked and the following substituted:

RULE 76 SIMPLIFIED PROCEDURE

APPLICATION OF RULE

76.01 (1) The simplified procedure set out in this Rule does not apply to actions under,

- (a) the *Class Proceedings Act*, 1992;
- (b) the *Construction Lien Act*;
- (c) Rule 69, 70 or 77.

Application of Other Rules

(2) The rules that apply to an action apply to an action that is proceeding under this Rule, unless this Rule provides otherwise.

AVAILABILITY OF SIMPLIFIED PROCEDURE

When Mandatory

76.02 (1) The procedure set out in this Rule shall be used in an action if the following conditions are satisfied:

- 1. The plaintiff’s claim is exclusively for one or more of the following:
 - i. Money.
 - ii. Real property.
 - iii. Personal property.
- 2. The total of the following amounts is \$50,000 or less, exclusive of interest and costs:

- i. The amount of money claimed, if any.
- ii. The fair market value of any real property and of any personal property, as at the date the action is commenced.

(2) If there are two or more plaintiffs, the procedure set out in this Rule shall be used if each plaintiff's claim, considered separately, meets the requirements of subrule (1).

When Optional

(3) The procedure set out in this Rule may be used in any other action at the option of the plaintiff, subject to subrules (4) to (9).

Originating Process

(4) The statement of claim (Form 14A, 14B or 14D) or notice of action (Form 14C) shall indicate that the action is being brought under this Rule.

Action Continues to Proceed Under Rule

(5) An action commenced under this Rule continues to proceed under this Rule unless,

- (a) the defendant objects in the statement of defence to the action proceeding under this Rule because the plaintiff's claim does not comply with subrule (1), and the plaintiff does not abandon in the reply the claims or parts of claims that do not comply; or
- (b) a defendant by counterclaim, crossclaim or third party claim objects in the statement of defence to the counterclaim, crossclaim or third party claim proceeding under this Rule because the counterclaim, crossclaim or third party claim does not comply with subrule (1), and the defendant does not abandon in the reply to the counterclaim, crossclaim or third party claim the claims or parts of claims that do not comply.

Continuance Under Ordinary Procedure — Where Notice Required

(6) If an action commenced under this Rule may no longer proceed under this Rule because of an amendment to the pleadings or as a result of the operation of subrule (5),

- (a) the action is continued under the ordinary procedure or under Rule 77, as the case may be; and
- (b) the plaintiff shall deliver, after all the pleadings have been delivered or at the time of amending the pleadings, as the case may be, a notice (Form 76A) stating that the action and any related proceedings are continued as an ordinary action or under Rule 77, as the case may be.

Continuance Under Simplified Procedure — Where Notice Required

(7) An action that was not commenced under this Rule is continued under this Rule if,

- (a) a party's pleading is amended;
- (b) the amended pleading complies with subrule (1);
- (c) all other claims, counterclaims, crossclaims or third party claims comply with this Rule; and
- (d) the consent of all the parties is filed.

(8) The plaintiff shall deliver a notice (Form 76A) stating that the action and any related proceedings are continued under this Rule.

Effect of Abandonment

(9) A party who abandons a claim or part of a claim or amends a pleading so that the claim, counterclaim, crossclaim or third party claim complies with subrule (1) may not bring the claim or part in any other proceeding.

AFFIDAVIT OF DOCUMENTS

Copies of Documents

76.03 (1) A party to an action under this Rule shall, within 10 days after the close of pleadings, serve on every other party,

- (a) an affidavit of documents (Form 30A or 30B) disclosing to the full extent of the party's knowledge, information and belief all documents relating to any matter in issue in the action that are or have been in the party's possession, control or power; and
- (b) copies of the documents referred to in Schedule A of the affidavit of documents.

List of Potential Witnesses

(2) The affidavit of documents shall include a list of the names and addresses of persons who might reasonably be expected to have knowledge of matters in issue in the action, unless the court orders otherwise.

Effect of Failure to Disclose

(3) At the trial of the action, a party may not call as a witness a person whose name has not been disclosed in the party's affidavit of documents or any supplementary affidavit of documents, unless the court orders otherwise.

Lawyer's Certificate

(4) The lawyer's certificate under subrule 30.03 (4) (full disclosure in affidavit) shall include a statement that the lawyer has explained to the deponent the necessity of complying with subrules (1) and (2).

NO DISCOVERY, CROSS-EXAMINATION ON AN AFFIDAVIT OR EXAMINATION OF A WITNESS

76.04 The following are not permitted in an action under this Rule:

- 1. Examination for discovery under rule 31.03 or 31.10.
- 2. Examination for discovery by written questions and answers under Rule 35.
- 3. Cross-examination of a deponent on an affidavit under rule 39.02.
- 4. Examination of a witness on a motion under rule 39.03.

MOTIONS

Motion Form

76.05 (1) The moving party shall serve a motion form (Form 76B) in accordance with rule 37.07 and shall submit it to the court before the motion is heard.

Place of Hearing

(2) Unless the parties agree otherwise or the court orders otherwise, the motion shall be heard in the county where the action was commenced.

Procedure

(3) Depending on the practical requirements of the situation, the motion may be made,

- (a) with or without supporting material or a motion record;
- (b) by attendance, in writing, by fax or under rule 1.08 (telephone and video conferences).

Motions Dealt With by Registrar

(4) When a motion described in subrule (5) meets one of the following conditions, the registrar shall make an order granting the relief sought:

1. The motion is for an order on consent, the consent of all parties is filed and the consent states that no party affected by the order is under disability.
 2. No responding material is filed and the notice of motion or the motion form states that no party affected by the order is under disability.
- (5) Subrule (4) applies to a motion for,
- (a) amendment of a pleading or notice of motion;
 - (b) addition, deletion or substitution of a party whose consent is filed;
 - (c) removal of a solicitor as solicitor of record;
 - (d) setting aside the noting of a party in default;
 - (e) setting aside a default judgment;
 - (f) discharge of a certificate of pending litigation;
 - (g) security for costs in a specified amount; or
 - (h) dismissal of a proceeding with or without costs.

Disposition

(6) The court or registrar shall record the disposition of the motion on the motion form.

- (7) No formal order is required unless,
- (a) the court or registrar orders otherwise;
 - (b) an appeal is made to a judge; or
 - (c) an appeal or motion for leave to appeal is made to an appellate court.

DISMISSAL BY REGISTRAR**If No Defence Filed**

76.06 (1) The registrar shall make an order dismissing an action as abandoned if the following conditions are satisfied, unless the court orders otherwise:

1. More than 180 days have passed since the date the originating process was issued.
2. No statement of defence has been filed.
3. The action has not been disposed of by final order or judgment.
4. The action has not been set down for trial or summary trial.
5. The registrar has given 45 days notice that the action will be dismissed as abandoned.

If Defence Filed

(2) The registrar shall make an order dismissing an action as abandoned if the following conditions are satisfied, unless the court orders otherwise:

1. More than 150 days have passed since the filing of the first statement of defence or notice of intent to defend.
2. The action has not been disposed of by final order or judgment.
3. The action has not been set down for trial or summary trial.

4. The registrar has given 45 days notice that the action will be dismissed as abandoned.

Service on Parties

(3) The registrar shall serve a copy of the order made under subrule (1) or (2) on the parties.

Effect on Subsequent Action

(4) The dismissal of an action as abandoned has the same effect as a dismissal for delay under rule 24.05.

SUMMARY JUDGMENT**Where Available**

76.07 (1) After the close of pleadings, a party may move before a judge with supporting affidavit material for summary judgment.

Place of Hearing

(2) Unless the parties agree otherwise or the court orders otherwise, the motion shall be heard in the county where the action was commenced.

Application of Summary Judgment Procedure

(3) Rules 20.05, 20.07, 20.08 and 20.09 (summary judgment procedure) apply to the motion, but rules 20.01 to 20.04 (availability, affidavits, factums, disposition of motion) and rule 20.06 (costs) do not apply.

Responding Party's Material

(4) In response to affidavit material supporting the motion, the responding party may not rest on the mere allegations or denials of the party's pleadings, but is required to set out, in affidavit material, specific facts to show that judgment ought not to be granted.

Contents of Affidavit

(5) An affidavit for use on the motion may be made on information and belief as permitted by subrule 39.01 (4), but on the hearing of the motion an adverse inference may be drawn, if appropriate, from a party's failure to provide the evidence of persons having personal knowledge of contested facts.

Motion Record Required

(6) The moving party shall serve a motion record on every other party to the motion and file it, with proof of service, in the court office where the motion is to be heard, at least two days before the hearing of the motion.

Contents of Motion Record

(7) The motion record shall contain, in consecutively numbered pages arranged in the following order,

- (a) a table of contents describing each document, including each exhibit, by its nature and date and, in the case of an exhibit, by exhibit number or letter;
- (b) a copy of the notice of motion;
- (c) a copy of all affidavits served by any party for use on the motion; and
- (d) a copy of the pleadings, including those relating to any counterclaim, crossclaim or third party claim.

Factums Required

(8) Every party to the motion shall serve on every other party a factum consisting of a concise statement of the facts and law relied upon by the party and file it, with proof of service, in the court office

where the motion is to be heard, at least two days before the hearing of the motion.

Test for Summary Judgment

- (9) The presiding judge shall grant judgment on the motion unless,
 - (a) he or she is unable to decide the issues in the action without cross-examination; or
 - (b) it would be otherwise unjust to decide the issues on the motion.

If Trial Necessary

(10) If summary judgment is refused or is granted only in part, the presiding judge shall determine the mode of trial that is appropriate in all the circumstances.

SETTLEMENT DISCUSSION AND DOCUMENTARY DISCLOSURE

76.08 Within 60 days after the filing of the first statement of defence or notice of intent to defend, the parties shall, in a meeting or telephone call, consider whether,

- (a) all documents relating to any matter at issue have been disclosed; and
- (b) settlement of any or all issues is possible.

HOW DEFENDED ACTION IS SET DOWN FOR TRIAL OR SUMMARY TRIAL

Notice of Readiness for Pre-Trial Conference

76.09 (1) Despite rule 48.02 (how action set down for trial), the plaintiff shall, within 90 days after the first statement of defence or notice of intent to defend is filed, set the action down for trial by serving a notice of readiness for pre-trial conference (Form 76C) on every party to the action and any counterclaim, crossclaim or third party claim and forthwith filing the notice with proof of service.

(2) If the plaintiff does not act under subrule (1), any other party may do so.

Certificate

(3) The party who sets the action down for trial shall certify in the notice of readiness for pre-trial conference that there was a settlement discussion.

PRE-TRIAL CONFERENCE

Notice

76.10 (1) The registrar shall serve notice of a pre-trial conference at least 45 days before the scheduled date.

Attendance

(2) A party and his or her lawyer shall, unless the court orders otherwise, participate in the pre-trial conference,

- (a) by personal attendance; or
- (b) under rule 1.08 (telephone and video conferences) if personal attendance would require undue amounts of travel time or expense.

Authority to Settle

(3) A party who requires another person's approval before agreeing to a settlement shall, before the pre-trial conference, arrange to have ready telephone access to the other person throughout the conference, whether it takes place during or after regular business hours.

Documents

(4) At least five days before the pre-trial conference, each party shall,

- (a) file,
 - (i) a copy of the party's affidavit of documents and copies of the documents relied on for the party's claim or defence,
 - (ii) a copy of any expert report, and
 - (iii) any other material necessary for the conference; and
- (b) deliver,
 - (i) a two-page statement setting out the issues and the party's position with respect to them, and
 - (ii) a trial management checklist (Form 76D).

Trial Date

(5) The pre-trial conference judge or master shall fix a date for trial, subject to the direction of the regional senior judge.

Mode of Trial

(6) The parties may agree that the trial shall be an ordinary trial or a summary trial under rule 76.12; if they do not agree, the pre-trial conference judge or master shall determine the mode of trial that is appropriate in all the circumstances.

(7) If the trial is to be a summary trial under rule 76.12, the pre-trial conference judge or master may vary the order and time of presentation.

PLACING DEFENDED ACTION ON TRIAL LIST

Registrar

76.11 (1) The registrar shall place a defended action on the appropriate trial list immediately after the pre-trial conference.

Trial Record

(2) At least 10 days before the date fixed for trial, the party who set the action down for trial shall serve a trial record on every party to the action and any counterclaim, crossclaim or third party claim, and file the record with proof of service.

(3) In the case of an ordinary trial, the trial record shall be prepared in accordance with rule 48.03.

(4) In the case of a summary trial under rule 76.12, the trial record shall contain, in consecutively numbered pages arranged in the following order,

- (a) a table of contents describing each document, including each exhibit, by its nature and date and, in the case of an exhibit, by exhibit number or letter;
- (b) a copy of the pleadings, including those relating to any counterclaim, crossclaim or third party claim;
- (c) a copy of any demand or order for particulars of a pleading and the particulars delivered in response;
- (d) a copy of any order respecting the trial;
- (e) a copy of all the affidavits served by all the parties for use on the summary trial; and
- (f) a certificate signed by the solicitor of the party filing the trial record, stating that it contains the documents described in clauses (a) to (e).

SUMMARY TRIAL**Procedure**

76.12 (1) At a summary trial, the evidence and argument shall be presented as follows, subject to any direction under subrule 76.10 (7):

1. The plaintiff shall adduce evidence by affidavit.
2. A party who is adverse in interest may cross-examine the deponent of any affidavit served by the plaintiff.
3. The plaintiff may re-examine any deponent who is cross-examined under this subrule for not more than 10 minutes.
4. When any cross-examinations and re-examinations of the plaintiff's deponents are concluded, the defendant shall adduce evidence by affidavit.
5. A party who is adverse in interest may cross-examine the deponent of any affidavit served by a defendant.
6. A party shall complete all of the party's cross-examinations within 50 minutes.
7. A defendant may re-examine any deponent who is cross-examined under this subrule for not more than 10 minutes.
8. When any cross-examinations and re-examinations of the defendant's deponents are concluded, the plaintiff may, with leave of the trial judge, adduce any proper reply evidence.
9. After the presentation of evidence, each party may make oral argument for not more than 45 minutes.

(2) The trial judge may extend a time provided in subrule (1).

(3) A party who intends to cross-examine the deponent of an affidavit at the summary trial shall, at least 10 days before the date fixed for trial, give notice of that intention to the party who filed the affidavit, who shall arrange for the deponent's attendance at the trial.

Judgment after Summary Trial

(4) The judge shall grant judgment after the conclusion of the summary trial.

COSTS CONSEQUENCES**Opting In**

76.13 (1) Regardless of the outcome of the action, if this Rule applies as the result of amendment of the pleadings under subrule 76.02 (7), the party whose pleadings are amended shall pay, on a substantial indemnity basis, the costs incurred by the opposing party up to the date of the amendment that would not have been incurred had the claim originally complied with subrule 76.02 (1), unless the court orders otherwise.

Plaintiff Denied Costs

(2) Subrules (3) to (10) apply to a plaintiff who obtains a judgment that satisfies the following conditions:

1. The judgment awards exclusively one or more of the following:
 - i. Money.
 - ii. Real property.
 - iii. Personal property.
2. The total of the following amounts is \$50,000 or less, exclusive of interest and costs:
 - i. The amount of money awarded, if any.

- ii. The fair market value of any real property and of any personal property awarded, as at the date the action is commenced.

(3) The plaintiff shall not recover any costs unless,

- (a) the action was proceeding under this Rule at the commencement of the trial; or
- (b) the court is satisfied that it was reasonable for the plaintiff to have commenced and continued the action under the ordinary procedure.

(4) Subrule (3) applies despite subrule 49.10 (1) (plaintiff's offer to settle).

(5) Subrule (3) does not apply if this Rule was unavailable because of the counterclaim, crossclaim or third party claim of another party.

Plaintiff may be Ordered to Pay Defendant's Costs

(6) The plaintiff may, in the trial judge's discretion, be ordered to pay all or part of the defendant's costs, including substantial indemnity costs, in addition to any costs the plaintiff is required to pay under subrule 49.10 (2) (defendant's offer to settle).

Defendant Objecting to Simplified Procedure

(7) In an action that includes a claim for real or personal property, if the defendant objected to proceeding under this Rule on the ground that the property's fair market value exceeded \$50,000 at the date the action was commenced and the court finds the value did not exceed that amount at that date, the defendant shall pay, on a substantial indemnity basis, the costs incurred by the plaintiff that would not have been incurred had the claim originally complied with subrule 76.02 (1), unless the court orders otherwise.

Burden of Proof

(8) The burden of proving that the fair market value of the real or personal property at the date of commencement of the action was \$50,000 or less is on the plaintiff.

Counterclaims, Crossclaims and Third Party Claims

(9) Subrules (1) to (8) apply, with necessary modifications, to counterclaims, crossclaims and third party claims.

Transition

(10) In the case of an action that was commenced before January 1, 2002, subrules (2), (7) and (8) apply as if "\$50,000" read "\$25,000".

26. Subrules 77.06 (3), (4), (4.1), (8), (9) and (10) of the Regulation are revoked.

27. Rule 77.09 of the Regulation is revoked and the following substituted:

DEFENCE OF PROCEEDING**Notice of Defence**

77.09 (1) A defendant who serves a defence shall complete and deliver a notice of defence (Form 77B).

Assignment to Case Management

(2) On the filing of a defence, the proceeding shall be assigned to a case management judge or team for management in accordance with rules 77.10 to 77.17.

28. Subrule 77.13 (7) of the Regulation is revoked.

29. (1) Subrule 77.14 (4) of the Regulation is amended by striking out "Except in actions to which Rule 76 applies".

(2) Subrule 77.14 (5) of the Regulation is amended by striking out “Except in actions to which Rule 76 applies”.

(3) Subrule 77.14 (9) of the Regulation is revoked.

30. Subrule 77.15 (4) of the Regulation is revoked.

31. Form 14B of the Regulation is amended by striking out “(on a solicitor and client basis *if the mortgage so provides*)” in paragraph 1 (e) under the heading “CLAIM” and substituting “(on a substantial indemnity basis *if the mortgage so provides, or if it provides for costs on a solicitor and client basis*)”.

32. The Regulation is amended by adding the following Form:

Form 57A

Courts of Justice Act

BILL OF COSTS

(General heading)

BILL OF COSTS

AMOUNTS CLAIMED FOR FEES AND DISBURSEMENTS

(Following the items set out in Tariff A, itemize the claim for fees and disbursements. Indicate the names of the lawyers, students-at-law and law clerks who provided services in connection with each item.

In support of the claim for fees, attach copies of the dockets or other evidence.

In support of the claim for disbursements, attach copies of invoices or other evidence.)

STATEMENT OF EXPERIENCE

A claim for fees is being made with respect to the following lawyers:

Name of lawyer

Years of experience

TO: *(name and address of lawyer or party)*

33. Form 58C of the Regulation is amended by striking out “party and party costs” and substituting “costs”.

34. Form 74.4.1 of the Regulation is amended by striking out “VALUE OF ASSETS OF ESTATE” and substituting “VALUE OF ASSETS REFERRED TO IN ATTACHED WILL”.

35. Form 74.5.1 of the Regulation is amended by striking out “VALUE OF ASSETS OF ESTATE” and substituting “VALUE OF ASSETS REFERRED TO IN ATTACHED WILL”.

36. Form 76A of the Regulation is revoked and the following substituted:

Form 76A*Courts of Justice Act*

NOTICE WHETHER ACTION UNDER RULE 76

(General heading)

NOTICE WHETHER ACTION UNDER RULE 76

The plaintiff states that this action and any related proceedings are:

(select one of the following:)

- ☐ continuing under Rule 76
- ☐ continuing under Rule 77 — fast track
- ☐ continuing under Rule 77 — standard track
- ☐ continuing as an ordinary procedure.

*(Name, address and telephone and fax numbers of lawyer or plaintiff)***Form 76B***Courts of Justice Act*

SIMPLIFIED PROCEDURE MOTION FORM

Court File No.....

(General heading)

SIMPLIFIED PROCEDURE MOTION FORM

JURISDICTION ☐ Judge

☐ Master

☐ Registrar

THIS FORM IS FILED BY *(Check appropriate boxes to identify the party filing this form as a moving/responding party on this motion AND to identify this party as plaintiff, defendant, etc. in the action)*

☐ moving party

☐ plaintiff

☐ responding party

☐ defendant

☐ Other — specify kind of party and name

MOTION MADE

☐ on consent of all parties

☐ without notice

☐ on notice to all parties and unopposed

☐ on notice to all parties and expected to be opposed

Notice of this motion was served on (date):

by means of:

DISPOSITION

- ☐ order to go as asked
☐ adjourned to
☐ order refused
☐ order to go as follows:

.....

Hearing method..... Hearing duration min.

Heard in: ☐ courtroom ☐ office

☐ Successful party MUST prepare formal order for signature

☐ No copy of disposition to be sent to parties

☐ Other directions — specify

.....

Date Name Signature
 Judge/Master/Registrar

Form 76C

Courts of Justice Act

NOTICE OF READINESS FOR PRE-TRIAL CONFERENCE

(General heading)

NOTICE OF READINESS FOR PRE-TRIAL CONFERENCE

The (*identify party*) is ready for a pre-trial conference and is setting this action down for trial. A pre-trial conference in the action will proceed as scheduled and the trial will proceed when the action is reached on the trial list, unless the court orders otherwise.

CERTIFICATE

I CERTIFY that there was a settlement discussion under rule 76.08.

Date (*Signature*)

(*Name, address and telephone and fax numbers of lawyer or party giving notice*)

TO (*Name and address of lawyer or party receiving notice*)

Form 76D*Courts of Justice Act*

TRIAL MANAGEMENT CHECKLIST

*(General heading)**(Insert name of party filing this form)*

TRIAL MANAGEMENT CHECKLIST

Trial Lawyer — Plaintiff (s):

Trial Lawyer — Defendant (s):

Filed by Plaintiff

Filed by Defendant

Filed by Subsequent Party

1. Issues Outstanding

(a) liability:

(b) damages:

(c) other
.....2. Names of Plaintiff's Witnesses
.....3. Names of Defendant's Witnesses
.....4. Admissions
.....Are the parties prepared to admit any facts for the purposes of the trial or summary trial? yes ☐ no ☐

5. Document Brief

Will there be a document brief? yes ☐ no ☐

6. Request to Admit

Will there be a request to admit? yes ☐ no ☐If so, have the parties agreed to a timetable? yes ☐ no ☐

7. Expert's Reports

Are any expert's reports anticipated? yes ☐ no ☐

8. Amendments to Pleadings

Are any amendments likely to be sought? yes ☐ no ☐

9. Mode of Trial

Have the parties agreed to a summary trial? yes ☐ no ☐Have the parties agreed to an ordinary trial? yes ☐ no ☐If the parties have not agreed about the mode of trial, what mode of trial is being requested by the party filing this checklist?
.....

10. Factum of Law

Will the parties be submitting factums of law? yes ☐ no ☐

37. Form 77A of the Regulation is amended by striking out “WARNING: In accordance with rule 77.06 (2), this form must be given to the plaintiff.”

38. (1) Part I of Tariff A to the Regulation is revoked and the following substituted:

PART I — COSTS GRID

Where students-at-law or law clerks have provided services of a nature that the Law Society of Upper Canada authorizes them to provide, the fees for those services may be assessed and allowed under this costs grid.

Where counsel has special expertise, his or her hourly rate classification may be varied accordingly.

1. Fees other than Counsel Fee		
Hourly rates for pleadings, mediation under Rule 24.1 or Rule 75.1, financial statements, discovery of documents, drawing and settling issues on special case, setting down for trial, pre-motion conference, examination, pre-trial conference, settlement conference, notice or offer, preparation for hearing, attendance at assignment court, order, issuing or renewing a writ of execution or notice of garnishment, seizure under writ of execution, seizure and sale under writ of execution, notice of garnishment, or for any other procedure authorized by the <i>Rules of Civil Procedure</i> and not provided for elsewhere in the costs grid.		
	Partial Indemnity Scale	Substantial Indemnity Scale
Law Clerks	Up to \$80.00 per hour	Up to \$125.00 per hour
Student-at-law	Up to \$60.00 per hour	Up to \$90.00 per hour
Lawyer (less than 10 years)	Up to \$225.00 per hour	Up to \$300.00 per hour
Lawyer (10 or more but less than 20 years)	Up to \$300.00 per hour	Up to \$400.00 per hour
Lawyer (20 years and over)	Up to \$350.00 per hour	Up to \$450.00 per hour
2. Counsel Fee — Motion or Application		
	Partial Indemnity Scale	Substantial Indemnity Scale
0.25 hour	Up to \$400.00	Up to \$800.00
1.00 hour	Up to \$1,000.00	Up to \$1,500.00
2.00 hours (half day)	Up to \$1,400.00	Up to \$2,400.00
1 day	Up to \$2,100.00	Up to \$3,500.00
3. Counsel Fee — Trial or Reference		
	Partial Indemnity Scale	Substantial Indemnity Scale
Half Day	Up to \$1,500.00	Up to \$2,500.00
Day	Up to \$2,300.00	Up to \$4,000.00
Week	Up to \$9,500.00	Up to \$17,500.00
4. Counsel Fee — Appeal		
	Partial Indemnity Scale	Substantial Indemnity Scale
1.00 hour	Up to \$1,000.00	Up to \$1,500.00
2.00 hours (half day)	Up to \$1,250.00	Up to \$2,000.00
1 day	Up to \$2,000.00	Up to \$4,000.00

(2) On July 3, 2004, Part I of Tariff A to the Regulation is amended by striking out “mediation under Rule 24.1 or Rule 75.1” and substituting “mediation under Rule 24.1”.

39. This Regulation comes into force on January 1, 2002.

RÈGLEMENT DE L'ONTARIO 284/01
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 14 mai 2001
approuvé le 19 juillet 2001
déposé le 20 juillet 2001

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

Remarque : Depuis la fin de 2000, le Règlement 194 a été modifié par les Règlements de l'Ontario 113/01, 243/01 et 244/01. Les modifications antérieures sont indiquées dans la Table des règlements publiée dans la *Gazette de l'Ontario* du 20 janvier 2001.

1. L'alinéa 1.01 (2) a) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «règles 1.01 à 1.08» à «règles 1.01 à 1.06».

2. La règle 1.03 du Règlement est modifiée par adjonction des définitions suivantes :

«dépens d'indemnisation partielle» Dépens adjugés aux termes du barème d'indemnisation partielle d'une grille de dépens établie par la première partie du tarif A. L'expression «sur une base d'indemnisation partielle» a un sens correspondant. («partial indemnity costs»)

«dépens d'indemnisation substantielle» Dépens adjugés aux termes du barème d'indemnisation substantielle d'une grille de dépens établie par la première partie du tarif A. L'expression «sur une base d'indemnisation substantielle» a un sens correspondant. («substantial indemnity costs»)

3. La règle 1.04 du Règlement est modifiée par adjonction des paragraphes suivants :

Dépens «partie-partie»

(4) Si une loi, un règlement ou un autre document mentionne des dépens partie-partie, les présentes règles s'appliquent comme s'il s'agissait de la mention de «dépens d'indemnisation partielle».

(5) Si une loi, un règlement ou un autre document mentionne des dépens procureur-client, les présentes règles s'appliquent comme s'il s'agissait de la mention de «dépens d'indemnisation substantielle».

4. La règle 14.03.1 du Règlement est modifiée par substitution de «paragraphe 76.02 (3)» à «paragraphe 76.02 (2)».

5. Le paragraphe 14.08 (3) du Règlement est abrogé et remplacé par ce qui suit :

Rejet par le greffier

(3) Les paragraphes (1) et (2) sont assujettis aux règles 76.06 et 77.08, qui prévoient que dans certaines circonstances le greffier rend une ordonnance rejetant l'action comme s'il s'agissait d'une action qui a fait l'objet d'un désistement.

6. Le paragraphe 20.04 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Le tribunal rend un jugement sommaire si, selon le cas :

- a) il est convaincu qu'une demande ou une défense ne soulève pas de question litigieuse;
- b) il est convaincu qu'il est approprié de rendre un jugement sommaire et les parties sont d'accord pour que tout ou partie de la demande soit décidé par jugement sommaire.

7. (1) Le paragraphe 20.06 (1) du Règlement est modifié par substitution de «sur une base d'indemnisation substantielle» à «sur une base procureur-client».

(2) Le paragraphe 20.06 (2) du Règlement est modifié par substitution de «sur une base d'indemnisation substantielle» à «sur une base procureur-client».

8. Le paragraphe 34.02 (3) du Règlement est modifié par substitution de «sur une base d'indemnisation substantielle» à «sur une base procureur-client».

9. Le paragraphe 37.03 (5) du Règlement est modifié par substitution de «sur une base d'indemnisation substantielle» à «sur une base procureur-client».

10. L'alinéa 39.02 (4) b) du Règlement est modifié par substitution de «dépens d'indemnisation partielle» à «dépens partie-partie».

11. (1) Le paragraphe 49.10 (1) du Règlement est modifié :

- a) d'une part, par substitution de «dépens d'indemnisation partielle» à «dépens partie-partie»;
- b) d'autre part, par substitution de «dépens d'indemnisation substantielle» à «dépens procureur-client».

(2) Le paragraphe 49.10 (2) du Règlement est modifié par substitution de «dépens d'indemnisation partielle» à «dépens partie-partie» partout où cette expression figure.

12. La règle 50.07 du Règlement est modifiée par substitution de «La règle 50.04» à «Le paragraphe 50.04 (1)».

13. La règle 53.08 du Règlement est abrogée et remplacée par ce qui suit :

PREUVE ADMISSIBLE SUR AUTORISATION SEULEMENT

53.08 (1) Si une preuve n'est admissible qu'avec l'autorisation du juge du procès conformément à une disposition du paragraphe (2), l'autorisation est accordée à des conditions justes, y compris l'ajournement si nécessaire, sauf si cela causera un préjudice à la partie adverse ou retardera indûment le déroulement du procès.

(2) Le paragraphe (1) s'applique aux dispositions suivantes :

- 1. Le paragraphe 30.08 (1) (défaut de divulguer ou de produire un document).
- 2. La règle 30.09 (effet du défaut de renoncer à la demande de privilège).
- 3. La règle 31.07 (effet du refus de répondre lors d'un interrogatoire préalable).
- 4. Le paragraphe 31.09 (3) (défaut de corriger les réponses à l'interrogatoire préalable).
- 5. Le paragraphe 53.03 (3) (défaut de signifier les rapports de l'expert).
- 6. Le paragraphe 76.03 (3) (défaut de divulguer le nom d'un témoin).

14. L'intitulé de la Règle 57 du Règlement est abrogé et remplacé par ce qui suit :

RÈGLE 57 DÉPENS AFFÉRENTS AUX INSTANCES

15. (1) Le paragraphe 57.01 (3) du Règlement est abrogé et remplacé par ce qui suit :

Fixation des dépens : tarifs

(3) Lorsque le tribunal adjuge les dépens, il fixe ceux-ci conformément au paragraphe (1) et aux tarifs.

Liquidation des dépens dans les cas exceptionnels

(3.1) Malgré le paragraphe (3), le tribunal peut, dans un cas exceptionnel, prescrire le renvoi des dépens pour leur liquidation aux termes de la Règle 58.

(2) L'alinéa 57.01 (4) c) du Règlement est modifié par substitution de «dépens sur une base d'indemnisation substantielle» à «dépens procureur-client».

(3) La règle 57.01 du Règlement est modifiée par adjonction du paragraphe suivant :

Mémoire de dépens

(5) Après un procès, l'audition d'une motion portant règlement d'une instance ou l'audition d'une requête, la partie à qui est adjugé les dépens signifie un mémoire de dépens (formule 57A) aux autres parties et le dépose, avec la preuve de sa signification.

16. Le paragraphe 57.03 (1) du Règlement est abrogé et remplacé par ce qui suit :

Motion contestée

(1) Lors de l'audition d'une motion contestée, le tribunal, à moins qu'il ne soit convaincu qu'une autre ordonnance serait plus juste :

- a) fixe les dépens de la motion et ordonne qu'ils soient payés dans les 30 jours;
- b) dans un cas exceptionnel, prescrit le renvoi des dépens de la motion pour leur liquidation aux termes de la Règle 58 et ordonne qu'ils soient payés dans les 30 jours qui suivent la liquidation des dépens.

