



The Ontario Gazette

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Toronto

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Le samedi 10 novembre 2001

Criminal Code Code criminel

DESIGNATION OF QUALIFIED TECHNICIANS (BREATH SAMPLES)

NOTICE IS HEREBY GIVEN that pursuant to subsection 254(1) of the Criminal Code (Canada), the Honourable David Turnbull, Solicitor General of Ontario, on the 18th day of July 2001, designated the following persons as being qualified to operate the approved instruments known as the Intoxilyzer® 5000C.

L'AVIS PRESENT est donné qu'en vertu du paragraphe 254(1) du Code Criminel du Canada, l'honorable David Turnbull, Solliciteur Général de l'Ontario, le 18 juillet 2001, désigna les personnes suivantes comme étant qualifiées pour manipuler les alcootest approuvé connu sous de nom de Intoxilyzer® 5000C.

David Allen	Ontario Provincial Police
Michael J. Blair	Ontario Provincial Police
Terrance K. Crozier	Ontario Provincial Police
Douglas J. Cunningham	Ontario Provincial Police
Ronald Dedman	Ontario Provincial Police
Jeffrey J. Garant	Ontario Provincial Police
E. Donald Hammond	Ontario Provincial Police
Rob Hlebec	Ontario Provincial Police
David R. Hobson	Ontario Provincial Police

William H. Janes
Carrie Lanning
Rheal Levac
James McGill
Paul N. Nixon
John Remillard
Arvinder Sandhu
Andrew B. Allan
Carlo Boniferno
Maxwell P. Brown
Sean Burns
Jeff Geen
Sherry F. Gordon
Michael Gruszka
Paul David Heshka
Scott Jeffery
Craig M. Judson
Janet P. McKinley
Pierre G. Lapointe
Sylvain Leclerc
Jonathan Rae
Kelly Lee Rogers
Gregory Stribell
Joseph Ryan
Jeff Wannamaker
Christopher M. Wegrzyn

(6525) 45

Ontario Provincial Police
Ontario Provincial Police
Ontario Provincial Police
Ontario Provincial Police
Ontario Provincial Police
Ontario Provincial Police
Cobourg Police Service
Lasalle Police Service
South Simcoe Police Service
North Bay Police Service
Belleville Police Service
Elliot Lake Police Service
St. Thomas Police Service
South Simcoe Police Service
Windsor Police Service
Windsor Police Service
Elliot Lake Police Service
Cornwall Police Service
Canada Customs and Revenue Agency
Canada Customs and Revenue Agency
York Regional Police Service
York Regional Police Service
Canada Customs and Revenue Agency
Cobourg Police Service
Chatham-Kent Police Service

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

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

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

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

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

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et aux entreprises



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1961



ALEX B TRANSPORTATION INC.
MISSISSAUGA, ON

**BERTRAND CONSTRUCTION
L'ORIGINAL INC.**
L'ORIGINAL, ON

BILL KNIGHT CONSTRUCTION LTD.
LANGTON, R4, ON

DIRECT 2000 TRANSPORTATION LTD.
HOPE, BC

DUPONT EXPRESS INC.
SABREVOIS, QC

GRASLEY, JAMES, STOBIE
DESBARATS, ON

JACKSON, GRANT, KENNETH, T
SMITHVILLE, RR1, ON

JANSEN, WILLIAM, E
STRATHROY, ON

KNOTT, GARNET, E
MOSSLEY, R1, ON

1174898 ONTARIO INC
CORBEIL, ON

1273718 ONTARIO INC
BRAMPTON, ON

1423007 ONTARIO LIMITED
OWEN SOUND, R3, ON

9052-4364 QUEBEC INC.
ST-JOACHIM, QC

9062-6599 QUEBEC INC
SHANNON, QC

9180-1190 QUEBEC INC.
LASALLE, QC

J. Greig Beatty
Manager/
Chef de Service

45/01

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.**

Chapparells Baton & Drum Corps, Inc. 46018
866 W. Wilbeth Road, Akron, Ohio, USA 44314

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:

1. to points in Ontario;
2. 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.

Ronald Laplante, o/a "Vive le Canada Tours 46010
939 Victoria Ave., Windsor, ON N9A 4N5

Applies for an extra provincial operating licence as follows:

1. For the transportation of passengers on a scheduled service between points in the Cities of Windsor, Detroit and Romulus, including the Detroit Metro Airport in the State of Michigan as authorized by the relevant jurisdiction, to or from the Ontario/USA border crossings.

Provided that chartered trips be prohibited.

2. 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 border crossings

- (i) to points in Ontario and for the return of the same passengers on the same chartered trip to point of origin;

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

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

3. For the transportation of passengers on a chartered trip from points in the County of Essex to the Ontario/USA border crossings for furtherance to points as authorized by the relevant jurisdiction;

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

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

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

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

Applies for a public vehicle operating licence as follows: **46017-A**

1. For the transportation of passengers on a chartered trip from points in the County of Essex.
2. For the transportation of passengers on a scheduled service between points in the County of Essex.

Provided that chartered trips be prohibited.

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

Derege Lemma, o/a "Route Express" 46010
1409-120 Caron St., Windsor, ON N9A 5K4

Applies for an extra provincial operating licence as follows:

1. For the transportation of passengers on a scheduled service between points in the Cities of Windsor, Detroit and Romulus, including the Detroit Metro Airport in the State of Michigan as authorized by the relevant jurisdiction, to or from the Ontario/USA border crossings.

Provided that chartered trips be prohibited.

2. 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 border crossings

- (i) to points in Ontario and for the return of the same passengers on the same chartered trip to point of origin;

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

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

3. For the transportation of passengers on a chartered trip from points in the County of Essex to the Ontario/USA border crossings for furtherance to points as authorized by the relevant jurisdiction;

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

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

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

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

Applies for a public vehicle operating licence as follows: **46010-A**

1. For the transportation of passengers on a chartered trip from points in the County of Essex.
2. For the transportation of passengers on a scheduled service between points in the County of Essex.

Provided that chartered trips be prohibited.

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

Sun & Leisure Travel Corp. 45026-B
401 The West Mall, Suite 420, Etobicoke, ON M9C 5J5

Applies for an amendment to extra provincial operating licence X-1892 as follows:

For the transportation of passengers on a chartered trip from:

- A) the Regional Municipality of