17. La règle 58.01 du Règlement est modifiée par suppression de «partie-partie».

18. Les paragraphes 58.05 (1) et (2) du Règlement sont abrogés et remplacés par ce qui suit :

Dispositions générales

(1) En cas de liquidation des dépens, le liquidateur liquide et accorde :

- a) d'une part, les honoraires des avocats et les débours conformément au paragraphe 57.01 (1) et aux tarifs;
- b) d'autre part, les débours occasionnés par les droits payés au tribunal et les honoraires versés à un sténographe judiciaire, à un auditeur officiel ou à un shérif en vertu des règlements pris en application de la *Loi sur l'administration de la justice*.

(2) Les autres droits, débours ou frais ne sont ni liquidés ni accordés, sauf ordonnance contraire du tribunal.

19. La règle 58.09 du Règlement est modifiée par substitution de «dépens» à «dépens partie-partie».

20. Le paragraphe 58.12 (3) du Règlement est modifié par substitution de «entre les parties» à «partie-partie».

21. L'alinéa 61.10 (1) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) une table des matières décrivant chaque document selon sa nature et sa date;

22. Le paragraphe 61.10.1 (2) du Règlement est abrogé.

23. (1) Le paragraphe 61.12.1 (3) du Règlement est modifié par substitution de «au moins 10 jours avant la date fixée pour l'audience» à «au moins 60 jours avant la date fixée pour l'audience».

(2) Le paragraphe 61.12.1 (5) du Règlement est abrogé et remplacé par ce qui suit :

(5) Le recueil ou le recueil conjoint comprend, dans des pages numérotées consécutivement et disposées de la façon suivante, ce qui suit :

1. Une table des matières faisant état de chaque extrait de la transcription des témoignages et de chaque pièce comprise dans le recueil selon sa nature, sa date, son numéro ou sa lettre.
2. Les extraits de la transcription des témoignages auxquels il est fait référence dans le mémoire de la partie qui dépose le recueil (ou dans les mémoires des parties, s'il s'agit d'un recueil conjoint), et les extraits additionnels de la transcription des témoignages auxquels la partie qui dépose le recueil a l'intention de se référer lors de l'audition de l'appel (ou auxquels les parties ont l'intention de se référer, s'il s'agit d'un recueil conjoint).
3. Les pièces auxquelles il est fait référence dans le mémoire de la partie qui dépose le recueil (ou dans les mémoires des parties, s'il s'agit d'un recueil conjoint), et les pièces additionnelles auxquelles la partie qui dépose le recueil a l'intention de se référer lors de l'audition de l'appel (ou auxquelles les parties ont l'intention de se référer, s'il s'agit d'un recueil conjoint). Les pièces sont présentées par ordre chronologique (ou, s'il y a plusieurs documents ayant des caractéristiques communes, groupées de la sorte par ordre chronologique) plutôt que par ordre numérique.

(6) La partie qui a l'intention de se référer, lors de l'audition d'un appel, à un extrait de la transcription des témoignages ou à une pièce qui n'est pas comprise dans le recueil ou le recueil conjoint fait ce qui suit :

- a) elle signifie un recueil supplémentaire comprenant les documents pertinents à chacune des autres parties et aux autres personnes auxquelles une loi ou la règle 13.03 (intervention dans un appel) confère le droit d'être entendues dans l'appel;
- b) elle dépose avec la preuve de la signification, au moins deux jours avant l'audience, trois copies du recueil supplémentaire, ou cinq copies si l'appel est entendu par cinq juges.

Dispense

(7) Si l'observation de la présente règle risque d'entraîner des dépenses ou des retards excessifs, un juge du tribunal d'appel peut donner des directives particulières.

24. Le paragraphe 69.24 (6.6) du Règlement est modifié par substitution de «dépens d'indemnisation substantielle» à «dépens procureur-client».

25. La Règle 76 du Règlement est abrogée et remplacée par ce qui suit :

RÈGLE 76 PROCÉDURE SIMPLIFIÉE**CHAMP D'APPLICATION DE LA RÈGLE**

76.01 (1) La procédure simplifiée prévue par la présente Règle ne s'applique pas aux actions introduites en vertu de :

- a) la *Loi de 1992 sur les recours collectifs*;
- b) la *Loi sur le privilège dans l'industrie de la construction*;
- c) la Règle 69, 70 ou 77.

Champ d'application d'autres règles

(2) Sauf disposition contraire de la présente Règle, les règles applicables aux actions s'appliquent à celles qui sont régies par la présente Règle.

APPLICABILITÉ DE LA PROCÉDURE SIMPLIFIÉE***Cas où la procédure simplifiée est obligatoire***

76.02 (1) La procédure prévue par la présente Règle doit être suivie dans le cas d'une action si les conditions suivantes sont remplies :

1. La demande du demandeur porte exclusivement sur un ou plusieurs des éléments suivants :
 - i. Une somme d'argent.
 - ii. Des biens immeubles.
 - iii. Des biens meubles.
2. La valeur totale des sommes suivantes est de 50 000 \$ au plus, sans compter les intérêts et les dépens :
 - i. La somme demandée, le cas échéant.
 - ii. La juste valeur marchande des biens meubles et immeubles, à la date d'introduction de l'action.

(2) S'il y a deux demandeurs ou plus, la procédure prévue par la présente Règle doit être suivie si la demande de chaque demandeur, considérée séparément, répond aux critères du paragraphe (1).

Cas où la procédure simplifiée est facultative

(3) La procédure prévue par la présente Règle peut être suivie dans le cas de toute autre action, au choix du demandeur, sous réserve des paragraphes (4) à (9).

Acte introductif d'instance

(4) La déclaration (formule 14A, 14B ou 14D) ou l'avis d'action (formule 14C) doit indiquer que l'action est introduite dans le cadre de la présente Règle.

Déroulement de l'action dans le cadre de la présente Règle

(5) L'action introduite dans le cadre de la présente Règle continue d'être régie par celle-ci, sauf si, selon le cas :

- a) le défendeur s'oppose, dans sa défense, au déroulement de l'action dans le cadre de la présente Règle parce que la demande du demandeur n'est pas conforme au paragraphe (1), et que le demandeur ne renonce pas, dans sa réponse, à la totalité ou à une partie des demandes qui ne sont pas conformes;
- b) un défendeur dans une demande reconventionnelle, une demande entre défendeurs ou une mise en cause s'oppose, dans sa défense, au déroulement de la demande ou de la mise en cause dans le cadre de la présente Règle parce que la demande ou la mise en cause n'est pas conforme au paragraphe (1), et que le défendeur ne renonce pas, dans sa réponse à la demande ou à la mise en cause, à la totalité ou à une partie des demandes qui ne sont pas conformes.

Continuation de l'action selon la procédure ordinaire — avis requis

(6) Si une action introduite dans le cadre de la présente Règle ne peut plus se dérouler dans le cadre de celle-ci en raison d'une modification des actes de procédure ou par suite de l'application du paragraphe (5) :

- a) d'une part, l'action est continuée dans le cadre de la procédure ordinaire ou de la Règle 77, selon le cas;
- b) d'autre part, le demandeur remet, après que tous les actes de procédure ont été remis ou lorsque ceux-ci sont modifiés, selon le cas, un avis (formule 76A) indiquant que l'action et les instances afférentes sont continuées en tant qu'action ordinaire ou dans le cadre de la Règle 77, selon le cas.

Continuation de l'action selon la procédure simplifiée — avis requis

(7) L'action qui n'a pas été introduite dans le cadre de la présente Règle est continuée dans le cadre de celle-ci si les conditions suivantes sont réunies :

- a) l'acte de procédure d'une partie est modifié;
- b) l'acte de procédure modifié est conforme au paragraphe (1);
- c) les autres demandes, demandes reconventionnelles, demandes entre défendeurs ou mises en cause sont conformes à la présente Règle;
- d) le consentement des parties est déposé.

(8) Le demandeur remet un avis (formule 76A) indiquant que l'action et les instances afférentes sont continuées dans le cadre de la présente Règle.

Effet du renoncement

(9) La partie qui renonce à une demande ou à une partie de celle-ci ou qui modifie un acte de procédure de sorte que la demande, la demande reconventionnelle, la demande entre défendeurs ou la mise en cause soit conforme au paragraphe (1) ne peut présenter la demande ou la partie de celle-ci dans le cadre d'une autre instance.

AFFIDAVIT DE DOCUMENTS***Copies des documents***

76.03 (1) Une partie à une action introduite dans le cadre de la présente Règle signifie ce qui suit à chaque autre partie dans les 10 jours suivant la clôture de la procédure écrite :

- a) un affidavit de documents (formule 30A ou 30B) dans lequel elle divulgue tous les documents qui ont trait à une question en litige dans l'action et qui se trouvent ou se sont trouvés en sa possession ou sous son contrôle ou sa garde, à sa connaissance directe ou suivant des renseignements qu'elle tient pour véridiques;
- b) des copies des documents mentionnés à l'annexe A de l'affidavit de documents.

Liste des témoins éventuels

(2) Sauf ordonnance contraire du tribunal, l'affidavit de documents inclut la liste des noms et adresses des personnes dont on pourrait raisonnablement s'attendre qu'elles aient connaissance des questions en litige dans l'action.

Effet du défaut de divulguer

(3) Lors de l'instruction de l'action, une partie ne peut appeler à témoigner une personne dont le nom n'a pas été divulgué dans son affidavit de documents ou dans un affidavit de documents additionnel, sauf ordonnance contraire du tribunal.

Certificat de l'avocat

(4) Le certificat de l'avocat visé au paragraphe 30.03 (4) (divulgate de tous les documents dans l'affidavit) comprend une déclaration selon laquelle l'avocat a expliqué au déposant l'obligation de se conformer aux paragraphes (1) et (2).

ENQUÊTE PRÉALABLE, CONTRE-INTERROGATOIRE SUR UN AFFIDAVIT OU INTERROGATOIRE D'UN TÉMOIN INTERDITS

76.04 Sont interdits dans une action régie par la présente Règle :

1. L'interrogatoire préalable prévu par la règle 31.03 ou 31.10.

2. L'interrogatoire préalable au moyen de questions et de réponses écrites, prévu par la Règle 35.
3. Le contre-interrogatoire du déposant d'un affidavit prévu par la règle 39.02.
4. L'interrogatoire d'un témoin sur une motion prévu par la règle 39.03.

MOTIONS

Formule de motion

76.05 (1) L'auteur de la motion signifie une formule de motion (formule 76B) conformément à la règle 37.07 et la soumet au tribunal avant l'audition de la motion.

Lieu de l'audition

(2) À moins que les parties ne conviennent autrement ou sauf ordonnance contraire du tribunal, l'audition de la motion a lieu dans le comté où l'action a été introduite.

Procédure

(3) Suivant les besoins pratiques de la situation, la motion peut être présentée :

- a) avec ou sans documents à l'appui ou dossier de motion;
- b) en personne, par écrit, par télécopie ou en application de la règle 1.08 (par conférence téléphonique ou vidéoconférence).

Motions dont le greffier est responsable

(4) Lorsqu'une motion visée au paragraphe (5) satisfait à l'une des conditions suivantes, le greffier rend une ordonnance accordant la mesure de redressement demandée :

1. La motion vise l'obtention d'une ordonnance sur consentement, le consentement de toutes les parties est déposé et il est déclaré dans le consentement qu'aucune partie touchée par l'ordonnance n'est incapable.
2. Aucun document de défense n'est déposé et il est déclaré dans l'avis de motion ou la formule de motion qu'aucune partie touchée par l'ordonnance n'est incapable.

(5) Le paragraphe (4) s'applique à une motion visant, selon le cas :

- a) la modification d'un acte de procédure ou d'un avis de motion;
- b) la jonction, la radiation ou la substitution d'une partie dont le consentement est déposé;
- c) la révocation d'un procureur;
- d) l'annulation de la constatation de défaut d'une partie;
- e) l'annulation d'un jugement par défaut;
- f) la mainlevée d'un certificat d'affaire en instance;
- g) le cautionnement pour dépens d'un montant précis;
- h) le rejet de l'instance, avec ou sans dépens.

Décision

(6) Le tribunal ou le greffier consigne sur la formule de motion la décision rendue à l'égard de la motion.

(7) Une ordonnance officielle n'est pas nécessaire, à moins que, selon le cas :

- a) le tribunal ou le greffier n'en ordonne autrement;
- b) un appel ne soit interjeté devant un juge;

- c) un appel ou une motion en autorisation d'interjeter appel ne soit présentée à un tribunal d'appel.

REJET PAR LE GREFFIER

Cas où aucune défense n'est déposée

76.06 (1) Le greffier rend une ordonnance rejetant une action pour cause de désistement si les conditions suivantes sont remplies, sauf ordonnance contraire du tribunal :

1. Plus de 180 jours se sont écoulés depuis la date de délivrance de l'acte introductif d'instance.
2. Aucune défense n'a été déposée.
3. L'action n'a pas fait l'objet d'une ordonnance définitive ou d'un jugement définitif.
4. L'action n'a pas été inscrite pour instruction ou pour instruction sommaire.
5. Le greffier a donné un préavis de 45 jours indiquant que l'action serait rejetée pour cause de désistement.

Cas où une défense est déposée

(2) Le greffier rend une ordonnance rejetant une action pour cause de désistement si les conditions suivantes sont remplies, sauf ordonnance contraire du tribunal :

1. Plus de 150 jours se sont écoulés depuis le dépôt de la première défense ou de l'avis d'intention de présenter une défense.
2. L'action n'a pas fait l'objet d'une ordonnance définitive ou d'un jugement définitif.
3. L'action n'a pas été inscrite pour instruction ou pour instruction sommaire.
4. Le greffier a donné un préavis de 45 jours indiquant que l'action serait rejetée pour cause de désistement.

Signification aux parties

(3) Le greffier signifie aux parties une copie de l'ordonnance rendue en application du paragraphe (1) ou (2).

Effet sur une action subséquente

(4) Le rejet d'une action pour cause de désistement a le même effet que le rejet d'une action pour cause de retard aux termes de la règle 24.05.

JUGEMENT SOMMAIRE

Applicabilité

76.07 (1) Après la clôture de la procédure écrite, une partie peut demander à un juge, par voie de motion appuyée d'un affidavit, un jugement sommaire.

Lieu de l'audition

(2) À moins que les parties ne conviennent autrement ou sauf ordonnance contraire du tribunal, l'audition de la motion a lieu dans le comté où l'instance a été introduite.

Application de la procédure relative au jugement sommaire

(3) Les règles 20.05, 20.07, 20.08 et 20.09 (procédure relative aux jugements sommaires) s'appliquent à la motion. Toutefois, les règles 20.01 à 20.04 (applicabilité, affidavits, mémoires, décision sur la motion) et la règle 20.06 (dépens) ne s'y appliquent pas.

Documents de la partie intimée

(4) En réponse à un affidavit à l'appui de la motion, la partie intimée ne peut se contenter des simples allégations ou dénégations contenues dans ses actes de procédure. Elle est tenue de préciser, au moyen d'un affidavit, des faits spécifiques afin de démontrer qu'un jugement ne devrait pas être rendu.

Contenu de l'affidavit

(5) Dans un affidavit à l'appui de la motion, une partie peut faire état des éléments qu'elle tient pour véridiques sur la foi de renseignements, comme le permet le paragraphe 39.01 (4). Toutefois, dans le cas où la partie ne fournit pas le témoignage de personnes ayant une connaissance directe des faits contestés, le tribunal peut en tirer des conclusions défavorables, s'il y a lieu, lors de l'audition de la motion.

Obligation de déposer un dossier de motion

(6) L'auteur de la motion signifie aux autres parties à celle-ci et dépose, avec la preuve de la signification, au greffe du tribunal devant lequel la motion doit être entendue un dossier de motion, au moins deux jours avant l'audition de la motion.

Contenu du dossier de motion

(7) Le dossier de motion comprend, dans des pages numérotées consécutivement et disposées de la façon suivante :

- a) une table des matières décrivant chaque document, y compris les pièces, selon sa nature et sa date et, dans le cas d'une pièce, selon son numéro ou sa lettre;
- b) une copie de l'avis de motion;
- c) une copie des affidavits signifiés par une partie aux fins de la motion;
- d) une copie des actes de procédure, y compris ceux qui se rapportent à une demande reconventionnelle, à une demande entre défendeurs ou à une mise en cause.

Mémoires

(8) Chaque partie à la motion signifie aux autres parties un mémoire comprenant un exposé concis des faits et des règles de droit qu'elle invoque et le dépose, avec la preuve de la signification, au greffe du tribunal où la motion doit être entendue, au moins deux jours avant l'audition de la motion.

Critères de décision à l'égard d'un jugement sommaire

(9) Le juge qui préside rend un jugement lors de l'audition de la motion à moins que, selon le cas :

- a) il ne soit pas en mesure de rendre une décision sur les questions en litige dans l'action sans qu'il y ait contre-interrogatoire;
- b) il ne soit injuste, par ailleurs, de rendre une décision sur les questions en litige lors de l'audition de la motion.

Instruction nécessaire

(10) Si le jugement sommaire est refusé ou n'est rendu qu'en partie, le juge qui préside décide du mode d'instruction qui est approprié dans les circonstances.

DISCUSSION EN VUE D'UNE TRANSACTION ET DIVULGATION DE DOCUMENTS

76.08 Dans les 60 jours qui suivent le dépôt de la première défense ou de l'avis d'intention de présenter une défense, les parties, au cours d'une réunion ou d'un appel téléphonique, examinent si :

- a) d'une part, tous les documents se rapportant à une question en litige ont été divulgués;

- b) d'autre part, il est possible de transiger sur une partie ou la totalité des questions en litige.

MODE D'INSCRIPTION D'UNE ACTION CONTESTÉE POUR INSTRUCTION OU INSTRUCTION SOMMAIRE**Avis de mise en état en vue de la conférence préparatoire au procès**

76.09 (1) Malgré la règle 48.02 (mode d'inscription d'une action pour instruction), le demandeur, dans les 90 jours qui suivent le dépôt de la première défense ou de l'avis d'intention de présenter une défense, inscrit l'action pour instruction en signifiant un avis de mise en état en vue de la conférence préparatoire au procès (formule 76C) à chaque partie à l'action et à toute demande reconventionnelle, demande entre défendeurs ou mise en cause, et en déposant sans délai l'avis avec la preuve de sa signification.

(2) Si le demandeur n'agit pas en application du paragraphe (1), une autre partie peut le faire.

Certificat

(3) La partie qui inscrit l'action pour instruction certifie dans l'avis de mise en état en vue de la conférence préparatoire au procès qu'une discussion en vue d'une transaction a eu lieu.

CONFÉRENCE PRÉPARATOIRE AU PROCÈS**Avis**

76.10 (1) Le greffier signifie un avis de conférence préparatoire au procès au moins 45 jours avant la date fixée.

Présence

(2) Une partie et son avocat doivent, sauf ordonnance contraire du tribunal, participer à la conférence préparatoire au procès :

- a) soit en y étant présents;
- b) soit en application de la règle 1.08 (conférences téléphoniques et vidéoconférences) si leur présence exige un déplacement dont la durée ou les frais seraient excessifs.

Pouvoir de transiger

(3) Avant la conférence préparatoire au procès, la partie qui doit obtenir l'approbation d'une autre personne avant de consentir à une transaction fait en sorte qu'elle puisse joindre par téléphone cette autre personne en tout temps pendant la conférence, que celle-ci se tienne pendant ou après les heures de bureau.

Documents

(4) Au moins cinq jours avant la conférence préparatoire au procès, chaque partie :

- a) d'une part, dépose ce qui suit :
 - (i) une copie de son affidavit de documents et des copies des documents sur lesquels elle appuie sa demande ou sa défense,
 - (ii) une copie des rapports d'experts,
 - (iii) tout autre document nécessaire en vue de la conférence;
- b) d'autre part, remet ce qui suit :
 - (i) un exposé de deux pages indiquant les questions en litige et précisant sa position à l'égard de celles-ci,
 - (ii) un aide-mémoire pour la gestion du procès (formule 76D).

Date du procès

(5) Sous réserve de la directive du juge principal régional, le juge ou le protonotaire qui préside la conférence préparatoire au procès fixe la date du procès.

Mode d'instruction

(6) Les parties peuvent convenir que l'instruction sera une instruction ordinaire ou une instruction sommaire prévue à la règle 76.12; en cas de désaccord, le juge ou le protonotaire qui préside la conférence préparatoire au procès détermine le mode d'instruction qui est approprié dans les circonstances.

(7) Dans le cas d'une instruction sommaire prévue à la règle 76.12, le juge ou le protonotaire qui préside la conférence préparatoire au procès peut modifier l'ordre et la durée des présentations.

INSCRIPTION AU RÔLE D'UNE ACTION CONTESTÉE**Greffier**

76.11 (1) Le greffier inscrit une action contestée au rôle approprié immédiatement après la conférence préparatoire au procès.

Dossier d'instruction

(2) Au moins 10 jours avant la date fixée pour l'instruction, la partie qui a inscrit l'action pour instruction signifie un dossier d'instruction à chaque partie à l'action et à toute demande reconventionnelle, demande entre défendeurs ou mise en cause, et dépose le dossier avec la preuve de sa signification.

(3) Dans le cas d'une instruction ordinaire, le dossier d'instruction est préparé conformément à la règle 48.03.

(4) Dans le cas d'une instruction sommaire prévue à la règle 76.12, le dossier d'instruction comprend, dans des pages numérotées consécutivement et disposées de la façon suivante :

- a) une table des matières décrivant chaque document, y compris les pièces, selon sa nature et sa date et, dans le cas d'une pièce, selon son numéro ou sa lettre;
- b) une copie des actes de procédure, y compris ceux qui se rapportent à une demande reconventionnelle, à une demande entre défendeurs ou à une mise en cause;
- c) une copie de la demande ou de l'ordonnance exigeant des précisions sur un acte de procédure, ainsi que les précisions remises en réponse;
- d) une copie des ordonnances relatives au procès;
- e) une copie des affidavits signifiés par toutes les parties aux fins de l'instruction sommaire;
- f) un certificat signé par le procureur de la partie qui dépose le dossier d'instruction précisant qu'il contient les documents visés aux alinéas a) à e).

INSTRUCTION SOMMAIRE**Procédure**

76.12 (1) Lors de l'instruction sommaire, les preuves et les plaidoiries sont présentées selon l'ordre suivant, sous réserve d'une directive donnée en vertu du paragraphe 76.10 (7) :

1. Le demandeur produit sa preuve par affidavit.
2. Une partie opposée peut contre-interroger le déposant d'un affidavit signifié par le demandeur.
3. Le demandeur peut réinterroger, pendant un maximum de 10 minutes, un déposant qui est contre-interrogé en vertu du présent paragraphe.

4. Une fois que les contre-interrogatoires et réinterrogatoires des déposants du demandeur sont terminés, le défendeur produit sa preuve par affidavit.
5. Une partie opposée peut contre-interroger le déposant d'un affidavit signifié par un défendeur.
6. Une partie doit effectuer tous ses contre-interrogatoires en 50 minutes.
7. Un défendeur peut réinterroger, pendant un maximum de 10 minutes, un déposant qui est contre-interrogé en vertu du présent paragraphe.
8. Une fois que les contre-interrogatoires et réinterrogatoires des déposants du défendeur sont terminés, le demandeur peut, avec l'autorisation du juge du procès, produire une contre-preuve.
9. Après la présentation des preuves, chaque partie peut présenter une plaidoirie orale pendant un maximum de 45 minutes.

(2) Le juge du procès peut prolonger un laps de temps prévu au paragraphe (1).

(3) Une partie qui a l'intention de contre-interroger le déposant d'un affidavit lors de l'instruction sommaire donne, au moins 10 jours avant la date fixée pour l'instruction, un préavis de son intention de ce faire à la partie qui a déposé l'affidavit, laquelle prend les dispositions nécessaires pour que le déposant soit présent à l'instruction.

Jugement à l'issue de l'instruction sommaire

(4) Le juge rend un jugement après l'instruction sommaire.

CONSÉQUENCES RELATIVES AUX DÉPENS**Participation**

76.13 (1) Quelle que soit l'issue de l'action, si la présente Règle s'applique par suite de la modification des actes de procédure prévue au paragraphe 76.02 (7) et sauf ordonnance contraire du tribunal, la partie dont les actes de procédure sont modifiés paie, sur une base d'indemnisation substantielle, les dépens engagés par la partie adverse jusqu'à la date de la modification, qui ne l'auraient pas été si la demande avait été initialement conforme au paragraphe 76.02 (1).

Dépens refusés au demandeur

(2) Les paragraphes (3) à (10) s'appliquent au demandeur qui obtient un jugement qui satisfait aux conditions suivantes :

1. Le jugement adjuge uniquement un ou plusieurs des éléments suivants :
 - i. Une somme d'argent.
 - ii. Des biens immeubles.
 - iii. Des biens meubles.
2. La valeur totale des montants suivants est de 50 000 \$ au plus, sans compter les intérêts et les dépens :
 - i. La somme d'argent adjugée, le cas échéant.
 - ii. La juste valeur marchande des biens meubles et immeubles adjugés, à la date d'introduction de l'action.

(3) Le demandeur ne peut recouvrer aucuns dépens, sauf si, selon le cas :

- a) l'action était régie par la présente Règle au début du procès;
- b) le tribunal est convaincu qu'il était raisonnable que le demandeur introduise et continue l'action dans le cadre de la procédure ordinaire.

(4) Le paragraphe (3) s'applique malgré le paragraphe 49.10 (1) (offre de transaction du demandeur).

(5) Le paragraphe (3) ne s'applique pas si la présente Règle n'était pas applicable en raison de la demande reconventionnelle, de la demande entre défendeurs ou de la mise en cause présentée par une autre partie.

Ordonnance enjoignant au demandeur de payer les dépens du défendeur

(6) Le juge du procès peut, à sa discrétion, ordonner au demandeur de payer tout ou partie des dépens du défendeur, y compris les dépens d'indemnisation substantielle, en sus des dépens qu'il est tenu de payer aux termes du paragraphe 49.10 (2) (offre du défendeur).

Opposition du défendeur à la procédure simplifiée

(7) Dans le cas d'une action qui comprend une demande portant sur des biens meubles ou immeubles, si le défendeur s'est opposé au recours à la présente Règle pour le motif que la juste valeur marchande des biens était supérieure à 50 000 \$ à la date où l'action a été introduite et que le tribunal conclut que cette valeur n'était pas supérieure à cette somme à cette date, le défendeur paie, sur une base d'indemnisation substantielle, les dépens que le demandeur n'aurait pas engagés si la demande avait été initialement conforme au paragraphe 76.02 (1), sauf ordonnance contraire du tribunal.

Fardeau de la preuve

(8) Le fardeau de prouver que la juste valeur marchande des biens meubles ou immeubles à la date d'introduction de l'action était de 50 000 \$ au plus revient au demandeur.

Demandes reconventionnelles, demandes entre défendeurs et mises en cause

(9) Les paragraphes (1) à (8) s'appliquent, avec les adaptations nécessaires, aux demandes reconventionnelles, aux demandes entre défendeurs et aux mises en cause.

Disposition transitoire

(10) Dans le cas d'une action qui a été introduite avant le 1^{er} janvier 2002, les paragraphes (2), (7) et (8) s'appliquent comme si la mention de «50 000 \$» valait mention de «25 000 \$».

26. Les paragraphes 77.06 (3), (4), (4.1), (8), (9) et (10) du Règlement sont abrogés.

27. La règle 77.09 du Règlement est abrogée et remplacée par ce qui suit :

DÉFENSE À L'INSTANCE

Avis de défense

77.09 (1) Le défendeur qui signifie une défense remplit et remet un avis de défense (formule 77B).

Affectation à la gestion des causes

(2) Sur dépôt de la défense, un juge responsable de la gestion de la cause ou une équipe est affecté à l'instance afin de la gérer conformément aux règles 77.10 à 77.17.

28. Le paragraphe 77.13 (7) du Règlement est abrogé.

29. (1) Le paragraphe 77.14 (4) du Règlement est modifié par suppression de «Sauf dans les actions auxquelles s'applique la Règle 76,».

(2) Le paragraphe 77.14 (5) du Règlement est modifié par suppression de «Sauf dans les actions auxquelles s'applique la Règle 76,».

(3) Le paragraphe 77.14 (9) du Règlement est abrogé.

30. Le paragraphe 77.15 (4) du Règlement est abrogé.

31. La formule 14B du Règlement est modifiée par substitution de «(selon la formule d'indemnisation substantielle si l'hypothèque le prévoit, ou si elle prévoit le recouvrement des dépens selon la formule procureur-client)» à «(selon la formule procureur-client si l'hypothèque le prévoit)» au point 1 e) figurant sous la rubrique «DEMANDE».

32. Le Règlement est modifié par adjonction de la formule suivante :

Formule 57A

Loi sur les tribunaux judiciaires

MÉMOIRE DE DÉPENS

(titre)

MÉMOIRE DE DÉPENS

MONTANTS DEMANDÉS AU TITRE DES HONORAIRES ET DÉBOURS

(Pour chaque poste du tarif A, préciser les honoraires et les débours demandés. Indiquer le nom des avocats, des stagiaires en droit et des clerks d'avocat qui ont rendu des services relativement à chaque poste.

À l'appui de la demande au titre des honoraires, joindre des copies des feuilles de temps ou toute autre preuve.

À l'appui de la demande au titre des débours, joindre des copies des factures ou toute autre preuve.)

MENTION DU NOMBRE D'ANNÉES D'EXPÉRIENCE

Une demande au titre des honoraires est faite à l'égard des avocats suivants :

Nom de l'avocat

Nombre d'années d'expérience

DESTINATAIRE : (nom et adresse de l'avocat ou de la partie)

33. La formule 58C du Règlement est modifiée par substitution de «dépens» à «dépens partie-partie».

34. La formule 74.4.1 du Règlement est modifiée par substitution de «VALEUR DES BIENS VISÉS DANS LE TESTAMENT CI-JOINT» à «VALEUR DES BIENS DE LA SUCCESSION».

35. La formule 74.5.1 du Règlement est modifiée par substitution de «VALEUR DES BIENS VISÉS DANS LE TESTAMENT CI-JOINT» à «VALEUR DES BIENS DE LA SUCCESSION».

36. La formule 76A du Règlement est abrogée et remplacée par ce qui suit :

Formule 76A

Loi sur les tribunaux judiciaires

AVIS DE CONTINUATION OU NON DE L'ACTION DANS LE CADRE DE LA RÈGLE 76

(titre)

AVIS DE CONTINUATION OU NON DE L'ACTION DANS LE CADRE DE LA RÈGLE 76

Le demandeur indique que cette action et les instances afférentes sont :

(indiquer un seul choix :)

- () continuées dans le cadre de la Règle 76
- () continuées dans le cadre de la Règle 77 — voie accélérée
- () continuées dans le cadre de la Règle 77 — voie ordinaire
- () continuées comme procédure ordinaire.

(Nom, adresse et numéros de téléphone et de télécopieur de l'avocat ou du demandeur)

Formule 76B

Loi sur les tribunaux judiciaires

FORMULE DE MOTION RELATIVE À LA PROCÉDURE SIMPLIFIÉE

N° de dossier du greffe :

(titre)

FORMULE DE MOTION RELATIVE À LA PROCÉDURE SIMPLIFIÉE

COMPÉTENCE : () juge
 () protonotaire
 () greffier

CERTIFICAT DE L'AVOCAT

Je certifie que les renseignements donnés ci-dessus sont exacts, au mieux de ma connaissance.

Signature de l'avocat (*La partie doit signer elle-même si elle n'a pas d'avocat.*)

.....
Date
.....

AVOCAT DE LA PARTIE SUSMENTIONNÉE (*Si la partie n'a pas d'avocat, donner le nom de la partie ainsi que son domicile élu et ses numéros de téléphone et de télécopieur.*)

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

AVOCAT DE LA PARTIE SUSMENTIONNÉE (*Si la partie n'a pas d'avocat, donner le nom de la partie ainsi que son domicile élu et ses numéros de téléphone et de télécopieur.*)

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

AUTRE AVOCAT (*Si l'autre partie n'a pas d'avocat, donner le nom de celle-ci ainsi que son domicile élu et ses numéros de téléphone et de télécopieur.*)

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

AUTRE AVOCAT (*Si l'autre partie n'a pas d'avocat, donner le nom de celle-ci ainsi que son domicile élu et ses numéros de téléphone et de télécopieur.*)

Nom de l'avocat et de son cabinet :

Adresse :

Téléphone :

Télécopieur :

DÉCISION

☐ ordonnance de procéder comme il a été demandé

☐ décision reportée au :

☐ ordonnance refusée

☐ ordonnance de procéder comme suit :

.....
.....

Mode d'audience : Durée de l'audience : min.

Lieu de l'audition : ☐ salle d'audience ☐ cabinet

☐ La partie qui obtient gain de cause DOIT préparer une ordonnance officielle aux fins de signature.

☐ Aucune copie de la décision ne sera envoyée aux parties.

☐ Autres directives – préciser :

.....
.....

Date : Nom : Signature :
juge/protonotaire/greffier

Formule 76C*Loi sur les tribunaux judiciaires*

AVIS DE MISE EN ÉTAT EN VUE DE LA CONFÉRENCE PRÉPARATOIRE AU PROCÈS

(titre)

AVIS DE MISE EN ÉTAT EN VUE DE LA CONFÉRENCE PRÉPARATOIRE AU PROCÈS

L'action est en état en vue de la conférence préparatoire au procès en ce qui concerne (*désigner la partie*) et celui-ci (celle-ci) procède à l'inscription de l'action pour instruction. La conférence préparatoire au procès dans le cadre de l'action se tiendra comme prévu et l'instruction de l'action aura lieu à son tour de rôle, sauf ordonnance contraire du tribunal.

CERTIFICAT

JE CERTIFIE qu'une conférence en vue d'une transaction a eu lieu conformément à la règle 76.08.

Date

(signature)

(Nom, adresse et numéros de téléphone et de télécopieur de l'avocat ou de la partie qui donne l'avis.)

DESTINATAIRE : *(Nom et adresse de l'avocat ou de la partie qui reçoit l'avis.)*

Formule 76D*Loi sur les tribunaux judiciaires*

AIDE-MÉMOIRE POUR LA GESTION DU PROCÈS

(titre)

(Indiquer le nom de la partie qui dépose la présente formule.)

AIDE-MÉMOIRE POUR LA GESTION DU PROCÈS

Avocat — Demandeur(s) :

Avocat — Défendeur(s) :

Déposé par le demandeur

Déposé par le défendeur

Déposé par un tiers mis en cause

1. Questions en litige :

- a) responsabilité :
- b) dommages-intérêts :
- c) autres :

2. Noms des témoins du demandeur :

.....

3. Noms des témoins du défendeur :

.....

4. Aveux :

.....

Les parties sont-elles prêtes à avouer des faits aux fins de l'instruction ou de l'instruction sommaire?

oui ☐ non ☐

5. Mémoire de documents :

Un mémoire de documents sera-t-il préparé? oui ☐ non ☐

6. Demande d'aveux :

Une demande d'aveux sera-t-elle présentée? oui ☐ non ☐

Dans l'affirmative, les parties se sont-elles entendues sur un calendrier? oui ☐ non ☐

7. Rapports d'experts :

Prévoit-on que des rapports d'experts seront présentés? oui ☐ non ☐

8. Modifications apportées aux actes de procédure :

Est-il probable que des modifications soient demandées? oui ☐ non ☐

9. Mode d'instruction :

Les parties ont-elles convenu d'une instruction sommaire? oui ☐ non ☐

Les parties ont-elles convenu d'une instruction ordinaire? oui ☐ non ☐

Si les parties ne se sont pas entendues sur le mode d'instruction, quel est le mode demandé par la partie qui dépose le présent aide-mémoire?

.....

10. Mémoire relatif aux règles de droit invoquées :

Les parties présenteront-elles des mémoires relatifs aux règles de droit qu'elles invoquent? oui ☐ non ☐

37. La formule 77A du Règlement est modifiée par suppression de «Avertissement : Conformément au paragraphe 77.06 (2), la présente formule doit être remise au demandeur.»

38. (1) La première partie du tarif A du Règlement est abrogée et remplacée par ce qui suit :

PREMIÈRE PARTIE — GRILLE DE DÉPENS

Dans les cas où des stagiaires en droit ou des clercs d'avocat ont rendu des services que le Barreau du Haut-Canada les autorise à rendre, les honoraires liés à ces services peuvent être liquidés et accordés selon la présente grille de dépens.

Dans les cas où l'avocat a une expertise particulière, sa catégorie de taux horaire peut être modifiée en conséquence.

1. Honoraires autres que les honoraires d'avocat		
Taux horaires applicables aux actes de procédure, à la médiation prévue par la Règle 24.1 ou la Règle 75.1, aux états financiers, à l'enquête préalable, à l'établissement des questions en litige dans un exposé de cause, à l'inscription pour instruction, à la conférence préparatoire à l'audition d'une motion, à l'interrogatoire, à la conférence préparatoire au procès, à la conférence en vue d'une transaction, aux avis ou offres, à la préparation d'une audience, à la présence à l'audience de fixation du rôle, aux ordonnances, à la délivrance ou au renouvellement d'un bref d'exécution ou d'un avis de saisie-arrêt, à la saisie ou saisie-exécution en vertu d'un bref d'exécution, à l'avis de saisie-arrêt, ou à toute autre procédure autorisée par les <i>Règles de procédure civile</i> qui ne figure pas ailleurs dans la grille de dépens.		
	Barème d'indemnisation partielle	Barème d'indemnisation substantielle
Clercs d'avocat	Jusqu'à concurrence de 80,00 \$ l'heure	Jusqu'à concurrence de 125,00 \$ l'heure
Stagiaires en droit	Jusqu'à concurrence de 60,00 \$ l'heure	Jusqu'à concurrence de 90,00 \$ l'heure
Avocat (moins de 10 ans)	Jusqu'à concurrence de 225,00 \$ l'heure	Jusqu'à concurrence de 300,00 \$ l'heure
Avocat (10 ans ou plus, mais moins de 20 ans)	Jusqu'à concurrence de 300,00 \$ l'heure	Jusqu'à concurrence de 400,00 \$ l'heure
Avocat (20 ans ou plus)	Jusqu'à concurrence de 350,00 \$ l'heure	Jusqu'à concurrence de 450,00 \$ l'heure

2. Honoraires d'avocat — Motion ou requête		
	Barème d'indemnisation partielle	Barème d'indemnisation substantielle
0,25 heure	Jusqu'à concurrence de 400,00 \$	Jusqu'à concurrence de 800,00 \$
1,00 heure	Jusqu'à concurrence de 1 000,00 \$	Jusqu'à concurrence de 1 500,00 \$
2,00 heures (demi-journée)	Jusqu'à concurrence de 1 400,00 \$	Jusqu'à concurrence de 2 400,00 \$
1 journée	Jusqu'à concurrence de 2 100,00 \$	Jusqu'à concurrence de 3 500,00 \$
3. Honoraires d'avocat — Procès ou renvoi		
	Barème d'indemnisation partielle	Barème d'indemnisation substantielle
Demi-journée	Jusqu'à concurrence de 1 500,00 \$	Jusqu'à concurrence de 2 500,00 \$
Journée	Jusqu'à concurrence de 2 300,00 \$	Jusqu'à concurrence de 4 000,00 \$
Semaine	Jusqu'à concurrence de 9 500,00 \$	Jusqu'à concurrence de 17 500,00 \$
4. Honoraires d'avocat — Appel		
	Barème d'indemnisation partielle	Barème d'indemnisation substantielle
1,00 heure	Jusqu'à concurrence de 1 000,00 \$	Jusqu'à concurrence de 1 500,00 \$
2,00 heures (demi-journée)	Jusqu'à concurrence de 1 250,00 \$	Jusqu'à concurrence de 2 000,00 \$
1 journée	Jusqu'à concurrence de 2 000,00 \$	Jusqu'à concurrence de 4 000,00 \$

(2) Le 3 juillet 2004, la première partie du tarif A du Règlement est modifiée par substitution de «la médiation prévue par la Règle 24.1» à «la médiation prévue par la Règle 24.1 ou la Règle 75.1».

39. Le présent règlement entre en vigueur le 1^{er} janvier 2002.

31/01

ONTARIO REGULATION 285/01
made under the
EMPLOYMENT STANDARDS ACT, 2000

Made: July 19, 2001
Filed: July 20, 2001

**EXEMPTIONS, SPECIAL RULES AND
ESTABLISHMENT OF MINIMUM WAGE**

Definitions

1. In this Regulation,

“construction employee” means,

- (a) an employee employed at the site in any of the activities described in the definition of “construction industry”, or
- (b) an employee who is engaged in off-site work, in whole or in part, but is commonly associated in work or collective bargaining with an employee described in clause (a);

“construction industry” means the businesses that are engaged in constructing, altering, decorating, repairing or demolishing buildings, structures, roads, sewers, water or gas mains, pipe lines, tunnels, bridges, canals or other works at the site;

“domestic worker” means a person who is employed by a householder to perform services in the household or to provide care, supervision or personal assistance to children, senior or disabled members of the household, but does not include a sitter who provides care, supervision or personal assistance to children on an occasional, short-term basis;

“hotel, motel, tourist resort, restaurant and tavern” means an establishment that provides accommodation, lodging, meals or beverages for payment, and includes hotels, motels, motor hotels, tourist homes, tourist camps, tourist cabins and cottages, tourist inns, catering establishments and all other establishments of a similar nature;

“information technology professional” means an employee who is primarily engaged in the investigation, analysis, design, development, implementation, operation or management of information systems based on computer and related technologies through the objective application of specialized knowledge and professional judgment;

“residential care worker” means a person who is employed to supervise and care for children or developmentally handicapped persons in a family-type residential dwelling or cottage and who resides in the dwelling or cottage during work periods, but does not include a foster parent;

“road building” means the preparation, construction, reconstruction, repair, alteration, remodelling, renovation, demolition, finishing and maintenance of streets, highways or parking lots, including structures such as bridges, tunnels or retaining walls in connection with streets or highways, and all foundations, installation of equipment, appurtenances and work incidental thereto;

“seasonal employee” means an employee who works not more than 16 weeks in a calendar year for an employer;

“taxi cab” means a vehicle, with seating accommodation for not more than nine persons exclusive of the driver, used to carry persons for hire;

“wage rate” means, where an employee is paid for piecework, the rate paid per piece and if there is more than one piece rate, each of the piece rates, and the number of pieces paid at each rate.

EXEMPTIONS RE VARIOUS PARTS OF ACT

Exemptions from Parts VII to XI of Act

2. (1) Parts VII, VIII, IX, X and XI of the Act do not apply to a person employed,

- (a) as a duly qualified practitioner of,
 - (i) architecture,
 - (ii) law,
 - (iii) professional engineering,
 - (iv) public accounting,
 - (v) surveying, or
 - (vi) veterinary science;
- (b) as a duly registered practitioner of,
 - (i) chiroprody,
 - (ii) chiropractic,
 - (iii) dentistry,
 - (iv) massage therapy,
 - (v) medicine,
 - (vi) optometry,
 - (vii) pharmacy,
 - (viii) physiotherapy, or
 - (ix) psychology;

- (c) as a duly registered practitioner under the *Drugless Practitioners Act*;
- (d) as a teacher as defined in the *Teaching Profession Act*;
- (e) as a student in training for an occupation mentioned in clause (a), (b), (c) or (d);
- (f) in commercial fishing;
- (g) as a registered salesperson of a broker registered under the *Real Estate and Business Brokers Act*; or
- (h) as a salesperson, other than a route salesperson, who is entitled to receive all or any part of his or her remuneration as commissions in respect of offers to purchase or sales that,
 - (i) relate to goods or services, and
 - (ii) are normally made away from the employer's place of business.

(2) Subject to sections 24, 25, 26 and 27 of this Regulation, Parts VII, VIII, IX, X and XI of the Act do not apply to a person employed on a farm whose employment is directly related to the primary production of eggs, milk, grain, seeds, fruit, vegetables, maple products, honey, tobacco, herbs, pigs, cattle, sheep, goats, poultry, deer, elk, ratites, bison, rabbits, game birds, wild boar and cultured fish.

SPECIAL RULE RE EMERGENCY LEAVE

Special rule re emergency leave

3. Section 50 of the Act does not apply to any of the following persons in circumstances in which the exercise of the entitlement would constitute an act of professional misconduct or a dereliction of professional duty:

- 1. A person described in clause 2 (1) (a), (c), (d) or (e).
- 2. A person employed as a registered practitioner of a health profession set out in Schedule 1 to the *Regulated Health Professions Act, 1991*, including a person described in clause 2 (1) (b).

EXEMPTIONS RE HOURS OF WORK AND EATING PERIODS

Exemptions from Part VII of Act

4. (1) Sections 17, 18 and 19 of the Act do not apply to,

- (a) a person employed as a firefighter as defined in section 1 of the *Fire Protection and Prevention Act, 1997*;
- (b) a person whose work is supervisory or managerial in character and who may perform non-supervisory or non-managerial tasks on an irregular or exceptional basis;
- (c) a person employed as a fishing or hunting guide;
- (d) a construction employee;
- (e) a person who is employed as the superintendent, janitor or caretaker of a residential building and resides in the building; or
- (f) a person employed as an embalmer or funeral director.

(2) Sections 17 and 19 of the Act do not apply to a person employed,

- (a) as a landscape gardener; or
 - (b) to install and maintain swimming pools.
- (3) Part VII of the Act does not apply to,
- (a) a person whose employment is directly related to,
 - (i) the growing of mushrooms,

- (ii) the growing of flowers for the retail and wholesale trade,
- (iii) the growing, transporting and laying of sod,
- (iv) the growing of trees and shrubs for the wholesale and retail trade,
- (v) the breeding and boarding of horses on a farm, or
- (vi) the keeping of furbearing mammals, as defined in the *Fish and Wildlife Conservation Act, 1997*, for propagation or the production of pelts for commercial purposes; or
- (b) an information technology professional.

ESTABLISHMENT OF MINIMUM WAGE

Minimum wage

5. (1) For each pay period, an employer shall pay not less than the following minimum wage:

1. To an employee who is a student under 18 years of age, if the weekly hours of the student are not in excess of 28 hours or if the student is employed during a school holiday, \$6.40 an hour.
2. To an employee who, as a regular part of his or her employment, serves liquor directly to customers, guests, members or patrons in premises for which a licence or permit has been issued under the *Liquor Licence Act*, \$5.95 an hour.
3. For the services of a hunting or fishing guide, \$34.25 for less than five consecutive hours in a day and \$68.50 for five or more hours in a day whether or not the hours are consecutive.
4. To an employee who is a homemaker, 110 per cent of the amount set out in paragraph 5.
5. To any other employee, \$6.85 an hour.

(2) If the calculation under paragraph 4 of subsection (1) results in an hourly minimum wage that is an amount ending in a fraction of a cent, the hourly minimum wage shall be rounded up to the nearest cent.

(3) If an employee falls within both paragraphs 1 and 4 of subsection (1), the employer shall pay the employee not less than the minimum wage set out in paragraph 4.

(4) If an employer provides room or board to an employee, the following are the amounts that shall be deemed to have been paid as wages for the purposes of determining whether the minimum wage set out in subsection (1) has been paid:

Room	\$31.70 a week if the room is private and \$15.85 a week if the room is not private.
Board	\$2.55 a meal and not more than \$53.55 a week.
Both room and board	\$85.25 a week if the room is private and \$69.40 a week if the room is not private.

(5) The amount provided in subsection (4) in respect of a room shall be deemed to have been paid as wages only if the room is,

- (a) reasonably furnished and reasonably fit for human habitation;
- (b) supplied with clean bed linen and towels; and
- (c) reasonably accessible to proper toilet and wash-basin facilities.

(6) Room or board shall not be deemed to have been paid by the employer to an employee as wages unless the employee has received the meals or occupied the room.

(7) For the purpose of determining whether an employee other than a student has been paid the minimum wage set out in subsection

(1), the employee shall be deemed to have worked for three hours if he or she,

- (a) regularly works more than three hours a day;
- (b) is required to present himself or herself for work; and
- (c) works less than three hours.

(8) Subsection (7) does not apply if the employer is unable to provide work for the employee because of fire, lightning, power failure, storms or similar causes beyond the employer's control that result in the stopping of work.

When work deemed to be performed

6. (1) Subject to subsection (2), work shall be deemed to be performed by an employee for the employer,

- (a) where work is,
 - (i) permitted or suffered to be done by the employer, or
 - (ii) in fact performed by an employee although a term of the contract of employment expressly forbids or limits hours of work or requires the employer to authorize hours of work in advance;
- (b) where the employee is not performing work and is required to remain at the place of employment,
 - (i) waiting or holding himself or herself ready for call to work, or
 - (ii) on a rest or break-time other than an eating period.

(2) Work shall not be deemed to be performed for an employer during the time the employee,

- (a) is entitled to,
 - (i) take time off work for an eating period,
 - (ii) take at least six hours or such longer period as is established by contract, custom or practice for sleeping and the employer furnishes sleeping facilities, or
 - (iii) take time off work in order to engage in the employee's own private affairs or pursuits as is established by contract, custom or practice;
- (b) is not at the place of employment and is waiting or holding himself or herself ready for call to work.

EXEMPTIONS RE MINIMUM WAGE

Exemptions from Part IX of Act

7. Part IX of the Act does not apply to,

- (a) a person who is employed as a student in a recreational program operated by a charitable organization registered under Part I of the *Income Tax Act* (Canada) and whose work or duties are directly connected with the recreational program;
- (b) a person employed as a student to instruct or supervise children;
- (c) a person employed as a student at a camp for children;
- (d) a person who is employed as the superintendent, janitor or caretaker of a residential building and resides in the building.

EXEMPTIONS RE OVERTIME PAY

Exemptions from Part VIII of Act

8. Part VIII of the Act does not apply to,

- (a) a person employed as a firefighter as defined in section 1 of the *Fire Protection and Prevention Act, 1997*;

- (b) a person whose work is supervisory or managerial in character and who may perform non-supervisory or non-managerial tasks on an irregular or exceptional basis;
- (c) a person employed as a fishing or hunting guide;
- (d) a person employed,
 - (i) as a landscape gardener, or
 - (ii) to install and maintain swimming pools;
- (e) a person whose employment is directly related to,
 - (i) the growing of mushrooms,
 - (ii) the growing of flowers for the retail and wholesale trade,
 - (iii) the growing, transporting and laying of sod,
 - (iv) the growing of trees and shrubs for the retail and wholesale trade,
 - (v) the breeding and boarding of horses on a farm, or
 - (vi) the keeping of furbearing mammals, as defined in the *Fish and Wildlife Conservation Act, 1997*, for propagation or the production of pelts for commercial purposes;
- (f) a person employed as a student to instruct or supervise children;
- (g) a person employed as a student at a camp for children;
- (h) a person who is employed as a student in a recreational program operated by a charitable organization registered under Part I of the *Income Tax Act* (Canada) and whose work or duties are directly connected with the recreational program;
- (i) a person who is employed as the superintendent, janitor or caretaker of a residential building and resides in the building;
- (j) a person employed as a taxi cab driver;
- (k) a person employed as an ambulance driver, ambulance driver's helper or first-aid attendant on an ambulance; or
- (l) an information technology professional.

EXEMPTIONS RE PUBLIC HOLIDAYS

Exemptions from Part X of Act

9. (1) Part X of the Act does not apply to,
- (a) a person employed as a firefighter as defined in section 1 of the *Fire Protection and Prevention Act, 1997*;
 - (b) a person employed as a fishing or hunting guide;
 - (c) a person employed,
 - (i) as a landscape gardener, or
 - (ii) to install and maintain swimming pools;
 - (d) a person whose employment is directly related to,
 - (i) mushroom growing,
 - (ii) the growing of flowers for the retail and wholesale trade,
 - (iii) the growing, transporting and laying of sod,
 - (iv) the growing of trees and shrubs for the retail and wholesale trade,
 - (v) the breeding and boarding of horses on a farm, or

- (vi) the keeping of furbearing mammals, as defined in the *Fish and Wildlife Conservation Act, 1997*, for propagation or the production of pelts for commercial purposes;
- (e) a person employed as a student to instruct or supervise children;
- (f) a person employed as a student at a camp for children;
- (g) a person who is employed as a student in a recreational program operated by a charitable organization registered under Part I of the *Income Tax Act* (Canada) and whose work or duties are directly connected with the recreational program;
- (h) a person who is employed as the superintendent, janitor or caretaker of a residential building and resides in the building;
- (i) a person employed as a taxi cab driver;
- (j) a person who is employed as a seasonal employee in a hotel, motel, tourist resort, restaurant or tavern and provided with room and board; or
- (k) a person who is employed under an arrangement whereby he or she may elect to work or not when requested to do so.

(2) Part X of the Act does not apply to a construction employee who works in the construction industry and receives 7.3 per cent or more of his or her hourly rate or wages for vacation pay or holiday pay.

EXEMPTION RE RETAIL BUSINESS ESTABLISHMENTS

Application of s. 73 of Act

10. (1) Despite section 73 of the Act, an employee in a retail business establishment shall not refuse to work on a Sunday if he or she agreed, at the time of being hired, to work on Sundays.

(2) Subsection (1) does not apply to an employee who declines to work on a Sunday for reasons of religious belief or religious observance.

(3) The employer shall not make an employee's agreement to work on Sundays a condition of being hired if the condition would be contrary to section 11 of the *Human Rights Code*.

SPECIAL RULES RE HOMEMAKERS

Homemakers

11. (1) In this section,
 "homemaker" means a person who is employed,

- (a) to perform homemaking services for a householder or member of a household in the householder's private residence, and
- (b) by a person other than the householder.

(2) Despite section 6, the hours of work in respect of which a homemaker is to be paid at least the minimum wage shall be not more than 12 hours in a day.

(3) Parts VII (Hours of Work and Eating Periods) and VIII (Overtime Pay) and paragraph 4 of subsection 15 (1) (record of hours worked) of the Act do not apply to a homemaker who is paid in accordance with subsection (2).

SPECIAL RULES RE HOMEWORKERS

Homeworkers

12. (1) The employer of a homeworker shall advise the homeworker in writing of the type of work that he or she is being employed to perform and,

- (a) if the homeworker is to be paid according to the number of hours worked, of the amount to be paid for an hour of work in a regular work week;

(b) if the homemaker is to be paid according to the number of articles or things manufactured, of the amount to be paid for each article or thing manufactured in a regular work week; or

(c) if the homemaker is to be paid on some other basis, the basis on which he or she is to be paid.

(2) If the employer of a homemaker who is paid according to the number of articles or things manufactured requires the manufacture of a certain number of articles or things to be completed by a certain date or time, the employer shall advise the homemaker of those requirements in writing.

(3) In this section,

“manufacture” includes preparation, improvement, repair, alteration, assembly or completion.

SPECIAL RULES AND EXEMPTIONS RE OVERTIME PAY

Road building

13. (1) Despite Part VIII of the Act, in the case of an employee engaged at the site of road building in relation to streets, highways or parking lots,

(a) subject to clause (b), the employer shall pay overtime pay for each hour worked in excess of 55 hours in a work week, at an amount not less than one and one-half times the employee's regular rate; and

(b) if the employee works less than 55 hours in a work week, the difference between 55 hours and the number of hours actually worked, up to an amount not exceeding 22 hours, may be added to the maximum set out in clause (a) for the purpose of determining the employee's overtime pay for the next work week.

(2) Despite Part VIII of the Act, in the case of an employee engaged at the site of road building in relation to structures such as bridges, tunnels or retaining walls in connection with streets or highways,

(a) subject to clause (b), the employer shall pay overtime pay for each hour worked in excess of 50 hours in a work week, at an amount not less than one and one-half times the employee's regular rate; and

(b) if the employee works less than 50 hours in a work week, the difference between 50 hours and the number of hours actually worked, up to an amount not exceeding 22 hours, may be added to the maximum set out in clause (a) for the purpose of determining the employee's overtime pay for the next work week.

Hotels, motels, tourist resorts, restaurants and taverns

14. Despite Part VIII of the Act, the employer shall pay an employee who works for the owner or operator of a hotel, motel, tourist resort, restaurant or tavern for 24 weeks or less in a calendar year and who is provided with room and board overtime pay for each hour worked in excess of 50 hours in a work week, at an amount not less than one and one-half times the employee's regular rate.

Fresh fruit and vegetable processing

15. Despite Part VIII of the Act, the employer shall pay a seasonal employee whose employment is directly related to the canning, processing and packing of fresh fruits or vegetables or their distribution by the canner, processor or packer overtime pay for each hour worked in excess of 50 hours in a work week, at an amount not less than one and one-half times the employee's regular rate.

Sewer and watermain construction

16. Despite Part VIII of the Act, the employer shall pay an employee who is employed in laying, altering, repairing or maintaining sewers and watermain and in work incidental thereto, or in guarding the site during the laying, altering, repairing or

maintaining of sewers and watermain, overtime pay for each hour worked in excess of 50 hours in a work week, at an amount not less than one and one-half times the employee's regular rate.

Local cartage

17. (1) Despite Part VIII of the Act, the employer shall pay an employee who is a driver of a vehicle or a driver's helper overtime pay for each hour worked in excess of 50 hours in a work week, at an amount not less than one and one-half times the employee's regular rate.

(2) Subsection (1) applies to employees who are,

(a) drivers of vehicles used in the business of carrying goods for hire within a municipality or to any point not more than five kilometres beyond the municipality's limits; or

(b) drivers' helpers on such vehicles.

Highway transport

18. (1) Despite Part VIII of the Act, the employer shall pay an employee who is a driver of a public truck overtime pay for each hour worked in excess of 60 hours in a work week, at an amount not less than one and one-half times the employee's regular rate.

(2) Subsection (1) applies to employees who are drivers of public trucks that are operated by holders of operating licences issued under the *Truck Transportation Act*.

(3) Subsection (1) does not apply to employees to whom section 17 applies.

(4) For the purposes of this section, in computing the number of hours worked by an employee in a week, only those hours during which he or she is directly responsible for the public truck shall be included.

SPECIAL RULES RE DOMESTIC WORKERS

Domestic workers

19. (1) A householder shall provide the domestic worker with written particulars of employment respecting,

(a) the regular hours of work, including the starting and finishing times; and

(b) the hourly rate of pay.

(2) If the householder provides room or board to the domestic employee, the following are the amounts that shall be deemed to have been paid as wages for the purposes of determining whether the minimum wage set out in subsection (1) has been paid:

Private room	\$31.70 a week.
Non-private room	\$0.00
Board	\$2.55 a meal and not more than \$53.55 a week.
Both room and board	\$85.25 a week if the room is private and \$53.55 a week if the room is not private.

(3) The amount provided in subsection (2) in respect of a room shall be deemed to have been paid as wages only if the room is,

(a) reasonably furnished and reasonably fit for human habitation;

(b) supplied with clean bed linen and towels; and

(c) reasonably accessible to proper toilet and wash-basin facilities.

(4) Room or board shall not be deemed to have been paid by the householder to the domestic employee as wages unless the employee has received the meals or occupied the room.

SPECIAL RULES RE RESIDENTIAL CARE WORKERS

Residential care workers

20. (1) In this section,

“day” means the 24-hour period between 12:00 midnight on a day and 12:00 midnight on the next day.

(2) Despite section 6 and subject to subsection (3), the employer shall pay to a residential care worker for each day of work wages in a minimum amount, not less than an amount calculated by multiplying 12 hours by the worker’s regular rate, which shall not be less than the minimum wage.

(3) If a residential care worker, by arrangement with the employer, is free from the performance of normal and regular duties in a day and as a result works less than 12 hours, the worker shall be paid wages not less than an amount calculated by multiplying the number of hours actually worked by the worker’s regular rate as mentioned in subsection (2).

(4) In addition to the wage payable under subsection (2), the employer shall pay to a residential care worker not less than the worker’s regular rate for not more than three additional hours worked in excess of 12 hours of work in a day, if the worker,

- (a) makes and keeps an accurate daily record of the number of hours worked in the day; and
- (b) provides the record to the employer on or before the first pay day after the pay day for the pay period in which the work is performed.

Free time

21. (1) Despite section 18 of the Act, every employer shall give to a residential care worker not less than 36 hours in each work week, either consecutive or as may be arranged with the consent of the worker, free from the performance of any duties for the employer.

(2) If the residential care worker consents, at the employer’s request, to do work during a free hour mentioned in subsection (1),

- (a) that hour shall be added to one of the next eight 36-hour periods of free time; or
- (b) the employer shall pay the residential care worker at least one and one-half times the worker’s regular rate for the time spent doing work during a free hour.

When work deemed not to be performed

22. Despite section 6, work shall be deemed not to be performed during any time that satisfies the following conditions:

1. The residential care worker spends the time at the dwelling or cottage,
 - i. attending to private affairs or pursuits, or
 - ii. resting, sleeping or eating.
2. The time is, by agreement with the employer, free from the performance of any duties.

Exemptions

23. Parts VII (Hours of Work and Eating Periods) and VIII (Overtime Pay) and paragraph 4 of subsection 15 (1) (record of hours worked) of the Act do not apply to or in respect of a residential care worker.

SPECIAL RULES RE FRUIT, VEGETABLE AND
TOBACCO HARVESTERS**Application**

24. Sections 25, 26 and 27 apply to an employee who is employed on a farm to harvest fruit, vegetables or tobacco for marketing or storage.

Minimum wage

25. (1) For each pay period, the employer shall pay a minimum wage of not less than the amounts set out in subsection 5 (1).

(2) The employer shall be deemed to comply with subsection (1) if employees are paid a piece work rate that is customarily and generally recognized in the area as having been set so that an employee exercising reasonable effort would, if paid such a rate, earn at least the amounts set out in subsection 5 (1).

(3) Subsection (2) does not apply in respect of an employee described in paragraph 1 of subsection 5 (1).

(4) For the purposes of this section,

“piece work rate” means a rate of pay calculated on the basis of a unit of work performed.

(5) If an employer provides room or board to an employee, the following are the amounts which shall be deemed to have been paid by the employer to the employee as wages for the purposes of determining whether the minimum wage set out in subsection 5 (1) has been paid:

Serviced housing accommodation	\$99.35 a week.
Housing accommodation	\$73.30 a week.
Room	\$31.70 a week if the room is private and \$15.85 a week if the room is not private.
Board	\$2.55 a meal and not more than \$53.55 a week.
Both room and board	\$85.25 a week if the room is private and \$69.40 a week if the room is not private.

(6) The amount provided in subsection (5) in respect of housing accommodation shall be deemed to have been paid as wages only if the accommodation,

- (a) is reasonably fit for human habitation;
- (b) includes a kitchen with cooking facilities;
- (c) includes at least two bedrooms or a bedroom and a living room; and
- (d) has its own private toilet and washing facilities.

(7) The amount provided in subsection (5) in respect of serviced housing accommodation shall be deemed to have been paid as wages only if,

- (a) the accommodation complies with clauses (6) (a) to (d); and
- (b) light, heat, fuel, water, gas or electricity are provided at the employer’s expense.

(8) The amount provided in subsection (5) in respect of a room shall be deemed to have been paid as wages only if the room is,

- (a) reasonably furnished and reasonably fit for human habitation;
- (b) supplied with clean bed linen and towels; and
- (c) reasonably accessible to proper toilet and wash-basin facilities.

(9) Room or board shall not be deemed to have been paid by the employer to an employee as wages unless the employee has received the meals or occupied the room.

Vacation or vacation pay

26. (1) If an employee has been employed by the employer for 13 weeks or more, the employer shall, in accordance with Part XI of the Act,

- (a) give the employee a vacation with pay; or
- (b) pay the employee vacation pay.

(2) An employee entitled to vacation pay under subsection (1) earns vacation pay from the commencement of his or her employment.

(3) Section 41 of the Act does not apply to the employee.

Public holidays

27. (1) Part X of the Act applies to an employee who has been employed by an employer for a period of 13 weeks or more.

(2) For the purposes of this section, an employee shall be deemed to be employed in a continuous operation.

(3) Subsection (1) does not apply to a person who is employed under an arrangement whereby he or she may elect to work or not when requested to do so.

SPECIAL RULES RE COMMISSION AUTOMOBILE SALES SECTOR**Commission automobile sales sector**

28. (1) This section applies with respect to employees who sell automobiles partially or exclusively on a commission basis.

(2) For each pay period, the employer shall pay to each employee an amount that is at least equal to the amount the employee would have earned at the minimum wage set out in subsection 5 (1).

(3) A pay period shall not exceed one month.

(4) Payments made to an employee shall be reconciled with wages earned by the employee for each reconciliation period.

(5) No balance shall be carried forward past any reconciliation period.

(6) The reconciliation of payments made to an employee and wages earned by an employee shall not result in any employee receiving less than the prescribed minimum wage for any pay period.

(7) For each year, the reconciliation periods shall be:

- 1. January 1 - March 31.
- 2. April 1 - June 30.
- 3. July 1 - September 30.
- 4. October 1 - December 31.

(8) If an employee's employment terminates before the end of a reconciliation period, payments made to the employee shall be reconciled with wages earned by him or her, and subsection (6) applies.

SPECIAL RULE RE EMPLOYEES WHO MAY ELECT TO WORK OR NOT**Employees who may elect to work or not**

29. (1) This section applies to a person who is employed under an arrangement whereby he or she may elect to work or not when requested to do so.

(2) If the employee works on a public holiday, the employer shall pay the employee at least one and one-half times his or her regular rate.

DIRECTOR'S APPROVALS**Averaging hours of work**

30. An employer and an employee may agree to average hours of work over a period of more than four weeks for the purpose of determining the employee's entitlement to overtime pay under section 22 of the Act if the Director approves the agreement.

Exceeding limit on hours of work

31. (1) An employer may permit an employee to work up to a specified number of hours in excess of the limit on hours of work set out in clause 17 (2) (b) of the Act if,

- (a) the employee agrees to work those hours; and
- (b) the Director approves the agreement.

(2) The Director's approval under clause (1) (b) may be granted with respect to an employer or with respect to a class of employers.

Certain approved agreements irrevocable

32. (1) Despite subsection 17 (3) of the Act, an agreement under subsection 17 (2) of the Act to work hours in excess of those referred to in clause 17 (1) (a) of the Act that was made at the time of the employee's hiring and that has been approved by the Director is irrevocable unless both the employer and the employee agree to its revocation.

(2) The Director may impose conditions in granting an approval.

Commencement

33. **This Regulation comes into force on the day Parts VII to XI of the *Employment Standards Act, 2000* come into force.**

31/01

ONTARIO REGULATION 286/01
made under the
EMPLOYMENT STANDARDS ACT, 2000

Made: July 19, 2001
Filed: July 20, 2001

BENEFIT PLANS**Definitions**

1. For the purposes of Part XIII of the Act and this Regulation,

"actuarial basis" means the assumptions and methods generally accepted and used by fellows of the Canadian Institute of Actuaries to establish, in relation to the contingencies of human life such as death, accident, sickness and disease, the costs of pension benefits, life insurance, disability insurance, health insurance and other similar benefits, including their actuarial equivalents;

"age" means any age of 18 years or more and less than 65 years;

"benefits" includes,

- (a) an aggregate, annual, monthly or other periodic amount or the accrual of such an amount to which an employee, or the employee's beneficiaries, survivors or dependants is, are or will become entitled under a benefit plan provided on superannuation, retirement, disability, accident or sickness,
- (b) any medical, hospital, nursing, drug or dental expenses or other similar amounts or expenses paid under a benefit plan, and
- (c) any amounts under a benefit plan to which an employee is entitled on termination of employment or to which any person is entitled upon the death of an employee;

“dependant” means a dependant as defined in the relevant benefit plan, and “dependent child”, “dependent spouse” and “dependent same-sex partner” have corresponding meanings;

“disability benefit plan” means a benefit plan that provides benefits to an employee for loss of income because of sickness, accident or disability;

“former Act” means the *Employment Standards Act*, R.S.O. 1990;

“health benefit plan” means a benefit plan that provides benefits to an employee, a spouse, a same-sex partner or a dependant of an employee or deceased employee for medical, hospital, nursing, drug or dental expenses or other similar expenses;

“life insurance plan” means a benefit plan that, on the employee’s death, provides a lump sum or periodic payments to the employee’s beneficiary, survivor or dependant, and includes accidental death and dismemberment insurance;

“long-term disability benefit plan” means a disability benefit plan under which the payments or benefits to an employee are payable for a period of not less than 52 weeks or until recovery, retirement or death, whichever period is shorter;

“marital status” includes,

- (a) the condition of being an unmarried person who is supporting, in whole or in part, a dependent child or children, and
- (b) the common law status of husband and wife as defined in the relevant benefit plan;

“normal pensionable date” means the date specified in a pension plan at which an employee can retire from his or her employment and receive the regular pension benefit provided by the pension plan, whether the date is the day on which the employee attains a given age or the day on which he or she has completed a given period of employment;

“pension plan” means a benefit plan that provides benefits to a participating employee or to his or her spouse, same-sex partner or dependant, on the employee’s retirement or termination of employment, out of contributions made by the employer or the employee or both and the investment income, gains, losses and expenses on or from those contributions, and includes,

- (a) a unit-benefit pension plan, under which the benefits are determined with reference to a percentage of salary or wages and length of employment or a specified period of employment,
- (b) a defined benefit pension plan, under which the benefits are determined as a fixed amount and with reference to length of employment or a specified period of employment,
- (c) a money purchase pension plan, under which the benefits are determined with reference to the accumulated amount of the contributions paid by or for the credit of an employee, and the investment income, gains, losses and expenses on or from those contributions,
- (d) a profit sharing pension plan, under which payments or contributions by an employer are determined by reference to profits or out of profits from the employer’s business, and the benefits are determined with reference to the accumulated amount of contributions paid by or for the credit of an employee and the investment income, gains, losses and expenses on or from those contributions, and
- (e) a composite pension plan, which is any combination of the pension plans described in clauses (a) to (d);

“same-sex partner” means a same-sex partner as defined in the relevant benefit plan;

“same-sex partnership status” means the status of living with a person of the same sex as defined in the relevant benefit plan;

“sex” includes,

- (a) a distinction between employees that excludes an employee from a benefit under a benefit plan or gives an employee a preference to a benefit under a benefit plan because the employee is or is not a head of household, principal or primary wage earner or other similar condition, and
- (b) a distinction between employees in a benefit plan because of the pregnancy of a female employee;

“short-term disability benefit plan” means a disability benefit plan other than a long-term disability benefit plan;

“spouse” means a spouse as defined in the relevant benefit plan;

“voluntary additional contribution” means an additional contribution by an employee under a pension plan, except a contribution whose payment, under the terms of the plan, obliges the employer to make a concurrent additional contribution.

Pension plans, permitted differentiation re employee’s sex

2. (1) The prohibition in subsection 44 (1) of the Act does not apply in respect of a differentiation in the rates of contribution by an employer to a pension plan if the differentiation is made on an actuarial basis because of an employee’s sex and in order to provide equal benefits under the plan.

(2) The prohibition in subsection 44 (1) of the Act does not apply in respect of a differentiation made under a pension plan if,

- (a) the *Pension Benefits Act* applies to the pension plan; and
- (b) the differentiation is made,
 - (i) because of an employee’s sex, and
 - (ii) in respect of employment before January 1, 1987, other than employment that is described in clause 52 (3) (b) or (c) of the *Pension Benefits Act*.

(3) The prohibition in subsection 44 (1) of the Act does not apply in respect of a differentiation made under a pension plan if,

- (a) the *Pension Benefits Act* does not apply to the pension plan; and
- (b) the differentiation is made,
 - (i) because of an employee’s sex, and
 - (ii) in respect of employment before July 12, 1988.

(4) In subsections (2) and (3),

“differentiation” means a type of differentiation to which the prohibition in the predecessor of subsection 33 (2) of the former Act did not apply on December 31, 1987.

Pension plans, permitted differentiation re marital status or same-sex partnership status

3. (1) The prohibition in subsection 44 (1) of the Act does not apply to,

- (a) an increase in benefits payable to an employee under a pension plan that provides for the increased benefits because the employee has a dependent spouse or a dependent same-sex partner;
- (b) a differentiation under a pension plan because of marital status or same-sex partnership status, if the differentiation is made for the purpose of providing benefits that are payable periodically during the joint lives of an employee who is entitled to the pension and the employee’s spouse or same-sex partner, and there-

after during the life of the survivor of them, as provided in the pension plan; and

- (c) a differentiation in the rates of contribution of an employer to a defined benefit or a unit-benefit pension plan that provides an increase in benefits to an employee because of marital status or same-sex partnership status, if the rates of contribution of the employer differentiate between employees because of marital status or same-sex partnership status.

(2) For the purposes of clause (1) (b), benefits are deemed to be payable periodically despite the fact that they are commuted, if the amount of the annual benefit payable to the employee at the normal pensionable date is not more than 2 per cent of the Year's Maximum Pensionable Earnings, as defined in the *Canada Pension Plan* in the year that the employee terminated the employment.

(3) Clause (1) (b) does not apply if the *Pension Benefits Act* applies to the pension plan and the plan contravenes the provisions of that Act respecting joint and survivor pensions.

Pension plans, permitted differentiation re employee's age

4. (1) The prohibition in subsection 44 (1) of the Act does not apply in respect of a differentiation that is made on an actuarial basis because of an employee's age and that relates to,

- (a) the rates of voluntary additional contributions to a pension plan;
- (b) the rates of contributions that an employee is required to make to a money purchase or profit sharing pension plan;
- (c) the rates of contributions by an employer to a unit-benefit or defined benefit pension plan, unless the *Pension Benefits Act* applies to the plan and the plan contravenes the provisions of that Act respecting age differentiation;
- (d) the rates of contributions by an employer to a money purchase or profit sharing pension plan,
 - (i) when the employer transfers the assets from a unit-benefit or defined benefit pension plan to the money purchase or profit sharing pension plan, and
 - (ii) if the differentiation is made in order to protect employees' pension benefits from being adversely affected by the transfer; or
- (e) benefits payable to employees, if the *Pension Benefits Act*,
 - (i) permits the differentiation, or
 - (ii) does not apply to the pension plan.

(2) Despite subsection (1), the requirement that a differentiation be determined on an actuarial basis does not apply to a differentiation described in clause (1) (a), (b) or (e) that is made in respect of the employment of a person before July 12, 1988.

(3) The prohibition in subsection 44 (1) of the Act does not apply with respect to a provision in a pension plan that makes a differentiation because of age in establishing a normal pensionable date for voluntary retirees or an early voluntary retirement date or age, unless,

- (a) the *Pension Benefits Act* applies to the plan; and
- (b) the plan contravenes the provisions of that Act respecting normal retirement dates and early retirement pensions.

Life insurance plans, permitted differentiation re employee's sex

5. The prohibition in subsection 44 (1) of the Act does not apply to,

- (a) a differentiation in the contributions of an employee to a voluntary employee-pay-all life insurance plan that is made on an actuarial basis because of sex; and

- (b) a differentiation in the contributions of an employer to a life insurance plan that is made on an actuarial basis because of an employee's sex and in order to provide equal benefits under the plan.

Life insurance plans, permitted differentiation re marital or same-sex partnership status

6. (1) The prohibition in subsection 44 (1) of the Act does not apply to,

- (a) benefits under a life insurance plan that are payable periodically to the surviving spouse or same-sex partner of a deceased employee for the life of the surviving spouse or same-sex partner or until,
 - (i) the surviving spouse becomes a spouse or same-sex partner of another person, or
 - (ii) the surviving same-sex partner becomes a same-sex partner or spouse of another person;
- (b) a benefit under a life insurance plan that is payable to an employee on the death of his or her spouse or same-sex partner; and
- (c) a differentiation in the contributions of an employee or an employer to a life insurance plan, if,
 - (i) the differentiation is made because of marital status or same-sex partnership status, and
 - (ii) the life insurance plan provides benefits that are payable periodically to an employee's surviving spouse or same-sex partner.

(2) Clause (1) (a) also applies to benefits of less than \$25 a month that have been commuted to a lump sum payment.

Life insurance plans, permitted differentiation re age

7. The prohibition in subsection 44 (1) of the Act does not apply to,

- (a) a differentiation, made on an actuarial basis because of an employee's age, in benefits or contributions under a voluntary employee-pay-all life insurance plan; and
- (b) a differentiation, made on an actuarial basis because of an employee's age and in order to provide equal benefits under the plan, in an employer's contributions to a life insurance plan.

Disability benefit plans, permitted differentiation re age, sex or leave of absence

8. The prohibition in subsection 44 (1) of the Act does not apply to,

- (a) a differentiation, made on an actuarial basis because of an employee's age or sex, in the rate of contributions of an employee to a voluntary employee-pay-all short or long-term disability benefit plan; and
- (b) a differentiation, made on an actuarial basis because of an employee's age or sex and in order to provide equal benefits under the plan, in the rate of contributions of an employer to a short or long-term disability benefit plan.

Health benefit plans, permitted differentiation re sex, marital status or same-sex partnership status

9. The prohibition in subsection 44 (1) of the Act does not apply to,

- (a) a differentiation, made on an actuarial basis because of sex, in the rate of contributions of an employee to a voluntary employee-pay-all health benefit plan;

- (b) a differentiation, made on an actuarial basis because of an employee's sex and in order to provide equal benefits under the plan, in the rate of contributions of an employer to a health benefit plan;
- (c) a differentiation in an employee's benefits or contributions under a health benefit plan because of marital status or same-sex partnership status, if the differentiation is made in order to provide benefits for the employee's spouse, same-sex partner or dependent child; and
- (d) a differentiation in the rate of contributions of an employer to a health benefit plan, where there are specified premium rates and where that differentiation for employees having marital status or same-sex partnership status and for employees without marital status or same-sex partnership status is on the same proportional basis.

Participation in benefit plan during leave of absence

10. (1) A benefit plan to which Part XIII of the Act applies shall not disentitle an employee who is on a leave of absence described in subsection (2) from continuing to participate in the benefit plan during the leave of absence, if the benefit plan entitles an employee who is on a leave of absence other than one described in subsection (2) to continue to participate.

- (2) This subsection applies to,
 - (a) a leave of absence under Part XIV of the Act; and
 - (b) any longer leave of absence that the employee has applied for under a provision in the contract of employment that prevails under subsection 5 (2) of the Act.

Former exclusion from certain benefit plans

11. If an employee was excluded from participating in a benefit plan or in a benefit under a benefit plan before November 1, 1975 and ceased to be so excluded on that date, the employee is entitled to participate as of that date.

Compliance not to be achieved by reductions

12. No employer shall reduce the employer's contributions to or the benefits under a health benefit plan in causing the plan to comply with Part XIII of the Act and this Regulation, or with Part X of the former Act or a predecessor of that Part and the related regulations.

Change to normal pensionable date under certain plans

13. Despite the application of Part X of the former Act or a predecessor of that Part to a pension plan that was in existence on November 1, 1975, if the normal pensionable date of a class of employees was increased in order to have the plan comply with that Part, an employee who is a member of that class is entitled to pension benefits on the normal pensionable date as provided by the pension plan before it was increased.

Revocation

14. Regulation 321 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 70/00 are revoked.

Commencement

15. This Regulation comes into force on the day Part XIII of the *Employment Standards Act, 2000* comes into force.

31/01

ONTARIO REGULATION 287/01 made under the **EMPLOYMENT STANDARDS ACT, 2000**

Made: July 19, 2001

Filed: July 20, 2001

BUILDING SERVICES PROVIDERS

Prescribed services for a building

1. The following are prescribed as services for a building for the purposes of the definition of "building services" in subsection 1 (1) of the Act:

1. Services that are intended to relate only to the building and its occupants and visitors with respect to,
 - i. a parking garage or parking lot, and
 - ii. a concession stand.
2. Property management services that are intended to relate only to the building.

Prescribed employees

2. (1) The following are prescribed for the purposes of clause 75 (4) (b) of the Act as employees with respect to whom a new provider is not required to comply with Part XV (Termination and Severance of Employment) of the Act:

1. An employee whose work, before the changeover date, included providing building services at the premises, but who did not perform his or her job duties primarily at those premises during the 13 weeks before the changeover date.
2. An employee whose work included providing building services at the premises, but who,
 - i. was not actively at work immediately before the changeover date, and
 - ii. did not perform his or her job duties primarily at the premises during the most recent 13 weeks of active employment.
3. An employee who did not perform his or her job duties at the premises for at least 13 weeks during the 26-week period before the changeover date.
4. An employee who refuses an offer of employment with the new provider that is reasonable in the circumstances.

(2) For the purposes of paragraph 4 of subsection (1), if the new provider requested information under subsection 77 (1) of the Act, the terms and conditions of the employee's employment with the replaced provider on the date of the request are one of the circumstances that shall be taken into account in determining whether the offer is reasonable.

(3) The 26-week period referred to in paragraph 3 of subsection (1) shall be calculated without including any period during which the provision of building services at the premises was temporarily discontinued.

(4) With respect to an employee's services at the premises, the 26-week period referred to in paragraph 3 of subsection (1) shall be calculated without including any period during which the employee was on a leave of absence under Part XIV of the Act.

(5) In this section,

"changeover date" means the day the new provider begins to provide services at the premises.

Information about employees

3. (1) The following is the information about each employee that the owner or manager of premises shall give for the purposes of subsection 77 (1) of the Act:

1. The employee's job classification or job description.
2. The wage rate actually paid to the employee.
3. A description of any benefits provided to the employee, including the cost of each benefit and the benefit period to which the cost relates.
4. The number of hours that the employee works in a regular work day and in a regular work week.
5. The date on which the provider hired the employee.
6. Any period of employment attributed to the provider under section 10 of the Act.
7. The number of weeks that the employee worked at the premises during the 26 weeks before the request date.
8. A statement indicating whether either of the following subparagraphs applies to the employee:
 - i. The employee's work, before the request date, included providing building services at the premises, but the employee did not perform his or her job duties primarily at those premises during the 13 weeks before the request date.
 - ii. The employee's work included providing building services at the premises, but the employee was not actively at work immediately before the request date, and did not perform his or her job duties primarily at the premises during the most recent 13 weeks of active employment.

(2) The following is the information about each employee that the owner or manager of the premises shall give for the purposes of subsection 77 (2) of the Act:

1. The information listed in paragraphs 1 to 8 of subsection (1).
2. The employee's name, residential address and telephone number.

(3) If the employee's hours of work vary from week to week, paragraph 4 of subsection (1) does not apply and the owner or manager shall, instead, provide the number of the employee's non-overtime hours for each week that the employee worked during the 13 weeks before the request date.

(4) The 26-week period referred to in paragraph 7 of subsection (1) shall be calculated without including any period during which the provision of building services at the premises was temporarily discontinued.

(5) The 26-week period referred to in paragraph 7 of subsection (1) shall be calculated without including any period during which the employee was on a leave of absence under Part XIV of the Act.

(6) In this section,

"request date" means the date on which information is requested under subsection 77 (1) or (2) of the Act, as the case may be.

Revocation

4. **Ontario Regulation 138/96 is revoked.**

Commencement

5. **This Regulation comes into force on the day Parts IV and XIX of the *Employment Standards Act, 2000* come into force.**

31/01

ONTARIO REGULATION 288/01
made under the
EMPLOYMENT STANDARDS ACT, 2000

Made: July 19, 2001

Filed: July 20, 2001

**TERMINATION AND SEVERANCE
OF EMPLOYMENT**

Definitions

1. In this Regulation,

"construction employee" has the same meaning as in Ontario Regulation 285/01 (Exemptions, Special Rules and Establishment of Minimum Wage);

"disability benefit plan" has the same meaning as in Ontario Regulation 286/01 (Benefit Plans).

TERMINATION OF EMPLOYMENT

Employees not entitled to notice of termination or termination pay

2. (1) The following employees are prescribed for the purposes of section 55 of the Act as employees who are not entitled to notice of termination or termination pay under Part XV of the Act:

1. Subject to subsection (2), an employee who is hired on the basis that his or her employment is to terminate on the expiry of a definite term or the completion of a specific task.
2. An employee on a temporary lay-off.
3. An employee who has been guilty of wilful misconduct, disobedience or wilful neglect of duty that is not trivial and has not been condoned by the employer.
4. Subject to the *Human Rights Code*, an employee whose contract of employment has become impossible to perform or has been frustrated by a fortuitous or unforeseeable event or circumstance.
5. An employee whose employment is terminated after refusing an offer of reasonable alternative employment with the employer.
6. An employee whose employment is terminated after refusing alternative employment made available through a seniority system.
7. An employee who is on a temporary lay-off and does not return to work within a reasonable time after having been requested by his or her employer to do so.
8. An employee whose employment is terminated during or as a result of a strike or lock-out at the place of employment.
9. A construction employee.
10. An employee who is employed under an arrangement whereby he or she may elect to work or not to work when requested so to do.
11. An employee who, having reached the age of retirement according to the employer's established practice, has his or her employment terminated in accordance with that practice.
12. An employee,
 - i. whose employer is engaged in the building, alteration or repair of a ship or vessel with a gross tonnage of over ten tons designed for or used in commercial navigation,

- ii. to whom a legitimate supplementary unemployment benefit plan agreed on by the employee or his or her agent applies, and
- iii. who agrees or whose agent agrees to the application of this exemption.

(2) Paragraph 1 of subsection (1) does not apply if,

- (a) the employment terminates before the expiry of the term or the completion of the task;
- (b) the term expires or the task is not yet completed more than 12 months after the employment commences; or
- (c) the employment continues for three months or more after the expiry of the term or the completion of the task.

Notice, 50 or more employees

3. (1) The following periods are prescribed for the purposes of subsection 58 (1) of the Act:

- 1. Notice shall be given at least eight weeks before termination if the number of employees whose employment is terminated is 50 or more but fewer than 200.
- 2. Notice shall be given at least 12 weeks before termination if the number of employees whose employment is terminated is 200 or more but fewer than 500.
- 3. Notice shall be given at least 16 weeks before termination, if the number of employees whose employment is terminated is 500 or more.

(2) The following information is prescribed as the information to be provided to the Director under clause 58 (2) (a) of the Act and to be posted under clause 58 (2) (b) of the Act:

- 1. The employer's name and mailing address.
- 2. The location or locations where the employees whose employment is being terminated work.
- 3. The number of employees working at each location who are paid,
 - i. on an hourly basis,
 - ii. on a salaried basis, and
 - iii. on some other basis.
- 4. The number of employees whose employment is being terminated at each location who are paid,
 - i. on an hourly basis,
 - ii. on a salaried basis, and
 - iii. on some other basis.
- 5. The date or dates on which it is anticipated that the employment of the employees referred to in paragraph 4 will be terminated.
- 6. The name of any trade union local representing any of the employees whose employment is being terminated.
- 7. The economic circumstances surrounding the terminations.
- 8. The name, title and telephone number of the individual who completed the form on behalf of the employer.

(3) The employer shall provide the information referred to in subsection (2) to the Director by setting it out in the form approved by the Director under clause 58 (2) (a) of the Act and delivering the form to the Employment Practices Branch of the Ministry of Labour between

9 a.m. and 5 p.m. on any day other than a Saturday, Sunday or other day on which the offices of the Branch are closed.

(4) Section 58 of the Act does not apply to the employer and employees if,

- (a) the number of employees whose employment is terminated at the establishment is not more than 10 per cent of the number of employees who have been employed there for at least three months; and
- (b) the terminations were not caused by the permanent discontinuance of part of the employer's business at the establishment.

Manner of giving notice

4. (1) Subject to section 5, a notice of termination shall be,

- (a) given in writing;
- (b) addressed to the employee whose employment is to be terminated; and
- (c) served personally or in accordance with section 95 of the Act.

(2) If an employer bound by a collective agreement is or will be laying off an employee for a period that will or may be longer than a temporary lay-off and the employer would be or might be in breach of the collective agreement if the employer advised the employee that his or her employment was to be terminated, the employer may provide the employee with a written notice of indefinite lay-off and the employer shall be deemed as of the date on which that notice was given to have provided the employee with a notice of termination.

Notice of termination where seniority rights apply

5. (1) This section applies with respect to employees whose employment contracts provide seniority rights by which an employee who is to be laid off or whose employment is to be terminated may displace another employee.

(2) If an employer who proposes to terminate the employment of an employee described in subsection (1) posts a notice in a conspicuous part of the workplace setting out the name, seniority, job classification and proposed lay-off or termination date of the employee, the notice shall constitute notice of termination as of the day of posting to any employee whom the employee named in the notice displaces.

(3) Clause 60 (1) (a) of the Act does not apply to an employee who displaces another employee in the circumstances described in this section.

Temporary work, 13-week period

6. (1) An employer who has given an employee notice of termination in accordance with the Act and the regulations may provide temporary work to the employee without providing a further notice of termination in respect of the day on which the employee's employment is finally terminated if that day occurs not later than 13 weeks after the termination date specified in the original notice.

(2) The provision of temporary work to an employee in the circumstances described in subsection (1) does not affect the termination date as specified in the notice or the employee's period of employment.

Inclusion of vacation time in notice period

7. The period of a notice of termination given to an employee shall not include any vacation time unless the employee, after receiving the notice, agrees to the inclusion of the vacation time in the notice period of the notice.

Period of employment

8. (1) For the purposes of this Regulation and sections 54 to 62 of the Act, an employee's period of employment is the period beginning on the day he or she most recently commenced employment and ending on,

- (a) if notice of termination is given in accordance with Part XV of the Act, the day it is given; and
- (b) if notice of termination is not given in accordance with Part XV of the Act, the day the employee's employment is terminated.

(2) For the purposes of subsection (1), two successive periods of employment that are not more than 13 weeks apart shall be added together and treated as one period of employment.

SEVERANCE OF EMPLOYMENT

Employees not entitled to severance pay

9. (1) The following employees are prescribed for the purposes of subsection 64 (3) of the Act as employees who are not entitled to severance pay under section 64 of the Act:

1. An employee whose employment is severed as a result of a permanent discontinuance of all or part of the employer's business that the employer establishes was caused by the economic consequences of a strike.
 2. Subject to subsection (2), an employee whose contract of employment has become impossible to perform or has been frustrated.
 3. An employee who, on having his or her employment severed, retires and receives an actuarially unreduced pension benefit that reflects any service credits which the employee, had the employment not been severed, would have been expected to have earned in the normal course of events for purposes of the pension plan.
 4. An employee whose employment is severed after refusing an offer of reasonable alternative employment with the employer.
 5. An employee whose employment is severed after refusing reasonable alternative employment made available through a seniority system.
 6. An employee who has been guilty of wilful misconduct, disobedience or wilful neglect of duty that is not trivial and has not been condoned by the employer.
 7. A construction employee.
 8. An employee engaged in the on-site maintenance of buildings, structures, roads, sewers, pipelines, mains, tunnels or other works.
 9. An employee who is employed under an arrangement whereby he or she may elect to work or not to work when requested so to do.
- (2) Paragraph 2 of subsection (1) does not apply if,
- (a) the impossibility or frustration is the result of,
 - (i) a permanent discontinuance of all or part of the employer's business because of a fortuitous or unforeseen event,
 - (ii) the employer's death, or
 - (iii) the employee's death, if the employee received a notice of termination before his or her death; or
 - (b) the impossibility or frustration is the result of an illness or injury suffered by the employee, and the *Human Rights Code* prohibits severing the employment.

Revocation

10. Regulation 327 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 691/92, 169/95 and 382/95 are revoked.

Commencement

11. This Regulation comes into force on the day Part XV of the *Employment Standards Act, 2000* comes into force.

31/01

ONTARIO REGULATION 289/01 made under the EMPLOYMENT STANDARDS ACT, 2000

Made: July 19, 2001

Filed: July 20, 2001

ENFORCEMENT

Prescribed penalties re notices of contravention

1. The following penalties are prescribed for the purposes of subsection 113 (1) of the Act:

1.	If the notice relates to a contravention of section 2, 15 or 16 of the Act	\$250
2.	If the notice relates to the second contravention of section 2, 15 or 16 of the Act in a three-year period	\$500
3.	If the notice relates to the third or subsequent contravention of section 2, 15 or 16 of the Act in a three-year period	\$1,000
4.	If the notice relates to a contravention of a provision of the Act other than section 2, 15 or 16	\$250
5.	If the notice relates to the second contravention of a provision of the Act other than section 2, 15 or 16 in a three-year period	\$500
6.	If the notice relates to the third or subsequent contravention of a provision of the Act other than section 2, 15 or 16 in a three-year period	\$1,000
7.	If the notice relates to a contravention of a provision of the Act other than section 2, 15 or 16 and the contravention affects more than one employee	\$250, multiplied by the number of employees affected
8.	If the notice relates to the second contravention of a provision of the Act other than section 2, 15 or 16 in a three-year period and the contravention affects more than one employee	\$500, multiplied by the number of employees affected
9.	If the notice relates to the third or subsequent contravention of a provision of the Act other than section 2, 15 or 16 in a three-year period and the contravention affects more than one employee	\$1,000, multiplied by the number of employees affected

Reciprocal enforcement of orders

2. (1) Each state listed in Column 1 of the Table to this section is prescribed as a reciprocating state for the purposes of section 130 of the Act.

(2) Each authority listed in Column 2 of the Table to this section is prescribed as the designated authority for the state listed opposite it in Column 1.

TABLE

COLUMN 1	COLUMN 2
Alberta	Director of Employment Standards for Alberta
British Columbia	Director of Employment Standards for British Columbia
Manitoba	Director of Employment Standards for Manitoba
New Brunswick	Director of Employment Standards for New Brunswick
Northwest Territories	Labour Standards Board of the Northwest Territories
Nova Scotia	Director of Employment Standards for Nova Scotia
Funafuti	Funafuti Labour Standards Board
Prince Edward Island	Inspector of Labour Standards for Prince Edward Island
Saskatchewan	Director of Labour Standards for Saskatchewan
Yukon	Director of Employment Standards for the Yukon

Commencement

3. This Regulation comes into force on the day Parts XXII, XXIII and XXIV of the *Employment Standards Act, 2000* come into force.

31/01

ONTARIO REGULATION 290/01

made under the

EMPLOYMENT STANDARDS ACT, 2000

Made: July 19, 2001

Filed: July 20, 2001

POSTING OF INFORMATION CONCERNING RIGHTS AND OBLIGATIONS**Material to be posted**

1. The material that is prescribed for the purposes of subsection 2 (1) of the Act is the poster prepared by the Ministry, identified as version 1.0 and entitled "What You Should Know About The Ontario Employment Standards Act".

Other information

2. The following other information is prescribed for the purposes of subsection 2 (2) of the Act:

1. Information about dispute resolution under the Act.
2. Information about the enforcement and administration of the Act.
3. How to obtain further information about the Act.

Commencement

3. This Regulation comes into force on the day Part II of the *Employment Standards Act, 2000* comes into force.

31/01

ONTARIO REGULATION 291/01

made under the

EMPLOYMENT STANDARDS ACT, 2000

Made: July 19, 2001

Filed: July 20, 2001

TERMS AND CONDITIONS OF EMPLOYMENT IN DEFINED INDUSTRIES**Definitions**

1. In this Regulation,

"defined industries" means the women's coat and suit industry and the women's dress and sportswear industry;

"fur industry" means all work done in the manufacture, repair or remodelling, in whole or in part, of coats, jackets, similar garments, neck-pieces, cuffs and other pieces made of fur (not including imitation or simulated fur), except work done on the employer's premises by only one person;

"industry holiday" means,

- (a) New Year's Day,
- (b) Good Friday,
- (c) Victoria Day,
- (d) Canada Day,
- (e) Labour Day,
- (f) Thanksgiving Day,
- (g) Christmas Day, and
- (h) Boxing Day, being December 26 or the Monday next following when Christmas falls on a Saturday;

"piece-work basis", in relation to how an employee is paid, means payment based on the number of articles or things that are manufactured, prepared, improved, repaired, altered, assembled or completed;

"special rate work" means,

- (a) in relation to an employee who is not a homemaker, work described in clause 11 (1) (a), and
- (b) in relation to a homemaker, work described in clause 11 (1) (b);

"women's coat and suit industry" means all work done in the manufacture anywhere in Ontario, in whole or in part, of cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets or blazers, manufactured from any material including suede, leather, simulated, synthetic, pile and fur fabrics, of any description, for female persons of all ages, but does not include work done in,

- (a) the manufacture of,
 - (i) ski-suits or skating suits, in whole or in part,
 - (ii) athletic uniforms, in whole or in part,
 - (iii) riding-coats, or
 - (iv) lounging-robos, bathrobes, kimonos, pyjamas or beach wraps,
- (b) the making of cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets or blazers, manufactured from any material including suede, leather,

simulated, synthetic, pile and fur fabrics, of any description, for female persons of all ages by a custom tailor, who,

- (i) makes cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets or blazers individually for a retail customer, according to the measurements and specifications of the retail customer, and
- (ii) does not employ more than four persons in making cloaks, coats, suits, wraps, wind-breakers, skirts manufactured for use as part of a suit, jackets or blazers, or

- (c) the receiving, warehousing, shipping or distributing of raw materials or manufactured products or in sales, design or administrative operations;

“women’s dress and sportswear industry” means all work done in the manufacture in whole or in part of all types, kinds and styles of garments worn by female persons and includes, without limiting the generality of the foregoing, garments commonly known as dresses, gowns, sportswear, play clothes, skirts, trousers, pants, slacks, blouses, tops, vests, at-home wear, pantsuits and jumpsuits, but does not include work done in a separate manufacturing area in,

- (a) the manufacture of garments for female persons not over 14 years of age or of a size up to and including girls’ Canada Standard Size 14,
- (b) the making of such garments by a custom dressmaker or custom manufacturer who,
 - (i) makes such garments individually for retail customers with whom the dressmaker or manufacturer deals directly according to the measurements and specifications of the retail customers, and
 - (ii) does not employ more than four persons in making such garments,
- (c) the manufacture of garments in the women’s coat and suit industry,
- (d) the manufacture of garments in the fur industry,
- (e) the manufacture of undergarments and lingerie, namely, brasieres, slips, half-slips, panties, girdles and corsets,
- (f) the manufacture of sleepwear, namely, garments intended to be and worn as sleeping garments, including peignoir sets consisting of an undergarment worn as a sleeping garment and an overgarment made of lightweight fabric,
- (g) the manufacture of utility garments, namely, bathrobes, kimonos, housecoats, brunchcoats and terry cloth gowns, for utilitarian purposes and of a design, colour and pattern distinct from and not worn in conjunction with any other garment made by the manufacturer doing work within the designation or made by or for another manufacturer doing work within the designation or with whom such manufacturer is associated directly or indirectly in any manner whatsoever,
- (h) the manufacture of cloth and fabric, including the spinning of yarn and knitting of fabric,
- (i) the manufacture of such garments made from knitted material by a knitwear manufacturer who,
 - (i) makes available to the Director on request, during reasonable business hours, all of the records pertaining to garments and material produced, purchased and sold by the manufacturer,
 - (ii) manufactures such garments and the knitted material on the same premises, and

- (iii) does not manufacture such garments for another manufacturer doing work within the designation or with whom such manufacturer is associated directly or indirectly in any manner whatsoever,

- (j) the manufacture of blouses, defined as a woman’s tailored garment of a maximum length of 26 inches measured from the middle of the collar and of design, colour and pattern distinct from and not intended to be worn in conjunction with any other garments made by or for the manufacturer or made by or for a manufacturer with whom the manufacturer is associated directly or indirectly,
- (k) the manufacture of bathing suits, knitted sweaters or any style of apron, or
- (l) the receiving, warehousing, shipping or distributing of raw materials or manufactured products or in sales, design or administrative operations.

Terms and conditions of employment

2. (1) This Regulation sets out the terms and conditions of employment that apply to employees and employers in the defined industries.

(2) Except as modified by this Regulation, the Act applies to employees and employers in the defined industries.

Minimum pay for short periods of work

3. (1) Despite subsection 5 (7) of Ontario Regulation 285/01 (Exemptions, Special Rules and Establishment of Minimum Wage), if an employee is required to work for a period of less than four hours or is required to report to work but does not work any hours, the employee shall be deemed to have worked four hours and the employer shall pay the employee accordingly.

(2) This section does not apply to homeworkers.

Non-application of ss. 18 to 21 of Act

4. Sections 18 to 21 of the Act do not apply with respect to employees in the defined industries.

When an employee may not be required to work

5. (1) An employer shall not require or allow an employee to perform work,

- (a) on an industry holiday; or
- (b) between midnight and 6:00 a.m.

(2) Subsection (1) applies despite any agreement under subsection 17 (2) of the Act.

Normal work day and normal work week

6. (1) An employee’s normal work day shall not exceed 8 hours, including paid breaks but not including eating periods.

(2) A normal work day shall not be on a Saturday or Sunday.

(3) An employee’s normal work week shall not exceed 40 hours, including paid breaks but not including eating periods.

(4) A normal work week is determined on the basis of the period from midnight on Saturday to midnight on the following Saturday.

Normal work day under work schedule

7. (1) If an employer establishes a work schedule in accordance with sections 8 and 9 and satisfies the requirements in those sections, an employee’s normal work day is determined under the work schedule and not under section 10.

(2) This section does not apply to homeworkers.

Work schedule

8. The following apply with respect to an employer’s work schedule:

1. The work schedule shall set out the starting time of the normal work day for all employees.
2. If the work schedule provides for a single shift, a normal work day shall not begin after 9:30 a.m.
3. A normal work day shall not be scheduled on a Saturday or Sunday.
4. Each employee shall have a half-hour eating period midway through the employee's normal work day.
5. The employer shall file the work schedule with the Director at least seven days before it becomes effective.
6. The employer shall post the work schedule at least seven days before it becomes effective, and shall keep it posted while the work schedule is in effect. The work schedule shall be posted in a conspicuous place or places in the workplace where it is most likely to come to the attention of the employees to whom it relates.

Work schedule requirements, two shifts

9. The employer's work schedule may provide for two shifts subject to the following:

1. The employer shall file the work schedule with the Director at least 15 days before it becomes effective instead of as paragraph 5 of section 8 requires.
2. An employee shall be scheduled to work only the earlier shift or the later shift and shall not be required to change shifts unless the employee or the employee's agent agrees.
3. An employee who works on the later shift shall be paid at least 5 per cent more than the employee would be paid if the employee worked the earlier shift.
4. If immediately before the work schedule becomes effective the employer only had one shift,
 - i. the work schedule shall not result in an employee who was working in that single shift working less than a normal work day or working fewer normal work days, and
 - ii. an employee who was employed immediately before the work schedule became effective shall not be scheduled to work the later shift unless the employee or the employee's bargaining agent agrees.

Normal work day if no work schedule

10. (1) If section 7 does not apply, the normal work day for an employee begins at 8:00 a.m. on each of Monday to Friday, with an unpaid half-hour eating period midway through the working day and two paid 10-minute breaks, one before and one after the eating period.

(2) This section does not apply with respect to employees who are homeworkers.

Special rate work

11. (1) An employer shall not require or allow an employee who is not a homemaker to perform work,

- (a) in excess of 8 hours, including paid breaks but not including eating periods, on any of Monday to Friday; or
- (b) on Saturday or Sunday.

(2) An employer shall not require or allow an employee who is a homemaker to perform work in excess of 40 hours in a week, determined on the basis of the period from midnight on Saturday to midnight on the following Saturday.

(3) Subsections (1) and (2) apply instead of subsection 17 (1) of the Act.

(4) Subsection 17 (2) of the Act applies, but shall be read as if the words "in excess of an amount set out in subsection (1)" were struck out and "in excess of an amount set out in subsection 11 (1) or (2) of Ontario Regulation 291/01 (Terms and Conditions of Employment in Defined Industries)" substituted.

Breaks relating to special rate work after normal work day

12. (1) Despite section 20 of the Act, before an employee performs more than two hours of special rate work after the end of a normal work day, the employer shall give the employee a paid 15-minute break.

(2) The break under subsection (1) shall be paid at the special rate determined under section 14.

(3) If an employee performs more than five hours of special rate work on a Saturday or Sunday, the employer shall permit the employee a half-hour eating period so that the employee does not work more than five consecutive hours without an eating period.

(4) This section does not apply with respect to employees who are homeworkers.

Pay for special rate work

13. Despite Part VIII of the Act, the employer shall pay an employee the special rate determined under section 14 for all special rate work.

Special rate

14. (1) The special rate is an hourly rate for all employees, even for those employees who are not normally paid on an hourly basis.

(2) The special rate is one and one-half times the following:

1. For an employee who is not paid on a piece-work basis, the hourly average of the wages paid to him or her during the most recent pay period in which the employee worked normal work days before the pay period in which he or she performed special rate work.
2. For an employee who is paid on a piece-work basis, the hourly average of the wages paid to him or her,
 - i. during the months from July to December in the previous year, in the case of special rate work performed during the months from January to June, and
 - ii. during the months from January to June in the same year, in the case of special rate work performed during the months from July to December.

(3) The special rate for an employee who is a homemaker shall be determined under paragraph 2 of subsection (2) whether or not the employee is paid on a piece-work basis.

(4) The following shall not be considered in determining an employee's special rate under subsection (1):

1. Pay at the special rate.
2. Vacation pay and year-end vacation payments.
3. Industry holiday pay under subsection 18 (3).
4. Termination pay and severance pay.
5. Entitlements under a provision of the employment contract that, under subsection 5 (2) of the Act, prevails over Part VIII, X, XI or XV of the Act.

Vacation

15. (1) Despite Part XI of the Act, the employer shall give a vacation of two weeks to an employee upon the completion of each 12-month period of employment, whether or not the employment was active employment.

(2) The employer shall determine the period when an employee may take the vacation to which he or she is entitled under subsection (1), which may be a two-week period or two periods of one week each, but in any case the employee shall be given the vacation not later than 10 months after the end of the 12-month period for which it is given.

(3) A week of vacation is calculated on the basis of the period from midnight on Saturday to midnight on the following Saturday.

Vacation pay

16. (1) Despite Part XI of the Act, the employer shall pay an employee vacation pay for the employee's vacation.

(2) An employee's vacation pay shall be equal to 4 per cent of all wages, not including vacation pay or any year-end vacation payment, earned by the employee during the period for which the vacation is given.

Year-end vacation payment

17. (1) Despite Part XI of the Act, the employer shall pay an employee, in addition to vacation pay under section 16, a year-end vacation payment in accordance with this section.

(2) An employee who has been employed by an employer for at least three continuous months is entitled to a year-end vacation payment equal to 2 per cent of all wages, excluding vacation pay, earned during the year to which the year-end vacation payment applies.

(3) For the purpose of this section, the year to which a year-end vacation payment applies shall be,

- (a) the 12-month period established for the purpose by the practice of the employer; or
- (b) if the employer has not established such a year, the 12-month period beginning on December 1 in a year and ending on November 30 in the following year.

(4) Subject to subsection (5), the employer shall pay the year-end vacation payment no later than six weeks after the end of the year to which it applies.

(5) If the employment of the employee is terminated in a year, the employer shall pay the year-end vacation payment for that year no later than seven days after the termination.

Industry holiday pay

18. (1) Despite Part X of the Act, the employer shall pay an employee for each industry holiday, unless,

- (a) the employee has been employed by the employer for less than three months; or
- (b) the employee was scheduled to work on the first normal work day either before or after the industry holiday and the employee failed to work that day as scheduled.

(2) The amount the employer shall pay an employee for an industry holiday is,

- (a) if the employee is not paid on a piece-work basis, the average of the wages paid for the days the employee works during the two-month period before the industry holiday; and
- (b) if the employee is paid on a piece-work basis, the hourly average of the wages paid,
 - (i) for the days the employee works during the months from July to December in the previous year, in the case of an industry holiday that falls in the months from January to June, and
 - (ii) for the days the employee works during the months from January to June in the same year, in the case of an industry holiday that falls in the months from July to December.

(3) The industry holiday pay for an employee who is a home-worker shall be determined under clause (2) (b) whether or not the employee is paid on a piece-work basis.

(4) The following shall not be considered in determining the amount of an employee's industry holiday pay:

- 1. Pay at the special rate.
- 2. Vacation pay and year-end vacation payments.
- 3. Industry holiday pay under subsection (3).
- 4. Termination pay and severance pay.
- 5. Entitlements under a provision of the employment contract that, under subsection 5 (2) of the Act, prevails over Part VIII, X, XI or XV of the Act.

Special rules for Victoria Day and Canada Day

19. (1) Despite Part X of the Act and section 5, an employer may require an employee to work a normal work day on Victoria Day or Canada Day if the employee or the employee's agent agrees and the holiday does not fall on a Saturday or Sunday.

(2) The normal work day that the employer may require an employee to work under subsection (1) is the normal work day that would have applied if the day were not Victoria Day or Canada Day.

(3) Subject to subsection (4), if an employee works a normal work day on Victoria Day or Canada Day, the following apply:

- 1. The employer shall pay the employee industry holiday pay under section 18 if the employee is entitled to industry holiday pay.
- 2. The employer shall pay the employee the special rate determined under section 14 for the work on the holiday.

(4) If an employee works a normal work day on Victoria Day or Canada Day, the employer may, if the employee or the employee's agent agrees, substitute a normal work day for the industry holiday and the following apply:

- 1. The industry holiday shall be deemed to be a normal work day.
- 2. The substituted normal work day shall be deemed to be the industry holiday.
- 3. The substituted normal work day shall be before the employee's next paid vacation day.

(5) If an employee is required to work a normal work day on Victoria Day or Canada Day but fails, without reasonable cause, to report for work, the employee is not entitled to industry holiday pay under section 18.

Industry review committee

20. (1) The Minister may establish a committee to advise the Minister on matters related to employment standards within the Ontario garment manufacturing industry.

(2) The committee shall be composed of a chair, and as many members equal in number representative of employers and employees respectively as the Minister considers proper, all of whom shall be appointed by the Minister.

(3) The members of the committee shall be appointed for a term not exceeding one year and are eligible for reappointment.

(4) The Minister may fill a vacancy in the membership of the committee by appointing a person to fill the unexpired term.

Revocation

21. The following are revoked:

- 1. Regulation 658 of the Revised Regulations of Ontario, 1990.

2. Regulation 659 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 282/99.
3. Regulation 660 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 283/99.

Commencement

22. This Regulation comes into force on the day Part XXVII and subsection 144 (5) of the *Employment Standards Act, 2000* come into force.

31/01

ONTARIO REGULATION 292/01
made under the
EMPLOYMENT STANDARDS ACT

Made: July 19, 2001
Filed: July 20, 2001

REVOKING VARIOUS REGULATIONS

1. Regulation 325 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 508/91, 505/92, 662/93, 173/94, 423/94, 674/94, 770/94, 384/96 and 133/98 are revoked.
2. Ontario Regulations 417/96 and 614/98 are revoked.
3. This Regulation comes into force on the day Parts I to XXVII of the *Employment Standards Act, 2000* come into force.

RÈGLEMENT DE L'ONTARIO 292/01
pris en application de la
LOI SUR LES NORMES D'EMPLOI

pris le 19 juillet 2001
déposé le 20 juillet 2001

ABROGATION DE DIVERS RÈGLEMENTS

1. Le Règlement 325 des Règlements refondus de l'Ontario de 1990 et les Règlements de l'Ontario 508/91, 505/92, 662/93, 173/94, 423/94, 674/94, 770/94, 384/96 et 133/98 sont abrogés.
2. Les Règlements de l'Ontario 417/96 et 614/98 sont abrogés.
3. Le présent règlement entre en vigueur le jour de l'entrée en vigueur des parties I à XXVII de la *Loi de 2000 sur les normes d'emploi*.

31/01

ONTARIO REGULATION 293/01
made under the
EMPLOYMENT STANDARDS ACT

Made: July 19, 2001
Filed: July 20, 2001

REVOKING VARIOUS REGULATIONS

1. Regulation 322 of the Revised Regulations of Ontario, 1990 is revoked.

2. Regulation 323 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 361/94 are revoked.

3. Regulation 324 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 509/91, 506/92, 663/93 and 675/94 are revoked.

4. Regulation 326 of the Revised Regulations of Ontario, 1990 is revoked.

5. Ontario Regulation 48/91 is revoked.

6. Ontario Regulations 590/91 and 748/92 are revoked.

7. Ontario Regulation 591/91 is revoked.

8. Ontario Regulation 192/98 is revoked.

9. This Regulation comes into force on the day Parts I to XXVII of the *Employment Standards Act, 2000* come into force.

31/01

ONTARIO REGULATION 294/01
made under the
EMPLOYMENT AGENCIES ACT

Made: July 19, 2001
Filed: July 20, 2001

Revoking Reg. 320 of R.R.O. 1990
(General)

1. Regulation 320 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 171/94 are revoked.

RÈGLEMENT DE L'ONTARIO 294/01
pris en application de la
LOI SUR LES AGENCES DE PLACEMENT

pris le 19 juillet 2001
déposé le 20 juillet 2001

abrogeant le Règl. 320 des R.R.O. de 1990
(Dispositions générales)

1. Le Règlement 320 des Règlements refondus de l'Ontario de 1990 et le Règlement de l'Ontario 171/94 sont abrogés.

31/01

ONTARIO REGULATION 295/01
made under the
INDUSTRIAL STANDARDS ACT

Made: July 19, 2001
Filed: July 20, 2001

REVOKING VARIOUS REGULATIONS

1. Regulation 652 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 225/94 are revoked.

2. Regulation 653 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 185/94 and 281/99 are revoked.

3. Regulation 654 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 224/94 are revoked.

4. This Regulation comes into force on the day subsection 144 (5) of the *Employment Standards Act, 2000* comes into force.

RÈGLEMENT DE L'ONTARIO 295/01
pris en application de la
LOI SUR LES NORMES INDUSTRIELLES

pris le 19 juillet 2001
déposé le 20 juillet 2001

ABROGATION DE DIVERS RÈGLEMENTS

1. Le Règlement 652 des Règlements refondus de l'Ontario de 1990 et le Règlement de l'Ontario 225/94 sont abrogés.

2. Le Règlement 653 des Règlements refondus de l'Ontario de 1990 et les Règlements de l'Ontario 185/94 et 281/99 sont abrogés.

3. Le Règlement 654 des Règlements refondus de l'Ontario de 1990 et le Règlement de l'Ontario 224/94 sont abrogés.

4. Le présent règlement entre en vigueur le jour de l'entrée en vigueur du paragraphe 144 (5) de la *Loi de 2000 sur les normes d'emploi*.

31/01

ONTARIO REGULATION 296/01
made under the
INDUSTRIAL STANDARDS ACT

Made: July 19, 2001
Filed: July 20, 2001

REVOKING VARIOUS REGULATIONS

1. Regulation 651 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 280/99 are revoked.

2. Regulation 655 of the Revised Regulations of Ontario, 1990 is revoked.

3. Regulation 656 of the Revised Regulations of Ontario, 1990 is revoked.

4. Regulation 662 of the Revised Regulations of Ontario, 1990 is revoked.

5. Ontario Regulation 84/01 is revoked.

6. This Regulation comes into force on the day subsection 144 (5) of the *Employment Standards Act, 2000* comes into force.

31/01

ONTARIO REGULATION 297/01
made under the
SOCIAL HOUSING REFORM ACT, 2000

Made: July 19, 2001
Filed: July 20, 2001

Amending O. Reg. 645/00
(General)

Note: Ontario Regulation 645/00 has previously been amended by Ontario Regulations 7/01, 166/01 and 167/01.

1. Section 11 of Ontario Regulation 645/00 is revoked and the following substituted:

11. The following transfers are prescribed for the purposes of paragraph 3 of subsection 60 (2) of the Act:

1. A transfer, to a local housing corporation, of all the assets, liabilities, rights and obligations of a corporation named in subparagraph 2 iii or iv of subsection 60 (2) of the Act.
2. A transfer from the Ontario Housing Corporation to The Governing Council of the University of Toronto of any interest in the real property municipally known as 35 Charles Street West and 730 Yonge Street, Toronto, Ontario, together with the assets, liabilities, rights and obligations related to the ownership or operation of the real property.

RÈGLEMENT DE L'ONTARIO 297/01
pris en application de la
LOI DE 2000 SUR LA RÉFORME
DU LOGEMENT SOCIAL

pris le 19 juillet 2001
déposé le 20 juillet 2001

modifiant le Règl. de l'Ont. 645/00
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 645/00 a été modifié antérieurement par les Règlements de l'Ontario 7/01, 166/01 et 167/01.

1. L'article 11 du Règlement de l'Ontario 645/00 est abrogé et remplacé par ce qui suit :

11. Les transferts suivants sont prescrits pour l'application de la disposition 3 du paragraphe 60 (2) de la Loi :

1. Le transfert, à une société locale de logement, de l'ensemble des biens, des dettes, des droits et des obligations d'une personne morale visée à la sous-disposition 2 iii ou iv du paragraphe 60 (2) de la Loi.
2. Le transfert, de la Société de logement de l'Ontario au conseil d'administration de l'université de Toronto, de tout intérêt sur le bien immeuble dont la désignation civique est 35, rue Charles Ouest et 730, rue Yonge, Toronto (Ontario), et des biens, des dettes, des droits et des obligations relatifs à la propriété ou au fonctionnement du bien immeuble.

31/01

ONTARIO REGULATION 298/01
made under the
SOCIAL HOUSING REFORM ACT, 2000

Made: July 19, 2001
Filed: July 20, 2001

**RENT-GEARED-TO-INCOME ASSISTANCE
AND SPECIAL NEEDS HOUSING**

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**PART I
APPLICATION AND INTERPRETATION**

Application of regulation

1. (1) This Regulation applies to the service area of a service manager set out in Column 2 of Table 1 as of the date set out opposite the service manager in Column 3 of Table 1.

(2) This Regulation applies in respect of designated housing projects, as defined in section 62 of the Act.

(3) A provision of this Regulation that applies to a supportive housing provider applies to the supportive housing provider only with respect to the units that are special needs housing in the housing projects operated by it.

Designated housing project

2. The housing programs set out in Schedule 1 are prescribed for the purposes of the definition of “designated housing project” in section 62 of the Act.

Section 64 of the Act

3. For the purposes of paragraph 2 of section 64 of the Act, if a lead agency is not designated under section 88 of the Act for a service area of a service manager set out in Column 1 of Table 2, the provisions listed in section 64 of the Act apply to the supportive housing providers set out opposite the service manager in Column 2 of Table 2.

Interpretation

4. (1) In this Regulation,

“abuse” means an incident of physical or sexual violence against an individual, an incident of intentional destruction of or intentional injury to an individual’s property, or words, actions or gestures that threaten an individual or his or her property, and “abused” and “abusing” have a corresponding meaning;

“alternative housing provider” means a housing provider that has a mandate under section 99 of the Act to provide housing to households that are homeless or hard to house;

“band” means a band, as defined in the *Indian Act* (Canada);

“business day” means a day from Monday to Friday, other than a holiday;

“centralized waiting list” means the waiting list established under section 35;

“child”, in relation to an individual, means a child of that individual born within or outside marriage (unless that child has been adopted by one or more other individuals in Ontario or according to the law of another jurisdiction), a child adopted by that individual in Ontario or according to the law of another jurisdiction, and a child whom the individual has demonstrated a settled intention to treat as a child of his or her family, but does not include a child placed in the individual’s home as a foster child for consideration by another person having lawful custody;

“family unit” means,

- (a) an individual, the individual’s spouse or same-sex partner and all of the children of both or either of them who are living with them,
- (b) an individual and the individual’s spouse or same-sex partner living with him or her, if neither has any children,
- (c) an individual and the individual’s children living with him or her, if the individual has no spouse or same-sex partner, or
- (d) an individual, if the individual has no spouse or same-sex partner and no children;

“full-time attendance”, in relation to a student attending a recognized educational institution, means, in the case of a student having a permanent disability, taking at least 40 per cent of a full course load, and in the case of any other student, taking at least 60 per cent of a full course load, as determined from the course calendar of the educational institution;

“parent”, in relation to another individual, means a natural parent of the other individual (unless the other individual has been adopted by one or more other individuals in Ontario or according to the law of another jurisdiction), an adoptive parent of the other individual who has adopted that individual in Ontario or according to the law of another jurisdiction, and an individual who has demonstrated a settled intention to treat the other individual as a child of his or her family, but does not include an individual in whose home the other individual has been placed as a foster child for consideration by another person having lawful custody;

“recognized educational institution” means,

- (a) a school, as defined in the *Education Act*,
- (b) a university,
- (c) a college of applied arts and technology established under section 5 of the *Ministry of Training, Colleges and Universities Act*,
- (d) a private vocational school, as defined in the *Private Vocational Schools Act*, or
- (e) a private school, as defined in the *Education Act*, for which a notice of intention to operate has been submitted to the Ministry of Education in accordance with that Act;

“rent” means,

- (a) in relation to a unit in a non-profit housing co-operative under the *Co-operative Corporations Act* occupied by a member of the co-operative, housing charges as defined in that Act, other than sector support levies and initial membership fees, or
- (b) in all other cases, rent as defined in the *Tenant Protection Act, 1997*;

“same-sex partner”, in relation to a member of a household, means,

- (a) an individual of the same sex as the member, if the individual and the member have together declared to the service manager that they are same-sex partners, or
- (b) an individual of the same sex as the member who is residing in the same dwelling place as the member, if the social and familial aspects of the relationship between the individual and the member amount to cohabitation and,
 - (i) the individual is providing financial support to the member,
 - (ii) the member is providing financial support to the individual, or
 - (iii) the individual and the member have a mutual agreement or arrangement regarding their financial affairs;

“special priority household” means a household that a service manager has determined should be included in the special priority household category under section 25;

“spouse”, in relation to a member of a household, means,

- (a) an individual of the opposite sex to the member, if the individual and the member have together declared to the service manager that they are spouses, or
- (b) an individual of the opposite sex to the member who is residing in the same dwelling place as the member, if the social and familial aspects of the relationship between the individual and the member amount to cohabitation and,
 - (i) the individual is providing financial support to the member,
 - (ii) the member is providing financial support to the individual, or
 - (iii) the individual and the member have a mutual agreement or arrangement regarding their financial affairs.

(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 an individual is a spouse or same-sex partner.

PART II APPLICATIONS

Application for rent-geared-to-income assistance

5. (1) An application by a household for rent-geared-to-income assistance must be made to the service manager in whose service area the household wishes to receive the assistance.

(2) The application must include such information and documents as the service manager may require.

(3) The service manager may require the household to give the service manager written verification, from a person acceptable to the service manager and in the form specified by the service manager, of any of the following:

1. The income of any member of the household from any source.
2. The interest of any member of the household in any asset and the value of the interest of any member of the household in any asset.

(4) The written verification that a service manager may require under paragraph 2 of subsection (3) may be a written appraisal, obtained at the household's expense, of the value of the interest of any member of the household in any asset.

(5) If, before the household begins to receive rent-geared-to-income assistance, there is a change in a document or information that the household has provided to the service manager with respect to its

application, the household shall provide the updated document and information to the service manager within 10 days after the change.

(6) Subsections (2) and (5) do not apply to a household applying for rent-geared-to-income assistance in housing provided by an alternative housing provider under its mandate to provide housing to households that are homeless or hard to house, if the alternative housing provider notifies the service manager that it is of the view that requiring the household to comply with those subsections is inappropriate in the circumstances.

(7) The application must include a consent to the disclosure to the service manager of information and documents required by the service manager for the purpose of processing the application including, but not limited to, determining the eligibility of the household for rent-geared-to-income assistance, determining the size and type of unit in respect of which the household is eligible to receive rent-geared-to-income assistance, determining the placement of the household on waiting lists, and determining the amount of geared-to-income rent payable by the household.

(8) The application and the consent must be signed by each member of the household who is 16 years old or older.

(9) If a member of the household who is 16 years old or older is unable for any reason to sign the application and the consent, or to make a valid application and give a valid consent, the application and consent may be signed on the member's behalf by another individual who,

- (a) is the parent or guardian of the member;
- (b) is an attorney of the member under a power of attorney that authorizes the attorney to make the application and give the consent on the member's behalf; or
- (c) is otherwise authorized to make the application and give the consent on the member's behalf.

(10) If the service manager is satisfied that the household or a third party is unable to provide information or a document, the service manager shall not require the household or the third party to provide that information or document.

(11) If a request for inclusion in the special priority household category is made with the household's application for rent-geared-to-income assistance, and if the member making the request believes that he or she will be at risk of being abused by the abusing individual if he or she attempts to obtain information or a document relating to the application for rent-geared-to-income assistance, the service manager shall not require the member to provide that information or document.

(12) Upon receiving an application for rent-geared-to-income assistance, the service manager shall determine whether,

- (a) the application and the consent have been filled out and signed; and
- (b) the service manager has received all other information and documents required by this Regulation or by the service manager, including information and documents from third parties that the service manager requires for the purpose of verifying information and documents provided by the household.

(13) Within seven business days after receiving the application, the service manager shall give the household a written notice,

- (a) stating that the application is complete, if the service manager has determined that the conditions set out in subsection (12) have been met; or
- (b) stating that the application is not complete and explaining why it is not complete, if the service manager has determined that the conditions set out in subsection (12) have not been met.

(14) If the service manager gives the household a written notice stating that the application is not complete, the service manager shall, if it determines subsequently that the conditions set out in subsection (12) have been met, promptly give the household a written notice stating that the application is now complete.

(15) The application shall be considered to be complete for the purposes of this Regulation on the date of the written notice given by the service manager stating that the application is complete.

(16) The service manager is not required to determine the eligibility of the household for rent-geared-to-income assistance, the size and type of unit in respect of which the household is eligible to receive rent-geared-to-income assistance, or the amount of geared-to-income rent payable by the household, if the household's application for rent-geared-to-income assistance is not complete.

Application for special needs housing

6. (1) In this section,

“decision-maker” means the service manager, supportive housing provider or lead agency to which a household applies for special needs housing under subsection 71 (1) of the Act.

(2) An application by a household for special needs housing must include full particulars of the reasons for which one or more of the members of the household require special needs housing and such other information and documents as the decision-maker may require.

(3) If, before the household begins to occupy special needs housing, there is a change in a document or information that the household has provided with respect to its application, the household shall provide the updated document and information to the decision-maker within 10 days after the change.

(4) The application must include a consent to the disclosure to the decision-maker of information and documents required by the decision-maker for the purpose of processing the application including, but not limited to, determining the eligibility of the household for special needs housing and determining the size and type of unit for which the household is eligible.

(5) The application and the consent must be signed by each member of the household who is 16 years old or older.

(6) If a member of the household who is 16 years old or older is unable for any reason to sign the application and the consent, or to make a valid application and give a valid consent, the application and consent may be signed on the member's behalf by another individual who,

- (a) is the parent or guardian of the member;
- (b) is an attorney of the member under a power of attorney that authorizes the attorney to make the application and give the consent on the member's behalf; or
- (c) is otherwise authorized to make the application and give the consent on the member's behalf.

(7) If the decision-maker is satisfied that the household or a third party is unable to provide information or a document, the decision-maker shall not require the household or the third party to provide that information or document.

(8) Upon receiving an application for special needs housing, the decision-maker shall determine whether,

- (a) the application and the consent have been filled out and signed; and
- (b) the decision-maker has received all other information and documents required by this Regulation or by the decision-maker, including information and documents from third parties

that the decision-maker requires for the purpose of verifying information and documents provided by the household.

(9) Within seven business days after receiving the application, the decision-maker shall give the household a written notice,

- (a) stating that the application is complete, if the decision-maker has determined that the conditions set out in subsection (8) have been met; or
- (b) stating that the application is not complete and explaining why it is not complete, if the decision-maker has determined that the conditions set out in subsection (8) have not been met.

(10) If the decision-maker gives the household a written notice stating that the application is not complete, the decision-maker shall, if it determines subsequently that the conditions set out in subsection (8) have been met, promptly give the household a written notice stating that the application is now complete.

(11) The application shall be considered to be complete for the purposes of this Regulation on the date of the written notice given by the decision-maker stating that the application is complete.

(12) The decision-maker is not required to determine the eligibility of the household for special needs housing or the size and type of unit for which the household is eligible, if the household's application for special needs housing is not complete.

PART III ELIGIBILITY RULES

RENT-GEARED-TO-INCOME ASSISTANCE

Eligibility requirements

7. (1) Subject to subsection (3), a household is eligible for rent-geared-to-income assistance if,

- (a) at least one member of the household is 16 years old or older and is able to live independently;
- (b) each member of the household meets at least one of the following criteria:
 - (i) the member is a Canadian citizen,
 - (ii) the member has been granted status as a permanent resident under the *Immigration Act* (Canada), or
 - (iii) the member has made a claim for refugee status under the *Immigration Act* (Canada);
- (c) no deportation order under the *Immigration Act* (Canada) has been made against any member of the household;
- (d) no departure order or exclusion order under the *Immigration Act* (Canada) has become effective with respect to any member of the household;
- (e) in the case of a household other than a special priority household, no member of the household owes arrears of rent with respect to any housing project under any housing program, whether administered by the service manager or the Ministry, or if a member of the household does owe such arrears of rent,
 - (i) the service manager is satisfied that extenuating circumstances exist, or
 - (ii) any member of the household has entered into an agreement with the housing provider for the repayment of the arrears and the service manager is satisfied that the member is making or intends to make all reasonable efforts to repay the arrears;
- (f) in the case of a special priority household, no member of the household owes arrears of rent with respect to any housing

project under any housing program, whether administered by the service manager or the Ministry, or if a member of the household does owe such arrears of rent,

- (i) in the case of arrears owed in respect of a unit of which the member and the abusing individual are joint tenants,
 - (A) the service manager is satisfied that extenuating circumstances exist, or
 - (B) any member of the household has entered into an agreement with the housing provider for the repayment of 50 per cent of the arrears and the service manager is satisfied that the member is making or intends to make all reasonable efforts to repay 50 per cent of the arrears, and
- (ii) in the case of arrears owed in respect of any other unit,
 - (A) the service manager is satisfied that extenuating circumstances exist, or
 - (B) any member of the household has entered into an agreement with the housing provider for the repayment of the arrears and the service manager is satisfied that the member is making or intends to make all reasonable efforts to repay the arrears;
- (g) one of subclauses (i) and (ii) is true:
 - (i) no member of the household has been convicted of an offence under section 85 of the Act or a crime under the *Criminal Code* (Canada) in relation to the receipt of rent-geared-to-income assistance, and if an individual who was, but is no longer, a member of the household has been convicted of such an offence or crime, the service manager determines that,
 - (A) no member of the household knew that the individual who was convicted of the offence or crime was committing it, or
 - (B) a member of the household knew that the individual who was convicted of the offence or crime was committing it, but the member was not reasonably able to prevent the individual from committing it, or
 - (ii) a member of the household has been convicted of an offence under section 85 of the Act or a crime under the *Criminal Code* (Canada) in relation to the receipt of rent-geared-to-income assistance, but the household has previously been determined to be ineligible for rent-geared-to-income assistance because of that conviction; and
- (h) one of subclauses (i) and (ii) is true:
 - (i) no member of the household has been found by the Ontario Rental Housing Tribunal or a court of law to have misrepresented his or her income or the income of his or her household in relation to the receipt of rent-geared-to-income assistance, and if an individual who was, but is no longer, a member of the household has been found to have made such a misrepresentation, the service manager determines that,
 - (A) no member of the household knew that the individual who was found to have made the misrepresentation was making it, or
 - (B) a member of the household knew that the individual who was found to have made the misrepresentation was making it, but the member was not reasonably able to prevent the individual from making the misrepresentation, or
 - (ii) a member of the household has been found by the Ontario Rental Housing Tribunal or a court of law to have misrepresented his or her income or the income of his or her household in relation to the receipt of rent-geared-to-income assistance, but,
 - (A) the household has previously been determined to be ineligible for rent-geared-to-income assistance because of that finding, or
 - (B) the service manager determines that the member who was found to have made the misrepresentation is an abused member of a special priority household who was forced to make the misrepresentation by the abusing individual.
- (2) For the purpose of clause (1) (a),
 - (a) an individual is able to live independently if he or she is able to perform for himself or herself the normal essential activities of day-to-day living;
 - (b) an individual shall be deemed to be able to live independently if the individual is able to live independently with the aid of certain support services and demonstrates that those support services will be provided to him or her when they are required.
- (3) If the service manager is of the opinion that a member of the household may be eligible to receive income of a type set out in subsection (4) and the member is not receiving such income, the service manager shall give the household a written notice,
 - (a) stating that the member may be eligible to receive income of the type specified in the notice;
 - (b) requesting the member to apply for that income and to make reasonable efforts to do whatever is required for the purpose of obtaining a decision on the application and receiving that income; and
 - (c) giving the household a reasonable period of time specified in the notice within which to inform the service manager of the results of the application.
- (4) The types of income referred to in subsection (3) are:
 1. Basic financial assistance under the *Ontario Works Act, 1997*.
 2. Support under the *Divorce Act* (Canada), the *Family Law Act* or the *Reciprocal Enforcement of Support Orders Act*.
 3. Benefits under the *Employment Insurance Act* (Canada).
 4. Any pension or other benefit that an individual who is 65 years of age or older is or may be entitled to receive from the Government of Ontario or the Government of Canada, other than a pension or other benefit that is available to an individual before the month in which the individual attains 65 years of age.
 5. Support or maintenance resulting from an undertaking given with respect to the member under the *Immigration Act* (Canada).
- (5) A household that has been given a notice under subsection (3) is not eligible for rent-geared-to-income assistance if the service manager,
 - (a) receives no response from the household within the period of time specified in the notice; or
 - (b) concludes, on the basis of a response received from the household within the period of time specified in the notice, that the member has failed to make reasonable efforts to obtain income of the type specified in the notice.

Local eligibility rules, income and asset limits

8. (1) A service manager may establish a local eligibility rule stating that a household is not eligible for rent-geared-to-income assistance in a unit in the service area unless the gross household income of the household, as determined under subsections (9) and (10), for a 12-month period determined by the service manager, is less than or equal to the maximum gross household income amount applicable to the unit, as specified in the local eligibility rule.

(2) For the purpose of establishing a local eligibility rule described in subsection (1), a service manager may establish the maximum gross household income amounts that are to apply to units in the service area.

(3) A service manager may establish a local eligibility rule stating that a household is not eligible for rent-geared-to-income assistance in a unit in the service area unless the aggregate household assets value of the household, as determined under subsections (11), (12) and (13), on the most recent date on which the service manager received information or documents respecting the household's assets, is less than or equal to the maximum aggregate household assets amount applicable to the unit, as specified in the local eligibility rule.

(4) For the purpose of establishing a local eligibility rule described in subsection (3), a service manager may establish the maximum aggregate household assets amounts that are to apply to units in the service area.

(5) The service manager may establish,

- (a) different maximum gross household income amounts for units of different sizes and for units in different parts of the service area;
- (b) different maximum aggregate household assets amounts for units of different sizes and for units in different parts of the service area.

(6) The service manager may from time to time establish new maximum gross household income amounts and new maximum aggregate household assets amounts to replace the old ones.

(7) A service manager shall not establish a maximum gross household income amount for a unit that is less than the household income limit prescribed for a unit of that type and size for the purposes of clause 11 (1) (a) of the Act.

(8) A service manager shall not establish a maximum aggregate household assets amount that is less than \$20,000.

(9) For the purpose of a local eligibility rule established by a service manager under subsection (1), the gross household income of a household, for a 12-month period determined by the service manager, is the sum of all payments of any nature paid to or on behalf of or for the benefit of each of the members of the household during that period, subject to subsection (10).

(10) The service manager may establish a local eligibility rule requiring that specified payments be excluded for the purpose of determining the gross household income of a household and, in that case, the gross household income of a household, for a 12-month period determined by the service manager, is the sum of all payments of any nature paid to or on behalf of or for the benefit of each of the members of the household during that period, excluding the payments that are required to be excluded under the local eligibility rule.

(11) For the purpose of a local eligibility rule established by a service manager under subsection (3), the aggregate household assets value of a household on a given date is the sum of the values of the interests in assets of each of the members of the household on that date.

(12) For the purpose of subsection (11), the following shall not be included in assets:

1. An interest in a motor vehicle that is not used primarily for the operation of a business by a member of the household.
2. Tools of the trade that are essential to the employment of a member of the household.
3. If one member of a household has an interest in or operates one business, business assets that are necessary to the operation of that business, to a maximum of \$20,000.
4. If more than one member of a household has an interest in or operates the same business, business assets that are necessary to the operation of that business, to a maximum of \$20,000 for the business.
5. If one member of the household has an interest in or operates more than one business, business assets that are necessary to the operation of those businesses, to a maximum of \$20,000 for the member.
6. A student grant, loan or award, so long as the member of the household for whose benefit the grant, loan or award is provided remains in attendance in the program of study for which it is intended.
7. A prepaid funeral.
8. An amount received as damages or compensation for,
 - i. pain and suffering resulting from an injury to or the death of a member of the household, or
 - ii. expenses reasonably incurred or to be incurred as a result of an injury to or the death of a member of the household.
9. A payment received under any of the following agreements to which the Province of Ontario is a party:
 - i. The Helpline Reconciliation Model Agreement.
 - ii. The Multi-Provincial/Territorial Assistance Program Agreement.
 - iii. The Grandview Agreement.
10. A payment received under the Extraordinary Assistance Plan (Canada).
11. The cash surrender value of all life insurance policies held by members of the household, to a maximum of \$100,000 for the household.
12. That portion of a loan taken against a life insurance policy that has been or will be used for disability-related items or services.
13. A payment received under the Ontario Hepatitis C Assistance Plan.
14. That portion of a payment received under the *Ministry of Community and Social Services Act* for the successful participation by a member of the household in a program of activities described in paragraph 9 of section 26 of Ontario Regulation 134/98 under the *Ontario Works Act, 1997* that,
 - i. within a reasonable period, as determined by the service manager, is to be used for the member's post-secondary education, or
 - ii. is paid into a Registered Education Savings Plan for one or more of the member's children.
15. A Canada Education Savings Grant paid into a Registered Education Savings Plan for a child of a member of the household.
16. A lump sum payment received under the 1986-1990 Hepatitis C Settlement Agreement made as of June 15, 1999 among the

Attorney General of Canada, Her Majesty the Queen in right of Ontario and others.

17. A payment received from Human Resources Development Canada under the program called the "Opportunities Fund for Persons with Disabilities", if the payment has been or will be applied to costs incurred or to be incurred as a result of participation in employment-related activities.
18. Clothing, jewellery and other personal effects of a member of the household.
19. Furniture, appliances, furnishings and decorative or artistic items located in the accommodation occupied by members of the household, unless used by a member of the household primarily for the purpose of operating a business.
20. A payment received from the Government of Alberta as compensation for sterilization.
21. A payment received under the Walkerton Compensation Plan.

(13) A service manager may establish a local eligibility rule specifying additional things that shall not be included in assets for the purpose of subsection (11).

Divestment of residential property

9. (1) If a household is receiving rent-geared-to-income assistance, each member of the household who has a legal or beneficial interest in a freehold or leasehold estate in residential property located in or outside Ontario that is suitable for year-round occupancy shall divest himself or herself of his or her interest in the property and shall give written notice to the service manager of the divestment.

(2) The divestment must occur and the notice must be given,

- (a) within 180 days after the first day of the month in respect of which the household begins to receive rent-geared-to-income assistance, if the member has the interest in the property at the time the household begins to receive rent-geared-to-income assistance; or
- (b) within 180 days after the first day of the month in which the member acquires the interest in the property, if the member acquires the interest in the property after the household begins to receive rent-geared-to-income assistance.

(3) The service manager may extend the time for effecting the divestment and giving the notice for such period of time as the service manager considers appropriate, if the service manager is satisfied that there are reasonable grounds to do so.

(4) If the interest in the estate in the residential property is held jointly by an abused member of a special priority household and the abusing individual, and if the abused member notifies the service manager that he or she believes that the divestment or the taking of steps to effect the divestment would place him or her at risk of abuse from the abusing individual, the service manager shall extend the time for effecting the divestment and giving the notice for such period of time as the service manager considers appropriate.

(5) In this section,

"divest", in relation to a legal or beneficial interest in a freehold or leasehold estate in property, means to complete the transfer of the interest in the property or to terminate the lease of the property;

"residential property" means,

- (a) a property all of which is used for residential purposes or any portion of such a property, or
- (b) in the case of a property part of which is used for residential purposes and part of which is used for other purposes, any portion that is used for residential purposes.

Notice of changes

10. (1) A household receiving rent-geared-to-income assistance shall,

- (a) within 10 days after each change in a document or information that the household has provided to the service manager, give the service manager a written notice setting out the change; and
- (b) in the case of a change in a document, provide the changed document to the service manager within the period of time specified by the service manager.

(2) This section does not apply to a household receiving rent-geared-to-income assistance in a unit provided by an alternative housing provider under its mandate to provide housing to households that are homeless or hard to house, if the alternative housing provider notifies the service manager that it is of the view that requiring the household to comply with this section is inappropriate in the circumstances.

Review of eligibility

11. (1) Once in every 12-month period after a household is determined to be eligible for rent-geared-to-income assistance, the service manager shall review the eligibility of the household and shall determine whether the household continues to be eligible for rent-geared-to-income assistance.

(2) The service manager may review the eligibility of the household more frequently than once in every 12-month period if the service manager considers such a review to be desirable.

(3) The household subject to the review shall provide such information and documents as the service manager may require within the time period specified by the service manager.

(4) The service manager may require a consent signed by any member of the household who is 16 years old or older, consenting to the disclosure to the service manager of information and documents required by the service manager for the purpose of the review.

(5) Subsection 5 (9) applies, with necessary modifications, to a consent under this section.

(6) Subsections 5 (3), (4), (6), (10) and (11) apply, with necessary modifications, to a review under this section.

Cessation of eligibility

12. (1) A household that has been determined by a service manager to be eligible for rent-geared-to-income assistance ceases to be eligible for such assistance, whether or not the household is receiving such assistance, if,

- (a) the service manager discovers that, at the time of the initial or a subsequent determination of eligibility, the household did not meet an eligibility requirement set out in subsection 7 (1);
- (b) the household has ceased to meet, or does not meet, an eligibility requirement set out in subsection 7 (1);
- (c) the household is ineligible under subsection 7 (5);
- (d) subject to subsections (2) and (3), the service manager discovers that, at the time of the initial or a previous determination of eligibility, the household did not satisfy a local eligibility rule that had been established by the service manager under section 8;
- (e) subject to subsections (2) and (3), the household has ceased to satisfy, or does not satisfy, a local eligibility rule established by the service manager under section 8;
- (f) the household fails to comply with subsection 5 (5);
- (g) a member of the household fails to comply with section 9;
- (h) the household fails to comply with section 10;

- (i) the household fails to comply with section 11;
- (j) the household ceases to be eligible under paragraph 3 of section 33;
- (k) the household ceases to be eligible under section 39 as a result of refusing three offers of a rent-geared-to-income unit; or
- (l) the household fails to comply with section 52.

(2) If a household is receiving rent-geared-to-income assistance in a unit at the time a service manager establishes a maximum gross household income amount applicable to the unit for the purposes of a local eligibility rule established under subsection 8 (1),

- (a) if the gross household income of the household, as determined under subsections 8 (9) and (10), exceeds the maximum gross household income amount at the time of its establishment, the household does not cease to be eligible for rent-geared-to-income assistance for a failure to satisfy the local eligibility rule;
- (b) if the gross household income of the household, as determined under subsections 8 (9) and (10), does not exceed the maximum gross household income amount at the time of its establishment but subsequently increases to the point where it exceeds the maximum gross household income amount, the household ceases at that point to be eligible for rent-geared-to-income assistance for a failure to satisfy the local eligibility rule.

(3) If a household is receiving rent-geared-to-income assistance in a unit at the time a service manager establishes a maximum aggregate household assets amount applicable to the unit for the purposes of a local eligibility rule established under subsection 8 (3),

- (a) if the aggregate household assets value of the household, as determined under subsections 8 (11), (12) and (13), exceeds the maximum aggregate household assets amount at the time of its establishment, the household does not cease to be eligible for rent-geared-to-income assistance for a failure to satisfy the local eligibility rule;
- (b) if the aggregate household assets value of the household, as determined under subsections 8 (11), (12) and (13), does not exceed the maximum aggregate household assets amount at the time of its establishment but subsequently increases to the point where it exceeds the maximum aggregate household assets amount, the household ceases at that point to be eligible for rent-geared-to-income assistance for a failure to satisfy the local eligibility rule.

(4) A household receiving rent-geared-to-income assistance ceases to be eligible for such assistance if, for a period of 12 consecutive months, the geared-to-income rent payable by it for the unit it occupies, as determined under section 47, is equivalent to the rent that would be payable for the unit by a household not receiving rent-geared-to-income assistance.

Local eligibility rule, absence from unit

13. (1) A service manager may establish a local eligibility rule stating that,

- (a) a household receiving rent-geared-to-income assistance ceases to be eligible for such assistance if all of the members of the household have been absent from the unit for at least the maximum absence period specified in the rule;
- (b) if a household has only one member and that member is absent from the unit for a period of time because of medical reasons, the member shall be deemed not to be absent from the unit during that period for the purpose of clause (a); and
- (c) if a household has two or more members, one member is absent from the unit for a period of time because of medical

reasons, and the others are absent from the unit for that period of time because they need to be accommodated elsewhere as a result of the absence of the first member, all the members of the household shall be deemed not to be absent from the unit during that period for the purpose of clause (a).

(2) A service manager may establish a maximum absence period for the purpose of establishing a local eligibility rule described in subsection (1), and the service manager may from time to time establish a new maximum absence period to replace the old one.

(3) A maximum absence period shall be a period consisting of a specified number of consecutive days.

(4) A service manager shall not establish a maximum absence period that is less than 60 consecutive days.

Consequences of cessation of eligibility

14. (1) If a service manager determines that a household receiving rent-geared-to-income assistance has ceased to be eligible for such assistance,

- (a) the service manager shall cease to provide rent-geared-to-income assistance in respect of the household, beginning with the month specified in subsection (3); and
- (b) the household shall pay rent for the unit it occupies at the rate at which rent is payable for the unit by a household not receiving rent-geared-to-income assistance, beginning with the month specified in subsection (3).

(2) Subsection (1) does not apply if one or more members of the household request an internal review of the service manager's decision and the service manager's decision is reversed on the internal review.

(3) The month as of which the provision of rent-geared-to-income assistance must cease and the payment of the higher rent must begin is the month immediately following the 90th day after the date the service manager gives the household written notice under subsection 66 (5) of the Act of the service manager's decision that the household has ceased to be eligible for rent-geared-to-income assistance.

Notice to housing provider

15. Within seven business days after determining that a household receiving rent-geared-to-income assistance in a unit has ceased to be eligible for such assistance, a service manager shall give the housing provider providing the unit written notice of the service manager's decision and of the review process available to members of the household in respect of the decision.

Reapplication

16. (1) A household that is determined by a service manager to be ineligible for rent-geared-to-income assistance because it fails to meet the requirements of clause 7 (1) (g) may not reapply for rent-geared-to-income assistance for a period of two years from,

- (a) the first day of the month as of which the provision of rent-geared-to-income assistance in respect of the household ceases, if the household is receiving rent-geared-to-income assistance at the time the service manager determines the household to be ineligible; or
- (b) the date the service manager gives the household written notice of the determination of ineligibility, if the household is not yet receiving rent-geared-to-income assistance at the time the service manager determines the household to be ineligible.

(2) A household that is determined by a service manager to be ineligible for rent-geared-to-income assistance because it fails to meet the requirements of clause 7 (1) (h) may not reapply for rent-geared-to-income assistance for a period of two years from,

- (a) the first day of the month as of which the provision of rent-geared-to-income assistance in respect of the household ceases,

if the household is receiving rent-geared-to-income assistance at the time the service manager determines the household to be ineligible; or

- (b) the date the service manager gives the household written notice of the determination of ineligibility, if the household is not yet receiving rent-geared-to-income assistance at the time the service manager determines the household to be ineligible.

Local eligibility rule, reapplication

17. (1) A service manager may establish a local eligibility rule that is identical to subsection 16 (1) except for the fact that the period specified by the service manager is a period longer than two years.

(2) A service manager may establish a local eligibility rule that is identical to subsection 16 (2) except for the fact that the period specified by the service manager is a period longer than two years.

SPECIAL NEEDS HOUSING

Interpretation

18. In the case of a service area to which this Regulation applies by virtue of subsection 1 (1), a reference in section 20, 21 or 22 to a supportive housing provider shall be interpreted as follows:

1. If a lead agency is designated for the service area and if, in making the designation, the Lieutenant Governor in Council has transferred the rights or duties described in section 20, 21 or 22 to the lead agency, the reference in that section to the supportive housing provider shall be deemed to be a reference to the lead agency, and not to the supportive housing provider, during the period in which the designation is in force.
2. If a lead agency is not designated for the service area or if, in making the designation, the Lieutenant Governor in Council has not transferred the rights or duties described in section 20, 21 or 22 to the lead agency, and if one or more supportive housing providers are set out in Column 2 of Table 2 opposite the service manager, the reference in that section to the supportive housing provider shall be interpreted as a reference to the supportive housing providers set out in Column 2 of Table 2 opposite the service manager.
3. In all other cases, the reference in section 20, 21 or 22 to the supportive housing provider shall be deemed to be a reference to the service manager, and not to the supportive housing provider.

Eligibility requirement

19. (1) A household is eligible for special needs housing if one or more of its members require accessibility modifications or provincially-funded support services in order to live independently in the community.

(2) A household need not be eligible for rent-geared-to-income assistance in order to be eligible for special needs housing.

Notice of changes

20. A household occupying special needs housing shall,

- (a) within 10 days after each change in a document or information that the household has provided to the supportive housing provider, give the supportive housing provider a written notice setting out the change; and
- (b) in the case of a change in a document, provide the changed document to the supportive housing provider within the period of time specified by the supportive housing provider.

Review of eligibility

21. (1) Once in every 12-month period after a household is determined to be eligible for special needs housing, the supportive housing provider shall review the eligibility of the household and shall determine,

- (a) whether the household continues to be eligible for special needs housing; and
- (b) if the household is occupying special needs housing, whether the household continues to be eligible for the unit it occupies.

(2) The household subject to the review shall provide such information and documents as the supportive housing provider may require within the time period specified by the supportive housing provider.

(3) The supportive housing provider may require a consent signed by any member of the household who is 16 years old or older, consenting to the disclosure to the supportive housing provider of information and documents required by the supportive housing provider for the purpose of the review.

(4) Subsection 6 (6) applies, with necessary modifications, to a consent under this section.

(5) Subsection 6 (7) applies, with necessary modifications, to a review under this section.

Cessation of eligibility

22. (1) A household that has been determined to be eligible for special needs housing ceases to be eligible for such housing, whether or not the household is occupying such housing, if,

- (a) the supportive housing provider discovers that, at the time of the initial or a subsequent determination of eligibility, the household did not meet the eligibility requirement set out in section 19;
- (b) if the household had one or more members who required accessibility modifications in order to live independently in the community, it no longer has any such members, and if the household had one or more members who required provincially-funded support services in order to live independently in the community, each such member has permanently recovered from the condition that necessitated the provision of support services and will not require support services in the future in respect of that condition;
- (c) the household fails to comply with subsection 6 (3);
- (d) the household fails to comply with section 20; or
- (e) the household fails to comply with section 21.

(2) A household that has been determined to be eligible for and that is occupying a modified unit ceases to be eligible for that unit if the household no longer has any members who require the accessibility modifications provided in that unit in order to live independently in the community.

(3) A household that has been determined to be eligible for and that is occupying a unit for which provincially-funded support services are provided ceases to be eligible for that unit if each member of the household who required support services in order to live independently in the community no longer requires the support services available for that unit and will not in the future require the support services available for that unit as a result of that condition.

TIME FOR MAKING DETERMINATIONS

Time for making determinations

23. (1) A determination about whether a household is eligible for rent-geared-to-income assistance or special needs housing must be made within 30 days after the household's application is complete.

(2) If a request for inclusion in the special priority household category is made with the household's application for rent-geared-to-income assistance, the determination about whether the household is eligible for rent-geared-to-income assistance must be made within 14 days after the household's application is complete.

(3) If the members of the household were given an opportunity to comment, under section 80 of the Act, in relation to the determination, the 30 or 14 days mentioned in subsection (1) or (2) does not include the time period,

- (a) beginning on the day the notice of that opportunity was given under subsection 55 (2); and
- (b) ending on the last day comments may be received under subsection 55 (6).

PART IV SPECIAL PRIORITY HOUSEHOLD CATEGORY

Request to be special priority household

24. (1) If a household is applying for rent-geared-to-income assistance, any member of the household who is 16 years old or older may request that the service manager determine that the household should be included in the special priority household category on the centralized waiting list.

(2) A request for a determination that a household should be included in the special priority household category may not be made except as provided in subsection (1).

- (3) The request must be in writing and must state that,
 - (a) a member of the household has been subject to abuse from another individual;
 - (b) the abusing individual is or was living with the member or is sponsoring the member as an immigrant; and
 - (c) the abused member intends to live permanently apart from the abusing individual.
- (4) The request must be signed by the member making the request.
- (5) If the member making the request is unable for any reason to sign the request or to make a valid request, the request may be signed on the member's behalf by another individual who,
 - (a) is the parent or guardian of the member;
 - (b) is an attorney of the member under a power of attorney that authorizes the attorney to make the request on the member's behalf; or
 - (c) is otherwise authorized to make the request on the member's behalf.

(6) The request must include a consent signed by the abused member, consenting to the disclosure to the service manager of information and documents required by the service manager for the purpose of verifying the statement required under clause (3) (a).

(7) If the abused member is less than 16 years old or is unable for any reason to sign the consent or to give a valid consent, the consent may be signed on the member's behalf by another individual who,

- (a) is the parent or guardian of the member;
- (b) is an attorney of the member under a power of attorney that authorizes the attorney to give the consent on the member's behalf; or
- (c) is otherwise authorized to give the consent on the member's behalf.

(8) The member making the request shall provide such information and documents as the service manager may require for the purpose of verifying the statement required under clause (3) (a).

(9) If the service manager is satisfied that the member making the request or a third party is unable to provide information or a document, the service manager shall not require the member or the third party to provide that information or document.

(10) If the member making the request believes that he or she will be at risk of being abused by the abusing individual if he or she attempts to obtain information or a document, the service manager shall not require the member to provide that information or document.

(11) The service manager shall not require information as to whether the member making the request or the abused member has commenced legal proceedings against the abusing individual and shall not require information or documents relating to such proceedings.

(12) The service manager shall not require information or documents from more than one person for the purpose of verifying the statement required under clause (3) (a).

(13) If the abused member and the abusing individual used to live together but no longer do, the request must be submitted to the service manager within three months after they ceased to live together.

(14) The service manager may allow a request to be submitted later than would be allowed under subsection (13) if the service manager is satisfied that it is appropriate to do so after considering whether,

- (a) no member of the household knew that he or she could request to be included in the special priority household category;
- (b) no member of the household knew of the need to submit a request within the time limit set out in subsection (13);
- (c) the abused member is at risk of further abuse from the abusing individual;
- (d) the abused member is at risk of resuming living with the abusing individual due to financial hardship which could be alleviated by the provision of rent-geared-to-income assistance;
- (e) the abused member is in need of rent-geared-to-income assistance to alleviate financial hardship arising from legal proceedings in relation to the previous abuse; or
- (f) the abused member is attempting to use the provision of rent-geared-to-income assistance as part of an overall program of recovery and re-establishment of a safe and normal life.

(15) The member making the request may inform the service manager of the manner and form in which he or she wishes to receive communications from the service manager and of the telephone number, postal address or other address at which he or she wishes to receive such communications and, in that case, the service manager shall communicate with the member making the request only in accordance with the instructions provided by the member under this section.

(16) Upon receiving the request, the service manager shall determine whether,

- (a) the request meets the requirements of subsection (3) and the request and the consent have been signed; and
- (b) the service manager has received all other information and documents required by the service manager, including information and documents from a third party, for the purpose of verifying the statement required under clause (3) (a).

(17) Within seven business days after receiving the request, the service manager shall give the member making the request a written notice,

- (a) stating that the request is complete, if the service manager has determined that the conditions set out in subsection (16) have been met; or
- (b) stating that the request is not complete and explaining why it is not complete, if the service manager has determined that the conditions set out in subsection (16) have not been met.

(18) If the service manager gives the member making the request a written notice stating that the request is not complete, the service manager shall, if it determines subsequently that the conditions set out in subsection (16) have been met, promptly give the member making the request a written notice stating that the request is now complete.

(19) The request shall be considered to be complete for the purposes of this Regulation on the date of the written notice given by the service manager stating that the request is complete.

Special priority households

25. (1) If a request is made under section 24, the service manager shall determine that the household should be included in the special priority household category on the waiting list if the service manager verifies the statement required under clause 24 (3) (a) that a member of the household has been subject to abuse from another individual.

(2) A service manager is not required to make a decision if the request is not complete.

(3) The service manager shall accept, as verification of the statement required under clause 24 (3) (a) that a member of the household has been subject to abuse from another individual, a record described in subsection (4) that is prepared by an individual described in subsection (5), whether the record is disclosed to the service manager in written or verbal form.

(4) The record referred to in subsection (3) is any of the following:

1. A record of intervention by the police indicating that the member was abused by the abusing individual.
2. A record of physical injury caused to the member by the abusing individual.
3. A record of the application of force by the abusing individual against the member to force the member to engage in sexual activity against his or her will.
4. A record of words, actions or gestures by the abusing individual that threaten the member or his or her property including, but not limited to, the following:
 - i. Threatening to physically harm the member or another member of the household.
 - ii. Threatening to destroy or injure the member's property.
 - iii. Killing or intentionally injuring pets.
 - iv. Threatening to remove the member's children from the household.
 - v. Threatening to prevent the member from having access to his or her children.
 - vi. Forcing the member to perform degrading acts.
 - vii. Terrorizing the member.
 - viii. Threatening to take action to withdraw from sponsoring the member as an immigrant.
 - ix. Threatening to take action that might lead to the member being deported.
 - x. Other words, actions or gestures which lead the member to fear for his or her safety.
5. A record of undue or unwarranted control by the abusing individual over the member's daily personal and financial activities.

(5) The individual referred to in subsection (3) is any of the following:

1. A doctor.

2. A lawyer.
3. A law enforcement officer.
4. A member of the clergy.
5. A teacher.
6. A guidance counsellor.
7. An individual in a managerial or administrative position with a housing provider.
8. A community health care worker.
9. A social worker.
10. A social service worker.
11. A victim services worker.
12. A settlement services worker.
13. A shelter worker.
- (6) In subsection (5),

“community health care worker” means an individual employed by a community health centre to provide health and health promotion education and information and to administer health and health promotion programs;

“settlement services worker” means an individual employed by an agency or organization to assist individuals coming to Ontario to settle in, adapt to and be integrated into the community;

“shelter worker” means an individual employed by an agency or organization to assist individuals for whom the agency or organization provides accommodation in an emergency or transitional shelter because of homelessness or abuse;

“social service worker” means an individual who performs the role of a social service worker within the meaning of section 10 of Ontario Regulation 383/00 made under the *Social Work and Social Service Work Act, 1998*;

“social worker” means an individual who performs the role of a social worker within the meaning of section 9 of Ontario Regulation 383/00 made under the *Social Work and Social Service Work Act, 1998*;

“victim services worker” means an individual employed by an agency or organization to provide support initiatives for victims of crime and disaster.

(7) Once a service manager determines that a household should be included in the special priority household category on the waiting list, the service manager shall not reconsider whether that household should be included in that category.

PART V OCCUPANCY STANDARDS

Provincial occupancy standards established

26. Sections 27 and 28 establish provincial occupancy standards for the purposes of section 76 of the Act for the purposes of determining the size and type of unit in respect of which a household is eligible to receive rent-geared-to-income assistance.

Largest unit

27. (1) The largest unit a household is eligible for is determined in accordance with this section.

- (2) The largest unit a household is eligible for is a unit that has,
 - (a) one bedroom for any two members of the household who are spouses of each other or same-sex partners of each other;

- (b) one bedroom for each additional member of the household; and
- (c) any additional bedrooms under subsection (3).

(3) The additional bedrooms referred to in clause (2) (c) are the following:

1. An additional bedroom if one of the spouses or same-sex partners referred to in clause (2) (a) requires a separate bedroom because of a disability or medical condition.
2. An additional bedroom if the room is required to store equipment required by a member of the household because of a disability or medical condition.
3. An additional bedroom if the bedroom is required to accommodate an individual who is not a member of the household and who provides a member of the household with support services that are required because of the member's disability or medical condition.
4. An additional bedroom if a member of the household is pregnant.
5. An additional bedroom if,
 - i. a member of the household has joint custody over a child who is not a member of the household,
 - ii. the member is required to provide accommodation for the child, and
 - iii. the bedroom is required to accommodate the child.
6. An additional bedroom if,
 - i. a member of the household has visiting rights with respect to a child who is not a member of the household,
 - ii. it is a condition of the member's visiting rights that the member must provide adequate accommodation for the child when the child stays overnight with the member,
 - iii. the child will stay overnight with the member frequently, and
 - iv. the bedroom is required to accommodate the child.

(4) An additional bedroom shall be included under clause (2) (c) only if the household requests it.

Smallest unit

28. (1) The smallest unit a household is eligible for is determined in accordance with this section.

- (2) The smallest unit a household is eligible for is a unit that has,
 - (a) one bedroom for every two members of the household; and
 - (b) an additional bedroom if there is an odd number of members in the household.

(3) Despite subsection (2), if the household consists of one individual or two individuals who are spouses of each other or same-sex partners of each other, the smallest unit the household is eligible for is a bachelor unit.

Students living away from household

29. For greater certainty for the purpose of this Part, a child of a member of the household is a member of the household if the child,

- (a) is in regular full-time attendance at a recognized educational institution and, while in attendance, does not live with the household;
- (b) lives with the household while not attending that educational institution; and

- (c) is dependent, in whole or in part, on the household for financial support.

Requests under this Part

30. The following apply with respect to requests under this Part:

1. A request under this Part may be included in the application for rent-geared-to-income assistance or it may be made after the application is made.
2. If a request is made after the application for rent-geared-to-income assistance is made, the request must be in writing and must be given to the service manager.
3. Subsections 5 (2), (5) and (7) to (16) apply, with necessary modifications, with respect to a request described in paragraph 2.
4. A request may be withdrawn by the household but such a withdrawal must be in writing and must be given to the service manager.

Local occupancy standards

31. (1) The transferred housing programs that are housing programs described in subsection (2) are prescribed for the purposes of subsection 76 (4) of the Act.

(2) The housing programs referred to in subsection (1) are housing programs that are described in Table 1 of Ontario Regulation 645/00 for any of the following housing category numbers:

1. 1 (a) or 1 (b).
2. 2 (a), 2 (b), 2 (c) or 2 (d).
3. 6 (a) or 6 (b).

(3) The prescribed period of time for a service manager for the purposes of subsection 76 (4) of the Act is the year following the effective date of the earliest transfer to the service manager of the responsibility for a transferred housing program prescribed under this section.

Review of eligibility — occupancy standards

32. (1) A review under section 11 relating to a household that is occupying a rent-geared-to-income unit shall include a review of whether the size and type of the unit is within the range in respect of which the household is eligible to receive rent-geared-to-income assistance under the applicable occupancy standards.

(2) If, under a review under section 11, the service manager determines that a household occupies a rent-geared-to-income unit that is larger than the largest unit in respect of which the household is eligible to receive rent-geared-to-income assistance, the service manager shall give the housing provider written notice of that determination.

Special rule, overhoused households

33. If the service manager gives a housing provider written notice under subsection 32 (2) that a household occupies a rent-geared-to-income unit that is larger than the largest unit in respect of which the household is eligible to receive rent-geared-to-income assistance and the household is not eligible for special needs housing, the following apply:

1. If none of the housing projects that the housing provider operates in the service manager's service area has a unit, occupied or not, that is of a size within the range in respect of which the household is eligible to receive rent-geared-to-income assistance under the applicable occupancy standards, the housing provider shall give the service manager written notice of that fact and the service manager shall add the household to the centralized waiting list.

2. If paragraph 1 does not apply but one year after the notice under subsection 32 (2) is received the household remains in a unit that is larger than the largest unit in respect of which the household is eligible to receive rent-gear-to-income assistance, the housing provider shall give the service manager written notice of that fact and the service manager shall add the household to the centralized waiting list.
3. If the household is added to the centralized waiting list under paragraph 1 or 2 and the household requests to be removed from the waiting list, the household ceases to be eligible for rent-gear-to-income assistance.

Result of ceasing to be within the occupancy standard range

34. If a household occupies a rent-gear-to-income unit and that unit ceases to be within the range in respect of which the household is eligible to receive rent-gear-to-income assistance under the applicable occupancy standards, the household does not cease to be eligible for rent-gear-to-income assistance in respect of that unit except as provided under section 12.

PART VI WAITING LISTS AND PRIORITY RULES

CENTRALIZED AND SUBSIDIARY WAITING LISTS

Centralized waiting list

35. (1) A service manager shall establish and administer, under section 68 of the Act, a centralized waiting list.

(2) The service manager shall establish the centralized waiting list on or before the day that is one year after the day this Regulation begins to apply to the service area of the service manager or, if the approved local transfer plan provides for an earlier date, that earlier date.

(3) In subsection (2),

“approved local transfer plan” means a plan of the service manager under section 14 of the Act that has been approved by the Minister under that section.

Subsidiary waiting lists

36. (1) A service manager shall provide an up-to-date subsidiary waiting list for a housing project in the service area to the housing provider for the project at least once each calendar month and, in addition, at such other times as the housing provider may request.

(2) The subsidiary waiting list shall include all the households on the centralized waiting list that the centralized waiting list indicates have a preference for that housing project, ranked as required under subsection 68 (5) of the Act.

(3) The subsidiary waiting list shall also include the following for each household on the list:

1. The names of the members of the household.
2. The address at which the household can be contacted.
3. Whether the household is a special priority household or a homeless or hard to house household or whether it is included in a category, established under the local priority rules, within the waiting list.
4. The sizes and types of unit in respect of which the household is eligible to receive rent-gear-to-income assistance under the applicable occupancy standards.

Rules for the centralized waiting list

37. The following are requirements for the centralized waiting list:

1. A household shall be added to the waiting list upon the service manager determining that the household is eligible for rent-gear-to-income assistance.

2. A household shall be removed from the waiting list if it requests to be removed or if it ceases to be eligible to be included.
3. A household shall be removed from the waiting list if the household has accepted an offer of a rent-gear-to-income unit.
4. Paragraph 3 does not apply with respect to the acceptance of an offer of temporary housing that is to be provided while one or more members of the household are receiving treatment or counselling or that is provided because the household is in need of emergency shelter.
5. The size of unit with respect to which a household has indicated a preference, either in the household's application for rent-gear-to-income assistance or subsequently, shall be indicated on the waiting list.
6. A household may indicate a preference either for,
 - i. all sizes of units within the range in respect of which the household is eligible to receive rent-gear-to-income assistance under the applicable occupancy standards, or
 - ii. the largest of the units described in subparagraph i.
7. If a household does not indicate any preference for a size of housing unit, it shall be deemed to have indicated a preference for the largest unit under subparagraph 6 ii.
8. The housing projects with respect to which a household has indicated a preference, either in the household's application for rent-gear-to-income assistance or subsequently, shall be indicated on the waiting list.
9. A preference for a housing project by a household that does not meet the requirements of the mandate under section 99 of the Act of the housing provider with respect to the housing project is ineffective and shall not be indicated on the waiting list.
10. A service manager shall establish geographic areas for the purposes of the waiting list and a household may indicate a preference for all the housing projects in a geographic area by indicating a preference for that geographic area.
11. If a household does not indicate any preference for a housing project it shall be deemed to have indicated a preference for all the housing projects in the service area.
12. A household's preference for a housing project or geographic area shall be removed if the household requests it.

Special rule, transfers to another housing provider in same service area

38. The following apply with respect to a household occupying a rent-gear-to-income unit that wishes to transfer to another rent-gear-to-income unit in a housing project operated by a different housing provider within the same service area:

1. The household may request to be added to the centralized waiting list by submitting an application signed by all members of the household who are 16 years old or older.
2. If a member of the household who is 16 years old or older is unable for any reason to sign the application, or to make a valid application, the application may be signed on the member's behalf by another individual who,
 - i. is the parent or guardian of the member,
 - ii. is an attorney of the member under a power of attorney that authorizes the attorney to make the application, or
 - iii. is otherwise authorized to make the application on the member's behalf.

3. A household that makes a request in accordance with paragraph 1 shall be added to the centralized waiting list.

Refusal of three offers — ineligibility

39. (1) A household that is on the centralized waiting list for rent-geared-to-income units, other than a household that has been determined to be eligible for special needs housing, ceases to be eligible for rent-geared-to-income assistance if the household refuses three offers of a rent-geared-to-income unit.

(2) Subsection (1) applies with respect to the refusal of an offer only if the following are satisfied:

1. The size of unit that is offered is a size for which the household has indicated a preference.
2. The unit that is offered is a unit in respect of which the household would be eligible for rent-geared-to-income assistance.
3. The unit that is offered is in a housing project for which the household has indicated a preference.

(3) Subsection (1) does not apply with respect to the refusal of a bachelor unit by a household consisting of two spouses or same-sex partners.

(4) Subsection (1) does not apply with respect to a refusal by a household that is in temporary housing that is to be provided while one or more members of the household are receiving treatment or counselling or that is provided because the household is in need of emergency shelter.

Provincial priority rules established

40. Sections 41 and 42 establish provincial priority rules for ranking households on centralized and subsidiary waiting lists for the purposes of section 77 of the Act.

Ranking according to date

41. (1) A household ranks higher than another household with a later ranking date.

(2) The ranking date for a household that was added to the centralized waiting list under paragraph 1 of section 37 is the date the household applied for rent-geared-to-income assistance.

(3) Despite subsection (2), if the service manager so provides in the local priority rules, the ranking date for a household that has indicated a preference for a housing project after the determination that the household is eligible for rent-geared-to-income assistance is, with respect to the housing project, the date the household indicated that preference.

(4) The ranking date for a household that was added to the centralized waiting list under section 38 is,

- (a) the date the household requested to be added to the centralized waiting list; or
- (b) if the household occupies a unit provided by an alternative housing provider under its mandate to provide housing to homeless or hard to house households, the date the household applied for rent-geared-to-income assistance before first beginning to receive rent-geared-to-income assistance.

(5) The ranking date for a household that was added to the centralized waiting list under section 33 is the date the household applied for rent-geared-to-income assistance before first beginning to receive rent-geared-to-income assistance.

Priority for special priority households

42. (1) Despite section 41, a special priority household ranks higher than another household that is not a special priority household.

(2) A special priority household ranks higher than another special priority household if the service manager determines that a member of

the first household is at a greater risk of being abused than the members of the other household.

(3) Subject to subsection (2), if the abused member of a special priority household lives with the abusing individual, that household ranks higher than another special priority household for which that is not the case.

(4) Subject to subsections (2) and (3), a special priority household ranks higher than another special priority household with a later special priority ranking date.

(5) The special priority ranking date is the date the household requested to be included in the special priority household category.

Provincial priority rules prevail over local priority rules

43. If a local priority rule is inconsistent with a provincial priority rule, the provincial priority rule prevails to the extent of the inconsistency.

Transition, new centralized waiting lists

44. (1) All households that, immediately before the establishment of a centralized waiting list, are already on waiting lists for housing projects covered by the centralized waiting list shall be added to the centralized waiting list.

(2) Subject to subsection (3), the ranking date for a household added under subsection (1), shall be the date the household applied for rent-geared-to-income assistance.

(3) If, before the establishment of the centralized waiting list, different dates were used for the purposes of ranking households, the service manager may use those different dates as the ranking dates.

SPECIAL NEEDS WAITING LISTS

Special needs waiting lists

45. (1) This section applies with respect to waiting lists for special needs housing required under section 74 of the Act.

(2) The following are requirements for waiting lists for special needs housing:

1. A household shall be added to a waiting list upon being determined to be eligible for special needs housing.
2. A household shall be removed from a waiting list if it requests to be removed or if it ceases to be eligible to be included.
3. A household shall be removed from a waiting list if the household has accepted an offer of special needs housing.

(3) The following apply with respect to a household occupying a special needs housing unit that wishes to transfer to another special needs housing unit within the same service area:

1. The household may request to be added to a waiting list for special needs housing by submitting an application signed by all members of the household who are 16 years old or older.
2. If a member of the household who is 16 years old or older is unable for any reason to sign the application, or to make a valid application, the application may be signed on the member's behalf by another individual who,
 - i. is the parent or guardian of the member,
 - ii. is an attorney of the member under a power of attorney that authorizes the attorney to make the application, or
 - iii. is otherwise authorized to make the application on the member's behalf.
3. A household that makes a request in accordance with paragraph 1 shall be added to the waiting list.

(4) If the responsibility for administering a waiting list for special needs housing is transferred, the former administrator of the waiting list shall forward the waiting list and all information relating to the waiting list to the new administrator of the waiting list.

(5) If a service manager, supportive housing provider or lead agency that is required to establish and administer one or more waiting lists for special needs housing under section 74 of the Act administers, immediately before this Regulation comes into force in the service manager's service area, a waiting list for special needs housing, that waiting list is continued as a waiting list under section 74 of the Act.

PART VII CALCULATION OF GEARED-TO-INCOME RENT

Definition

46. In this Part, unless the context otherwise requires,

"benefit unit" means a benefit unit under the *Ontario Works Act, 1997* or the *Ontario Disability Support Program Act, 1997*;

"dependant" has the same meaning as in Ontario Regulation 134/98 made under the *Ontario Works Act, 1997*;

"recipient", "same-sex partner" and "spouse" have the same meaning as in the *Ontario Works Act, 1997*.

Geared-to-income rent payable

47. (1) For the purpose of section 69 of the Act, the geared-to-income rent payable for a month by a household that is eligible for rent-geared-to-income assistance and that occupies a rent-geared-to-income unit is the amount obtained by,

- (a) if the household has at least one benefit unit to which section 48 applies, determining under section 48 the rent attributable for the month to each of such benefit units;
- (b) if the household has at least one family unit that is not, and no part of which is, a benefit unit to which section 48 applies, determining under section 49 the rent attributable for the month to each of such family units;
- (c) if the household has at least one family unit a part of which is a benefit unit to which section 48 applies and the other part of which is not, determining under section 49 the rent attributable for the month to the part of each of such family units that is not a benefit unit to which section 48 applies;
- (d) calculating the sum of all the amounts determined under clauses (a), (b) and (c);
- (e) adding, to the amount calculated under clause (d), the amount of the increases, if any, required by section 51 in respect of services or utilities; and
- (f) subtracting, from the amount calculated under clause (d), the amount of the reductions, if any, required by section 51 in respect of services, utilities or heating.

(2) Despite subsection (1),

- (a) the minimum geared-to-income rent payable for a month by a household that is eligible for rent-geared-to-income assistance is \$85; and
- (b) the maximum geared-to-income rent payable for a month by a household that is eligible for rent-geared-to-income assistance is the rent that would be payable for the unit occupied by the household if the unit were occupied by a household not eligible for rent-geared-to-income assistance.

(3) The geared-to-income rent payable for a fraction of a month is the amount obtained by multiplying the geared-to-income rent payable for the month by the fraction of the month for which the rent is payable.

Benefit units

48. (1) In the case of a benefit unit under the *Ontario Works Act, 1997* consisting of a recipient with no spouse or same-sex partner but with one or more other dependants, the rent attributable for a month to a benefit unit of a size set out in Column 1 of Table 3 is the amount set out opposite the benefit unit in Column 2 of Table 3.

(2) Subsection (1) does not apply to a benefit unit of a size set out in Column 1 of Table 3 if the total non-benefit income for the month of the members of the benefit unit exceeds the amount set out opposite the benefit unit in Column 3 of Table 3.

(3) In the case of a benefit unit under the *Ontario Works Act, 1997*, other than one described in subsection (1), the rent attributable for a month to a benefit unit of a size set out in Column 1 of Table 4 is the amount set out opposite the benefit unit in Column 2 of Table 4.

(4) Subsection (3) does not apply to a benefit unit of a size set out in Column 1 of Table 4 if the total non-benefit income for the month of the members of the benefit unit exceeds the amount set out opposite the benefit unit in Column 3 of Table 4.

(5) In the case of a benefit unit under the *Ontario Disability Support Program Act, 1997*, the rent attributable for a month to a benefit unit of a size set out in Column 1 of Table 5 is the amount set out opposite the benefit unit in Column 2 of Table 5.

(6) Subsection (5) does not apply to a benefit unit of a size set out in Column 1 of Table 5 if the total non-benefit income for the month of the members of the benefit unit exceeds the amount set out opposite the benefit unit in Column 3 of Table 5.

(7) Subsection (5) does not apply to a benefit unit if,

- (a) the total amount of a spouse's allowance under the *Old Age Security Act (Canada)* payable to the benefit unit for the month exceeds the amount payable to the benefit unit for basic needs for the month under paragraph 1 of subsection 30 (1) of Ontario Regulation 222/98 made under the *Ontario Disability Support Program Act, 1997*; or
- (b) the total amount of disability benefits under the *Canada Pension Plan* payable to the benefit unit for the month exceeds the amount payable to the benefit unit for basic needs for the month under paragraph 1 of subsection 30 (1) of Ontario Regulation 222/98 made under the *Ontario Disability Support Program Act, 1997*.

(8) For the purposes of subsections (2), (4) and (6), the total non-benefit income of the members of a benefit unit for a month shall be determined in accordance with subsections 50 (2) to (6), with the following exceptions:

1. A reference to "For the purpose of subclause (1) (a) (i)" shall be deemed to be a reference to "For the purposes of subsections 48 (2), (4) and (6)".
2. A reference to "family unit" shall be deemed to be a reference to "benefit unit".
3. Paragraphs 42, 43, 44, 45, 46 and 47 of subsection 50 (3) do not apply to the determination of non-benefit income.
4. The following shall not be included in non-benefit income:
 - i. A payment received under the *Ontario Works Act, 1997*.
 - ii. A payment received under the *Ontario Disability Support Program Act, 1997*.

Family units

49. (1) This section applies to a family unit that is not, and no part of which is, a benefit unit to which section 48 applies.

(2) In the case of a family unit a part of which is a benefit unit to which section 48 applies and the other part of which is not, this sec-

tion applies to the part of the family unit that is not a benefit unit to which section 48 applies.

(3) The rent attributable for a month to a family unit to which this section applies, as described in subsection (1), or a part of a family unit to which this section applies, as described in subsection (2), is the amount obtained by,

- (a) calculating 30 per cent of the adjusted family income for the month, as determined under section 50, of the family unit or the part of the family unit; and
 - (b) if the family unit or the part of the family unit has a member described in subsection (4) and the sum of the income and imputed income of the member for the month, as determined in accordance with subsections 50 (2) to (11), is equal to or greater than \$75, subtracting from the amount calculated under clause (a) 15 per cent of the first \$1,000 of the sum of the income and imputed income of the member for the month.
- (4) The member referred to in clause (3) (b) and subclause 50 (1) (b) (iii) is a member who,
- (a) is a child of another member of the family unit;
 - (b) lives with and has always lived with the member mentioned in clause (a);
 - (c) does not have and has never had a spouse or same-sex partner; and
 - (d) is not the parent of an individual living with the household containing the family unit.

Adjusted family income

50. (1) For the purpose of clause 49 (3) (a), the adjusted family income of a family unit for a month is, subject to subsection (13), the amount obtained by,

- (a) adding,
 - (i) the income of each of the members of the family unit for the month, as determined under subsections (2) to (7), and
 - (ii) the imputed income of each of the members of the family unit for the month from his or her interests in non-income-producing assets, as determined under subsections (8) to (11); and
- (b) subtracting, from the amount determined under clause (a),
 - (i) \$75, in the case of a family unit that has no children and only one individual who has employment-related income in the month,
 - (ii) \$150, in the case of a family unit that has,
 - (A) at least one child, and at least one individual who has employment-related income in the month, or
 - (B) at least two individuals who have employment-related income in the month, and
 - (iii) the sum of the income and imputed income for the month of each member of the family unit who is described in subsection 49 (4), if the sum of the income and imputed income of that member for the month, as determined in accordance with subsections (2) to (11), is less than \$75.

(2) For the purpose of subclause (1) (a) (i), the income of a member of a family unit for a month is the total amount of all payments of any nature paid to or on behalf of or for the benefit of the member during the month, subject to subsections (3), (5) and (6).

(3) For the purpose of subclause (1) (a) (i), the following shall not be included in income, subject to subsection (4):

1. A payment received under section 49 of the *Ontario Disability Support Program Act, 1997* to provide financial assistance for children with severe disabilities.
2. A payment received from a children's aid society on behalf of a child in care under the *Child and Family Services Act*.
3. A payment received under clause 175 (f) of the *Child and Family Services Act*.
4. A payment received under subsection 2 (2) of the *Developmental Services Act*.
5. A payment received under the *Ministry of Community and Social Services Act*.
6. A payment, refund or credit received under the *Income Tax Act* (Ontario).
7. A payment, refund or credit received under the *Income Tax Act* (Canada).
8. A death benefit received under the *Canada Pension Plan*.
9. A payment received from the Department of Indian Affairs and Northern Development (Canada) or from a band for board and lodging of a student attending a secondary school not on the reserve.
10. A payment received pursuant to the *Indian Act* (Canada) under a treaty between Her Majesty in right of Canada and a band, other than funds for post-secondary education.
11. A payment received from a band as an incentive bonus for school attendance by a person who is a child of a member of the family unit and who is attending school.
12. A payment received under Order in Council P.C. 1977-2496 made under section 40 of the *Indian Act* (Canada).
13. A payment received under the Extraordinary Assistance Plan (Canada).
14. A grant received under the *Employment Insurance Act* (Canada) and used for the purpose of the purchase by a member of a benefit unit under the *Ontario Works Act, 1997* of a training course approved by an administrator under that Act.
15. A Canada Education Savings Grant, if it is paid into a Registered Education Savings Plan for a child of a member of the family unit.
16. A payment received from Human Resources Development Canada under the program called the "Opportunities Fund for Persons with Disabilities", if the payment has been or will be applied to costs incurred or to be incurred as a result of participation in employment-related activities.
17. A capital gain.
18. The proceeds received from the sale, liquidation or other disposition of real or personal property.
19. Interest received from or accrued in a prepaid funeral plan.
20. Interest, dividends or any other income received from or accrued in a locked-in Registered Retirement Savings Plan.
21. An inheritance.
22. Lottery winnings.
23. A donation received from a religious, charitable or benevolent organization.
24. A casual gift or casual payment of small value.
25. A loan.

26. Income received by a student who is in regular full-time attendance at a recognized educational institution if,
 - i. the institution is a primary or secondary institution, or
 - ii. the institution is a post-secondary institution and the student,
 - A. is a single student, as defined in Regulation 774 of the Revised Regulations of Ontario, 1990 made under the *Ministry of Training, Colleges and Universities Act*,
 - B. had not been out of a secondary institution for more than five years as of the start of his or her current study period in the post-secondary institution, and
 - C. has been a full-time student at a secondary or post-secondary institution for at least 12 consecutive months on two or more occasions.
27. An award or a grant received from the Ministry of Training, Colleges and Universities by a student enrolled in a post-secondary institution.
28. A bursary received under paragraph 18 of subsection 8 (1) of the *Education Act* by a student in regular full-time attendance at a secondary school.
29. A payment received by a student from the Canada Millennium Scholarship Foundation.
30. An allowance received for room and board in respect of employment away from the unit one occupies.
31. An allowance received for expenses incurred in travelling in respect of employment.
32. An allowance or a payment received for child care, transportation, tuition or other expenses in respect of any job training or employment-related program in which one is enrolled.
33. A benefit received from Veterans Affairs Canada under the Veterans Independence Program.
34. A war reparation payment, made either in periodic instalments or in a lump sum amount.
35. An amount received as damages or compensation for,
 - i. pain and suffering resulting from an injury to or the death of a member of the household, or
 - ii. expenses reasonably incurred or to be incurred as a result of an injury to or the death of a member of the household.
36. A lump sum insurance payment.
37. A lump sum severance payment arising from a dismissal from employment.
38. A lump sum payment received under a decision of a court.
39. A lump sum payment received under a decision of a statutory tribunal.
40. A payment received under any of the following agreements to which the Province of Ontario is a party:
 - i. The Helpline Reconciliation Model Agreement.
 - ii. The Multi-Provincial/Territorial Assistance Program Agreement.
 - iii. The Grandview Agreement.
41. A payment received under the Ontario Hepatitis C Assistance Plan.
42. The total amount of spouse's allowance payments under the *Old Age Security Act* (Canada) received by a benefit unit under the *Ontario Disability Support Program Act, 1997* for the month, if that amount is equal to or less than the amount received by the benefit unit for basic needs for the month under paragraph 1 of subsection 30 (1) of Ontario Regulation 222/98 made under the *Ontario Disability Support Program Act, 1997*.
43. The total amount of disability benefits under the *Canada Pension Plan* received by a benefit unit under the *Ontario Disability Support Program Act, 1997* for the month, if that amount is equal to or less than the amount received by the benefit unit for basic needs for the month under paragraph 1 of subsection 30 (1) of Ontario Regulation 222/98 made under the *Ontario Disability Support Program Act, 1997*.
44. The total amount of income support received by a benefit unit under the *Ontario Disability Support Program Act, 1997* for the month, if the amount received by the benefit unit for basic needs for the month under paragraph 1 of subsection 30 (1) of Ontario Regulation 222/98 made under that Act is less than the total amount of spouse's allowance payments under the *Old Age Security Act* (Canada) received by the benefit unit for the month.
45. The total amount of income support received by a benefit unit under the *Ontario Disability Support Program Act, 1997* for the month, if the amount received by the benefit unit for basic needs for the month under paragraph 1 of subsection 30 (1) of Ontario Regulation 222/98 made under that Act is less than the total amount of disability benefits under the *Canada Pension Plan* received by the benefit unit for the month.
46. The total amount of payments under the *Ontario Works Act, 1997* received by a benefit unit under that Act for the month if,
 - i. in the case of a benefit unit consisting of a recipient with no spouse or same-sex partner but with one or more other dependants, the total non-benefit income for the month of the members of the benefit unit exceeds the amount set out opposite the benefit unit in Column 3 of Table 3, or
 - ii. in the case of a benefit unit other than one described in subparagraph i, the total non-benefit income for the month of the members of the benefit unit exceeds the amount set out opposite the benefit unit in Column 3 of Table 4.
47. The total amount of payments under the *Ontario Disability Support Program Act, 1997* received by a benefit unit under that Act for the month, if the total non-benefit income for the month of the members of the benefit unit exceeds the amount set out opposite the benefit unit in Column 3 of Table 5.
48. A payment received under subsection 147 (14) of the *Workers' Compensation Act*, as it read on December 31, 1997.
49. A lump sum payment received under the 1986-1990 Hepatitis C Settlement Agreement made as of June 15, 1999 among the Attorney General of Canada, Her Majesty the Queen in right of Ontario and others.
50. A payment received from the Government of Alberta as compensation for sterilization.
51. A payment received under the Walkerton Compensation Plan.
 - (4) Interest received or accrued on an amount excluded from the income of a member of a family unit under subsection (3), other than interest on an amount excluded under paragraph 19 or 20 of subsection (3), shall be included in the income of that member.
 - (5) The income of a member of a family unit from a business shall be reduced by all deductions allowed by the Canada Customs and Revenue Agency from income from a business, except for the following:

1. Capital cost allowances for the depreciation of assets.
2. Rent paid by the member for the unit occupied by the member, where the member operates the business from the unit.
3. Child care expenses.

(6) The income of a member of a family unit shall be reduced by the amount of all support payments made by the member under an order made under the *Divorce Act* (Canada), the *Family Law Act*, or the *Reciprocal Enforcement of Support Orders Act*.

(7) For the purposes of paragraphs 46 and 47 of subsection (3), the total non-benefit income of the members of a benefit unit for a month shall be determined in accordance with subsections (2) to (6), with the following exceptions:

1. A reference to "For the purpose of subclause (1) (a) (i)" shall be deemed to be a reference to "For the purposes of paragraphs 46 and 47 of subsection (3)".
2. A reference to "family unit" shall be deemed to be a reference to "benefit unit".
3. Paragraphs 42, 43, 44, 45, 46 and 47 of subsection (3) do not apply to the determination of non-benefit income.
4. The following shall not be included in non-benefit income:
 - i. A payment received under the *Ontario Works Act, 1997*.
 - ii. A payment received under the *Ontario Disability Support Program Act, 1997*.

(8) A non-income-producing locked-in Registered Retirement Savings Plan shall not be included in non-income producing assets for the purpose of subclause (1) (a) (ii).

(9) For the purpose of subclause (1) (a) (ii), the imputed income of a member of a family unit for a month from his or her interest in a non-income-producing asset is the amount determined using the formula,

$$A \times B$$

in which,

"A" is the value of the member's interest in the non-income-producing asset,

"B" is one-twelfth of the annual interest rate payable in the first year on the most recently issued series of Canada Savings Bonds, with the annual interest rate rounded down to the nearest whole percentage.

(10) If a member of a family unit transfers, by sale, lease, gift or in any other manner, his or her interest in a non-income-producing asset to a person who is not a member of the household, less than 36 months before the date the household applies for rent-geared-to-income assistance or any time after the household applies for rent-geared-to-income assistance, the member shall be deemed, for the purposes of subclause (1) (a) (ii) and subsection (9), still to have the interest in the asset, unless the service manager is satisfied that the transfer was effected in good faith and not for the purpose of reducing the member's imputed income so as to reduce the amount of geared-to-income rent payable by the household.

(11) If a member of a family unit is deemed under subsection (10) still to have an interest in a transferred asset, the value of the member's interest in the asset on a date that is after the date of the transfer shall be calculated, for the purpose of "A" in the formula in subsection (9), by reducing the value of the member's interest in the asset on the date of the transfer by \$2,000 on each anniversary of the date of the transfer.

(12) For the purpose of clause (1) (b), an individual has employment-related income if he or she receives wages, a salary, a commission, a bonus, tips, gratuities, vacation pay, remuneration as a dependent contractor, income from work in a business that the individual directly or indirectly operates and controls, unemployment benefits under the *Employment Insurance Act* (Canada), payments for a loss of earnings under the insurance plan in the *Workplace Safety and Insurance Act, 1997*, or payments for sick leave or a short-term disability under a private or workplace insurance plan.

(13) If a service manager has reason to believe that the adjusted family income of a family unit fluctuates from month to month, the service manager, in determining the rent attributable for a month to a family unit under subsection 49 (3), may use, as the adjusted family income of the family unit for a month, the average monthly adjusted family income of the family unit over such period of time as the service manager considers reasonable in the circumstances.

(14) In applying this section to a family unit, a part of which is a benefit unit to which section 48 applies and the other part of which is not, a reference in this section to a family unit shall be deemed to be a reference to the part of the family unit that is not a benefit unit to which section 48 applies.

Services, utilities and heating

51. (1) If a household receives from its housing provider, or from a person who has entered into an agreement with the housing provider, a service or utility set out in Column 2 of Table 6, the amount calculated under clause 47 (1) (d) for the household shall be increased by the amount set out opposite the service or utility in the column of Table 6 that sets out the type of unit occupied by the household.

(2) If a household pays directly for a service or utility set out in Column 2 of Table 7, the amount calculated under clause 47 (1) (d) for the household shall be reduced by the amount set out opposite the service or utility in the column of Table 7 that sets out the type of unit occupied by the household.

(3) If a household pays directly for the principal heating of the unit it occupies and the unit is heated by oil, the amount calculated under clause 47 (1) (d) for a household occupying a unit of a type set out in Column 2 of Table 8 shall be reduced by the amount set out opposite the unit in the column of Table 8 that sets out the region of Ontario in which the unit is located.

(4) If a household pays directly for the principal heating of the unit it occupies and the unit is heated by gas, the amount calculated under clause 47 (1) (d) for a household occupying a unit of a type set out in Column 2 of Table 9 shall be reduced by the amount set out opposite the unit in the column of Table 9 that sets out the region of Ontario in which the unit is located.

(5) If a household pays directly for the principal heating of the unit it occupies and the unit is heated by electricity, the amount calculated under clause 47 (1) (d) for a household occupying a unit of a type set out in Column 2 of Table 10 shall be reduced by the amount set out opposite the unit in the column of Table 10 that sets out the region of Ontario in which the unit is located.

(6) For the purposes of subsections (3), (4) and (5), a unit shall be considered to be located in a region of Ontario set out in Column 1 of Table 11 if the unit is located in a municipality or district set out opposite the region in Column 2 of Table 11.

Review of geared-to-income rent payable

52. (1) Once in every 12-month period after a household begins to receive rent-geared-to-income assistance, the service manager shall review the geared-to-income rent payable by the household and shall determine whether that rent should be reduced, be increased or remain the same.

(2) A service manager may review the geared-to-income rent payable by a household receiving rent-geared-to-income assistance more

frequently than once in every 12-month period if the service manager considers such a review to be desirable.

(3) The household subject to the review shall provide such information and documents as the service manager may require within the time period specified by the service manager.

(4) The service manager may require a consent signed by any member of the household who is 16 years old or older, consenting to the disclosure to the service manager of information and documents required by the service manager for the purpose of the review.

(5) Subsection 5 (9) applies, with necessary modifications, to a consent under this section.

(6) Subsections 5 (3), (4), (6), (10) and (11) apply, with necessary modifications, to a review under this section.

(7) Subject to subsections (10), (11) and (13), if on a review under this section, a service manager determines that the geared-to-income rent payable by a household should be reduced, the rent reduction takes effect on the first day of the month following the month in which the service manager gives the household written notice under section 69 of the Act of the service manager's decision to reduce the geared-to-income rent payable.

(8) Subject to subsections (9), (10), (12) and (14), if on a review under this section, a service manager determines that the geared-to-income rent payable by a household should be increased, the rent increase takes effect on the first day of the second month following the month in which the service manager gives the household written notice under section 69 of the Act of the service manager's decision to increase the geared-to-income rent payable.

(9) If, on a review under this section, a service manager determines that the geared-to-income rent payable by a household should be increased by an amount less than \$10, the service manager may decide,

- (a) to implement the increase; or
- (b) not to implement the increase.

(10) If one or more members of a household request an internal review of a decision made by a service manager under this section to reduce or increase the geared-to-income rent payable by the household, and if the decision made on the internal review is that the geared-to-income rent payable by the household should remain the same, subsections (7) and (8) do not apply.

(11) If one or more members of a household request an internal review of a decision made by a service manager under this section to reduce the geared-to-income rent payable by the household, and if the decision made on the internal review is to reduce the geared-to-income rent payable by the household, whether by the same amount as or by a different amount from that originally specified by the service manager, the rent reduction takes effect on the day that is the later of,

- (a) the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review; and
- (b) the day referred to in subsection (7).

(12) If one or more members of a household request an internal review of a decision made by a service manager under this section to increase the geared-to-income rent payable by the household, and if the decision made on the internal review is to increase the geared-to-income rent payable by the household, whether by the same amount as or by a different amount from that originally specified by the service manager, the rent increase takes effect on the day that is the later of,

- (a) the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review; and
- (b) the day referred to in subsection (8).

(13) If one or more members of a household request an internal review of a decision made by a service manager under this section to reduce the geared-to-income rent payable by the household, and if the decision made on the internal review is to increase the geared-to-income rent payable by the household, subsection (7) does not apply and the rent increase takes effect on the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review.

(14) If one or more members of a household request an internal review of a decision made by a service manager under this section to increase the geared-to-income rent payable by the household, and if the decision made on the internal review is to reduce the geared-to-income rent payable by the household, subsection (8) does not apply and the rent reduction takes effect on the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review.

Change in rent upon new information outside a review

53. (1) If a household notifies a service manager under section 10 of a change in the income or assets of the household, the service manager shall redetermine the geared-to-income rent payable by the household in accordance with section 47.

(2) Subject to subsections (5), (6) and (8), if the service manager determines that the geared-to-income rent payable by the household should be reduced as a result of the change in income or assets, the rent reduction takes effect on the first day of the month following the month in which the change occurred.

(3) Subject to subsection (4), (5), (7) and (9), if the service manager determines that the geared-to-income rent payable by the household should be increased as a result of the change in income or assets, the rent increase takes effect on the first day of the second month following the month in which the change occurred.

(4) If the service manager determines that the geared-to-income rent payable by the household should be increased by an amount less than \$10, the service manager may decide,

- (a) to implement the increase; or
- (b) not to implement the increase.

(5) If one or more members of a household request an internal review of a decision made by a service manager under this section to reduce or increase the geared-to-income rent payable by the household, and if the decision made on the internal review is that the geared-to-income rent payable by the household should remain the same, subsections (2) and (3) do not apply.

(6) If one or more members of a household request an internal review of a decision made by a service manager under this section to reduce the geared-to-income rent payable by the household, and if the decision made on the internal review is to reduce the geared-to-income rent payable by the household, whether by the same amount as or by a different amount from that originally specified by the service manager, the rent reduction takes effect on the day that is the later of,

- (a) the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review; and
- (b) the day referred to in subsection (2).

(7) If one or more members of a household request an internal review of a decision made by a service manager under this section to increase the geared-to-income rent payable by the household, and if the decision made on the internal review is to increase the geared-to-income rent payable by the household, whether by the same amount as or by a different amount from that originally specified by the service manager, the rent increase takes effect on the day that is the later of,

- (a) the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review; and
- (b) the day referred to in subsection (3).

(8) If one or more members of a household request an internal review of a decision made by a service manager under this section to reduce the geared-to-income rent payable by the household, and if the decision made on the internal review is to increase the geared-to-income rent payable by the household, subsection (2) does not apply and the rent increase takes effect on the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review.

(9) If one or more members of a household request an internal review of a decision made by a service manager under this section to increase the geared-to-income rent payable by the household, and if the decision made on the internal review is to reduce the geared-to-income rent payable by the household, subsection (3) does not apply and the rent reduction takes effect on the first day of the month following the month in which the service manager gives the members who requested the internal review written notice under subsection 58 (6) of the decision made on the internal review.

Reimbursement of service manager

54. (1) If a household has paid less geared-to-income rent for a period than it should have paid and the service manager has requested the household, under subsection 86 (1) of the Act, to reimburse the service manager for the excess amount of rent-geared-to-income assistance the service manager has paid in respect of the household for the period, the amount to be paid to the service manager, for the purpose of subsection 86 (3) of the Act, is the difference between the amount of geared-to-income rent paid by the household for the period and the amount of geared-to-income rent that the household should have paid for the period.

(2) If the service manager has decided under subsection 86 (4) of the Act to collect the amount owing by a household by increasing the amount of the geared-to-income rent payable by the household beyond the amount that would otherwise be payable by the household, so that the amount of rent-geared-to-income assistance payable by the service manager in respect of the household will be less than the amount that would otherwise be payable by the service manager, the amount of the increase cannot, for the purpose of subsection 86 (5) of the Act, exceed 10 per cent of the geared-to-income rent that would otherwise be payable by the household.

(3) The written notice that the service manager is required to give a household under subsection 86 (6) of the Act, before increasing the amount of geared-to-income rent payable by the household under subsection 86 (4) of the Act, shall specify,

- (a) the amount of the increased rent payable by the household; and
- (b) that the rent increase takes effect on the first day of the second month following the month in which the notice is given.

(4) Within seven business days after giving a household written notice under subsection 86 (6) of the Act of an increase in the amount of geared-to-income rent payable by the household for the unit it occupies, a service manager shall give the housing provider providing the unit written notice of the increase.

PART VIII PROCEDURAL PROVISIONS — DECISIONS, INTERNAL REVIEWS, NOTICES

Opportunity to comment, section 80 of the Act

55. (1) This section prescribes the restrictions and requirements that apply with respect to giving members of a household an opportunity to comment, under section 80 of the Act, on information that may form a significant basis for a decision.

(2) A service manager, supportive housing provider or lead agency that is required to give members of a household an opportunity to comment shall give the household a notice of that opportunity.

(3) The notice referred to in subsection (2) must contain the following:

- 1. A summary of the information.
- 2. A description of the proposed decision.
- 3. A statement that any member of the household may comment on the information.
- 4. A date that, unless the members of the household waive their right to comment earlier, will be the last date comments may be received.

(4) The date referred to in paragraph 4 of subsection (3) must be set so that it is at least 30 days after the date the notice is given.

(5) Comments must be in writing and must be signed by the individual or individuals providing the comments.

(6) Comments must be received before the date referred to in paragraph 4 of subsection (3) or, if all members of the household submit to the service manager written waivers of their right to make comments or additional comments, before the day the last of the waivers is received.

(7) If the decision is with respect to a request for inclusion in the special priority household category, the notices referred to in subsection (2) relating to that decision and the decision with respect to the application for rent-geared-to-income assistance with which the request was made shall be given only to the individual who made the request and not to all members of the household.

(8) Individuals who have been given an opportunity to comment are not entitled to an additional opportunity to comment even if the decision that is made after any comments are considered is different from the decision that was proposed.

Notices of decisions

56. (1) This section prescribes the restrictions and requirements for written notices required under the following provisions of the Act:

- 1. Subsection 66 (5) (eligibility for assistance).
- 2. Subsection 67 (4) (type of accommodation).
- 3. Subsection 68 (4) (category).
- 4. Subsection 68 (6) (waiting lists for units).
- 5. Subsection 69 (3) (amount of geared-to-income rent).
- 6. Subsection 70 (4) (deferral of rent).
- 7. Subsection 72 (5) (eligibility for special needs housing).
- 8. Subsection 73 (4) (type of accommodation).
- 9. Subsection 74 (5) (waiting lists for special needs housing).

(2) A notice must contain the following:

1. A statement of the date the decision to which the notice relates was made.
 2. If members of the household were given an opportunity to comment under section 80 of the Act before the decision was made,
 - i. a statement of the date the notice under subsection 55 (2) was given,
 - ii. a statement of the date before which any comments must have been received, and
 - iii. a statement of which members of the household provided comments.
 3. If a member of the household may request an internal review of the decision under section 82 of the Act,
 - i. a statement of the reasons for the decision,
 - ii. a statement that the member of the household is entitled to request a review, and
 - iii. information on how to request a review and what the deadline is for doing so.
 4. If no member of the household may request an internal review of the decision under section 82 of the Act, a statement that the decision is final and that an internal review may not be requested.
- (3) A notice must be given within seven business days after the decision to which the notice relates is made.

(4) If a decision is made under subsection 66 (1) of the Act that a household is eligible for rent-geared-to-income assistance, the following apply:

1. The following notices must accompany the notice of the decision that the household is eligible for rent-geared-to-income assistance:
 - i. Notice of the decision, under section 67 of the Act, about what type of assistance is permissible.
 - ii. If a request for inclusion in the special priority household category was made with the application for rent-geared-to-income assistance, notice of the decision, under section 68 of the Act, about whether the household should be included in the special priority household category.
 - iii. If the household applied for special needs housing at the same time as it applied for rent-geared-to-income assistance, notice of the decision, under section 72 of the Act, about whether the household is eligible for special needs housing.
2. The notices must be given within seven business days after the last of the decisions to which the notices relate is made.

(5) If a request for inclusion in the special priority household category was made with the application for rent-geared-to-income assistance, both the notice of the decision relating to the request and the notice of the decision relating to the application shall be given only to the individual who made the request and not to all members of the household.

Requests for internal reviews

57. (1) This section prescribes the requirements relating to requests for internal reviews under section 82 of the Act.

(2) A request must be in writing.

(3) A request for an internal review of a decision must be given to the service manager, supportive housing provider or lead agency that made the decision.

(4) A request by a member of a household for an internal review of a decision must be received by the service manager, supportive housing provider or lead agency within 10 days after the day the notice of the decision is received by the member of the household.

(5) The service manager, supportive housing provider or lead agency that made a decision may extend the time for giving a request for a review if the service manager, supportive housing provider or lead agency is satisfied that the member of the household acted in good faith and was unable to comply with subsection (4) because of absence, accident, illness or some other reason beyond the member's control.

(6) A request to review a decision with respect to a request for inclusion in the special priority household category may be given only by the individual who made the request for inclusion.

(7) A request to review a decision with respect to an application for rent-geared-to-income assistance with which a request for inclusion in the special priority household category was made may be given only by the individual who made the request for inclusion.

(8) An individual may withdraw their request to review a decision by giving written notice of the withdrawal to the service manager, supportive housing provider or lead agency to whom the request was given but such a withdrawal is not effective if it is received after the review is completed.

Conduct of internal reviews

58. (1) This section prescribes requirements for the conduct of an internal review by a service manager, supportive housing provider or lead agency.

(2) No individual who participated in the making of the decision being reviewed shall participate in the review of that decision.

(3) The review shall be completed within 10 days after the request for the review is received.

(4) The review shall be completed within five business days after the request for the review is received if,

- (a) the decision is with respect to a request for inclusion in the special priority household category; or
- (b) the decision is with respect to an application for rent-geared-to-income assistance with which a request for inclusion in the special priority household category was made.

(5) The individual or individuals conducting the review may substitute their decision for the decision being reviewed.

(6) The service manager, supportive housing provider or lead agency shall give written notice of the result of the review to the individuals who requested it within five business days after the review is completed.

General rules for notices

59. (1) This section applies with respect to notices under this Regulation and under Part V of the Act.

(2) Unless otherwise provided, a notice to be given to a household shall be given to all the members of the household who are 16 years old or older.

(3) A notice may be given to a person by,

- (a) giving the notice directly to the person;
- (b) leaving the notice at the last known address of the person, either in a place that appears to be for incoming mail or with an individual who appears to be 16 years old or older; or
- (c) mailing the notice to the person to the last known address of the person.

- (4) For the purposes of this Regulation, a notice,
- (a) shall be deemed to have been given on the day it is given under clause (3) (a), left under clause (3) (b) or mailed under clause (3) (c); and
- (b) shall be deemed to have been received on the day it is given under clause (3) (a), on the first business day after it is left under clause (3) (b) or on the fifth business day after it is mailed under clause (3) (c).

(5) A notice that is to be given to more than one member of the same household may be given by giving a single notice, addressed to all the members of the household, to any member of the household in accordance with subsection (3).

(6) If the person giving a notice to a household knows of more than one address at which members of the household live, the following apply:

1. Subsection (5) does not apply.
2. A notice to the household may be given, under clause (3) (b) or (c), by giving one notice, addressed to all the members of the household, at each of the known addresses.

PART IX GENERAL

Public information provided by service manager

60. (1) It is a duty of the service manager that the service manager make the following information available for inspection by members of the public during normal business hours:

1. The housing projects within the service manager's service area and the housing providers that operate them.
2. How to apply for rent-geared-to-income assistance.
3. The eligibility criteria for rent-geared-to-income assistance.
4. The requirements to be included in the special priority household category.
5. The provincial and local occupancy standards in force within the service manager's service area.
6. The requirements relating to waiting lists.
7. The geographic areas into which the service manager has divided its service area for the purposes of its centralized waiting list.
8. The rules and procedures in respect of the transfer of households to a unit in a housing project operated by a different housing provider.
9. The type of decisions of the service manager that are subject to internal review.
10. The alternative housing providers that provide housing within the service manager's service area to homeless or hard to house households.
11. The criteria to be met for accommodation in a unit provided by the alternative housing providers under their mandates to provide housing to homeless or hard to house households.
12. The mandates, established under section 99 of the Act, of each housing provider that operates a housing project within the service manager's service area.
13. The housing projects within the service manager's service area that provide special needs housing and the supportive housing providers that operate them.
14. How to apply for special needs housing.

15. The eligibility criteria for special needs housing.
16. The services offered by each supportive housing provider.
17. The nature of the special needs housing provided by each supportive housing provider.
18. The type of decisions of supportive housing providers that are subject to internal review.

(2) It is a duty of a service manager that the service manager allow members of the public to make copies of the information described in subsection (1) at their own expense.

(3) It is a duty of a service manager to provide the information described in subsection (1) to each housing provider that operates a housing project within the service manager's service area.

TABLE 1

APPLICATION OF REGULATION

COLUMN 1	COLUMN 2	COLUMN 3
Item	Service Manager	Date
1.	City of Kingston	October 1, 2001
2.	County of Lambton	October 1, 2001
3.	Regional Municipality of Peel	October 1, 2001
4.	Regional Municipality of Waterloo	October 1, 2001

TABLE 2

SUPPORTIVE HOUSING PROVIDERS

COLUMN 1	COLUMN 2
Service Manager	Supportive Housing Providers
City of Kingston	1. Kingston & Frontenac Housing Corporation. 2. Bridge House (Kingston) Incorporated. 3. Kingston Co-operative Homes Inc. 4. Kingston Home Base Non-Profit Housing Inc. 5. Kingston Municipal Non-Profit Housing Corporation. 6. Lois Miller Co-operative Homes Inc. 7. Loughborough Housing Corporation. 8. North Frontenac Non-Profit Housing Corporation. 9. Porto Village Non-Profit Homes Inc. 10. Royal Canadian Legion Villa Kingston. 11. St. Andrew-Thomas Senior Citizen Residences Inc. 12. The Elizabeth Fry Society of Kingston. 13. Weller Arms Non-Profit Homes Inc.
County of Lambton	1. Sarnia and Lambton Housing Corporation. 2. Arkona Lions Non-Profit Housing Inc. 3. Bethel Seniors' Apartments Sarnia. 4. Faethorne Place Housing Co-operative Inc. 5. Ozanam Non-Profit Housing, Sarnia-Lambton. 6. Sarnia-Lambton Berean Community Housing. 7. Thedford Non-Profit Housing Inc. 8. Watford Optimist Non-Profit Housing Corporation.
Regional Municipality of Peel	1. Peel Regional Housing Corporation. 2. Aghabi Non-Profit Housing Inc. 3. Ahneen Co-operative Homes Inc. 4. Barbertown Co-operative Homes Inc. 5. Bayanihan Non-Profit Co-operative Homes Inc. 6. Bristol Road Labourers' Local 183 Non-Profit Homes Inc.

COLUMN 1	COLUMN 2
Service Manager	Supportive Housing Providers
	7. Britannia Glen Co-operative Homes Inc. 8. Cervantes Lions Non-Profit Housing Corporation. 9. Chegoggin Co-operative Homes Inc. 10. Congress of Black Women (Mississauga) Non-Profit Housing Inc. 11. Dan Benedict Co-operative Homes Corporation. 12. Edenwood Seniors Village Inc. 13. Erin Court Co-operative Homes Inc. 14. Federation of Chinese Canadian Professionals Non-Profit Housing Corporation. 15. Fletchers Creek Co-operative Homes Inc. 16. Forestwood Co-operative Homes Inc. 17. MICBA Forum Italia Community Services. 18. International Ladies Garment Workers Union Housing Co-operative Inc. 19. Kancro Non-Profit Homes Corporation. 20. Las Americas Co-operative Homes Inc. 21. Lom Nava Housing Co-operative Inc. 22. Pathway Non-Profit Community Developments Incorporated of Peel. 23. Peel Non-Profit Housing Corporation. 24. Peel Multicultural Council Housing Project Inc. 25. St. Mary's Senior Citizen's Residence Brampton Inc. 26. Tannery Gate Tower Co-operative Homes Inc. 27. Tatry Non-Profit Housing Corporation. 28. Tinimint Housing Non-Profit Inc. 29. Tomken Grove Non-Profit Homes. 30. Union Housing Opportunities (Peel-Halton) Inc. 31. United Achievers Non-Profit Housing Corporation. 32. Wawel Villa, Incorporated. 33. Windsor Hill Non-Profit Housing Corporation. 34. WISMA Mega Indah Inc. 35. Yarl Co-operative Homes Inc.
Regional Municipality of Waterloo	1. Waterloo Local Housing Corporation. 2. Beechwood Co-operative Homes Inc. 3. Better Canada Homes Non-Profit Corporation. 4. Cambridge Kiwanis Village Non-Profit Housing Corporation. 5. Cambridge Non-Profit Housing Corporation. 6. Changemakers Co-operative Homes (Kitchener) Inc. 7. Clarion Co-operative Homes Inc. 8. Cypriot Homes of The Kitchener-Waterloo Area.

COLUMN 1	COLUMN 2
Service Manager	Supportive Housing Providers
	9. The Hellenic Community of Kitchener-Waterloo and Suburbs Housing. 10. Highland Homes Co-operative Inc. 11. House of Friendship of Kitchener. 12. Kitchener Alliance Community Homes Inc. 13. Kitchener Housing Inc. 14. Kitchener-Waterloo Young Women's Christian Association. 15. Lusitania Villas of Cambridge Incorporated. 16. Maple Heights Non-Profit Housing Corporation. 17. Max Saltsman Community Co-operative Inc. 18. Needlewood Glen Housing Co-operative Inc. 19. New Generation Co-operative Homes Inc. 20. Pablo Neruda Non-Profit Housing Corporation. 21. Sand Hills Co-operative Homes Inc. 22. Senioren Haus Concordia Inc. 23. Seven Maples Co-operative Homes Incorporated. 24. Shamrock Co-operative Homes Inc. 25. Shehrazad Non-Profit Housing Inc. 26. Slavonia-Croatian Non-Profit Homes Inc. 27. St. John's Senior Citizens' Home. 28. Victoria Park Community Homes Inc. 29. Village Lifestyles Non-Profit Homes Inc. 30. Waterloo Region Non-Profit Housing Corporation. 31. Willowside Housing Co-operative Inc.

TABLE 3

ONTARIO WORKS RENT SCALE
 FOR A BENEFIT UNIT CONSISTING OF
 A RECIPIENT WITH NO SPOUSE OR SAME-SEX PARTNER
 BUT WITH ONE OR MORE OTHER DEPENDANTS

COLUMN 1	COLUMN 2	COLUMN 3
Benefit unit size (number of individuals)	Rent attributable to benefit unit (monthly)	Non-benefit income limit (monthly)
2	\$191	\$ 791
3	226	907
4	296	1,051
5	311	1,191
6	353	1,331
7	396	1,474
8	438	1,614
9	480	1,754
10	523	1,897
11	565	2,037
12 or more	607	2,177

TABLE 4

ONTARIO WORKS RENT SCALE FOR A BENEFIT UNIT CONSISTING OF
 (A) A RECIPIENT WITH NO SPOUSE OR SAME-SEX PARTNER AND NO OTHER DEPENDANTS,
 (B) A RECIPIENT WITH A SPOUSE OR SAME-SEX PARTNER BUT NO OTHER DEPENDANTS, OR
 (C) A RECIPIENT WITH A SPOUSE OR SAME-SEX PARTNER AND ONE OR MORE OTHER DEPENDANTS

COLUMN 1	COLUMN 2	COLUMN 3
Benefit unit size (number of individuals)	Rent attributable to benefit unit (monthly)	Non-benefit income limit (monthly)
1	\$ 85	\$ 360
2	175	737
3	212	861
4	254	1,001
5	296	1,141
6	339	1,284
7	381	1,424
8	423	1,564
9	466	1,707
10	508	1,847
11	550	1,987
12 or more	593	2,131

TABLE 5

ONTARIO DISABILITY SUPPORT PROGRAM RENT SCALE

COLUMN 1	COLUMN 2	COLUMN 3
Benefit unit size (number of individuals)	Rent attributable to benefit unit (monthly)	Non-benefit income limit (monthly)
1	\$109	\$ 440
2	199	817
3	236	941
4	278	1,081
5	321	1,224
6	363	1,364
7	405	1,504
8	448	1,647
9	490	1,787
10	532	1,927
11	575	2,071
12 or more	617	2,211

TABLE 6

STANDARD EXTRA CHARGES

COLUMN 1	COLUMN 2	Type of Unit			
		COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Item	Service or Utility	Hostel bed or bachelor or one- bedroom unit	Two-bedroom unit	Three-bedroom unit	Four or more- bedroom unit
1.	Electricity, other than, (a) electricity provided for heating the unit, (b) electricity provided for heating the water supplied to the unit, (c) electricity provided as power for cooking facilities in the unit, or (d) electricity provided as power to operate a clothes dryer in the unit.	\$24	\$34	\$39	\$41
2.	Power for cooking facilities in the unit.	6	9	11	12
3.	Laundry facilities, other than coin-operated laundry facilities, in the housing project.	6	9	11	13
4.	Power to operate a clothes dryer in the unit.	6	9	11	13
5.	A washing machine, other than a coin-operated washing machine, in the unit.	2	2	2	2

COLUMN 1	COLUMN 2	Type of Unit			
		COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Item	Service or Utility	Hostel bed or bachelor or one-bedroom unit	Two-bedroom unit	Three-bedroom unit	Four or more-bedroom unit
6.	A clothes dryer, other than a coin-operated clothes dryer, in the unit.	2	2	2	2

TABLE 7
ALLOWANCES FOR WATER AND APPLIANCES

COLUMN 1	COLUMN 2	Type of Unit			
		COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Item	Service or Utility	Bachelor or one-bedroom unit	Two-bedroom unit	Three-bedroom unit	Four or more-bedroom unit
1.	Oil used to operate a hot water heater, where the household does not pay a rental fee for the heater	\$28	\$34	\$39	\$47
2.	Oil used to operate a hot water heater, where the household pays a rental fee for the heater	34	41	46	56
3.	Gas used to operate a hot water heater, where the household does not pay a rental fee for the heater	15	21	26	32
4.	Gas used to operate a hot water heater, where the household pays a rental fee for the heater	29	40	47	54
5.	Electricity used to operate a hot water heater, where the household does not pay a rental fee for the heater	23	28	32	39
6.	Electricity used to operate a hot water heater, where the household pays a rental fee for the heater	28	34	38	46
7.	Water, other than hot water	8	15	18	20
8.	Refrigerator	2	2	2	2
9.	Stove	2	2	2	2

TABLE 8
HEAT ALLOWANCE — OIL

COLUMN 1	COLUMN 2	Region of Ontario			
		COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Item	Type of Unit	Southern	Central	Northeastern	Northern
1.	Apartment — Bachelor or one bedroom	\$ 49	\$ 55	\$ 56	\$ 67
2.	Apartment — Two bedrooms	51	57	58	72
3.	Apartment — Three or more bedrooms	64	69	73	90
4.	Row house	68	73	79	102
5.	Semi-detached house	92	97	107	135
6.	Single detached house	136	147	149	182

TABLE 9
HEAT ALLOWANCE — GAS

COLUMN 1	COLUMN 2	Region of Ontario			
		COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Item	Type of Unit	Southern	Central	Northeastern	Northern
1.	Apartment — Bachelor or one bedroom	\$ 21	\$ 31	\$ 32	\$ 40
2.	Apartment — Two bedrooms	24	32	33	43
3.	Apartment — Three or more bedrooms	25	35	39	49
4.	Row house	28	37	42	56
5.	Semi-detached house	39	49	56	76
6.	Single detached house	56	74	79	100

TABLE 10
HEAT ALLOWANCE — ELECTRICITY

COLUMN 1 Item	COLUMN 2 Type of Unit	Region of Ontario			
		COLUMN 3 Southern	COLUMN 4 Central	COLUMN 5 Northeastern	COLUMN 6 Northern
1.	Apartment — Bachelor or one bedroom	\$ 40	\$ 45	\$ 46	\$ 55
2.	Apartment — Two bedrooms	42	47	48	59
3.	Apartment — Three or more bedrooms	53	57	60	74
4.	Row house	56	60	65	84
5.	Semi-detached house	76	80	88	111
6.	Single detached house	112	121	123	150

TABLE 11
MUNICIPALITIES AND DISTRICTS COMPRISING REGIONS

COLUMN 1	COLUMN 2
Region of Ontario	Municipalities and Districts
Southern	1. City of Hamilton. 2. City of Toronto. 3. County of Brant. 4. County of Elgin. 5. County of Essex. 6. County of Haldimand. 7. County of Kent. 8. County of Lambton. 9. County of Norfolk. 10. Regional Municipality of Halton. 11. Regional Municipality of Niagara. 12. Regional Municipality of Peel.
Central	1. County of Bruce. 2. County of Frontenac. 3. County of Grey. 4. County of Hastings. 5. County of Huron. 6. County of Leeds and Grenville. 7. County of Lennox and Addington. 8. County of Middlesex. 9. County of Northumberland. 10. County of Oxford. 11. County of Perth. 12. County of Prince Edward. 13. The following portions of Simcoe County: (i) City of Barrie, (ii) Town of Bradford West Gwillimbury, (iii) Town of Essa, (iv) Town of Innisfil, (v) Town of New Tecumseth, (vi) Township of Adjala-Tosorontio. 14. County of Stormont, Dundas and Glengarry. 15. County of Wellington. 16. Regional Municipality of Durham. 17. Regional Municipality of Waterloo. 18. Regional Municipality of York.
Northeastern	1. City of Kawartha Lakes. 2. City of Ottawa. 3. County of Dufferin. 4. County of Haliburton. 5. County of Lanark. 6. County of Peterborough. 7. County of Prescott and Russell. 8. County of Renfrew. 9. The following portions of Simcoe County: (i) City of Orillia, (ii) Town of Collingwood, (iii) Town of Midland, (iv) Town of Penetanguishene, (v) Town of Wasaga Beach, (vi) Township of Clearview,

COLUMN 1	COLUMN 2
Region of Ontario	Municipalities and Districts
	(vii) Township of Oro-Medonte, (viii) Township of Ramara, (ix) Township of Severn, (x) Township of Springwater, (xi) Township of Tay, (xii) Township of Tiny.
	10. District of Algoma. 11. District of Manitoulin. 12. District of Muskoka. 13. District of Parry Sound. 14. Town of Espanola (in the District of Sudbury).
Northern	1. District of Cochrane. 2. District of Kenora. 3. District of Nipissing. 4. District of Rainy River. 5. District of Sudbury (except Town of Espanola). 6. Thunder Bay. 7. Timiskaming.

Schedule 1

HOUSING PROGRAMS

Program Category Number	Program Description
Public Housing Programs (1 (a) and 1 (b))	
1 (a)	The public housing programs administered before January 1, 2001 by Local Housing Authorities for the object of providing appropriate housing exclusively to applicants selected on the basis of being financially unable to obtain affordable, suitable and adequate housing on the private market, as determined by Ontario, in housing projects that immediately before January 1, 2001 were owned or leased by the Ontario Housing Corporation or jointly by the Ontario Housing Corporation and the CMHC
1 (b)	The public housing program administered before January 1, 2001 by the Ministry for the object of providing appropriate housing exclusively to applicants selected on the basis of being financially unable to obtain affordable, suitable and adequate housing on the private market, as determined by Ontario, in housing projects that immediately before January 1, 2001 were owned or leased by the Toronto Housing Company
Rent Supplement Programs (2 (a), 2 (b), 2 (c) and 2 (d))	
2 (a)	All Rent Supplement Programs administered before January 1, 2001 by Local Housing Authorities or the Ministry that are not included under 2 (b), 2 (c) and 2 (d), including: 1. Rent Supplement — Regular 2. Accelerated Rental CMHC 3. Accelerated Rental OMC 4. Community Integrated 5. Assisted Rentals 6. Limited Dividend 7. Private Assisted Rental 8. Ontario Rental Construction Plan 9. Canada Rental Supply Plan 10. Convert-to-rent 11. Canada Ontario Rental Supply Plan 12. Renterprise 13. Low Rise Rehabilitation 14. Ontario Rental Construction Loan 15. Assisted Rental Housing 16. Ontario Accelerated Family Rental Housing
2 (b)	Rent Supplement Programs administered before January 1, 2001 by the Ministry that are not included under 2 (a), 2 (c) and 2 (d), with respect to units in projects owned, leased or administered by non-profit housing providers or by non-profit housing co-operatives under the <i>Co-operative Corporations Act</i>, including the following programs: 1. Community Sponsored Housing Program (1978-1985) 2. Community Sponsored Housing Program (P2500) (1978-1985) 3. Ontario Community Housing Assistance Program (1978-1985)
2 (c)	The Rent Supplement Homelessness Initiative and the Rent Supplement Special Needs Homelessness Initiative, except for the portions of those programs included under 2 (d)
2 (d)	The Rent Supplement Homelessness Initiative and the Rent Supplement Special Needs Homelessness Initiative, as they apply to units in projects owned, leased or administered by non-profit housing providers or by non-profit housing co-operatives under the <i>Co-operative Corporations Act</i>

Program Category Number	Program Description
Non-Profit Full Assistance Housing Programs (6 (a) and 6 (b))	
6 (a)	<i>With respect to non-profit housing providers other than non-profit housing co-operatives</i> Non-Profit Full Assistance Housing Programs administered before January 1, 2001 by the Ministry, not including the Municipal Non-Profit Housing Program, but including: 1. JobsOntario Homes 2. The Ontario Non-Profit Housing Program (P-3000) 3. The Ontario Non-Profit Housing Program (P-3600) 4. The Ontario Non-Profit Housing Program (P-10,000) 5. Homes Now 6. Federal/Provincial Non-Profit Housing Program (1986-1993)
6 (b)	<i>With respect to non-profit housing co-operatives</i> Non-Profit Full Assistance Housing Programs administered before January 1, 2001 by the Ministry, not including the Municipal Non-Profit Housing Program, but including: 1. JobsOntario Homes 2. The Ontario Non-Profit Housing Program (P-3000) 3. The Ontario Non-Profit Housing Program (P-3600) 4. The Ontario Non-Profit Housing Program (P-10,000) 5. Homes Now 6. Federal/Provincial Non-Profit Housing Program (1986-1993)

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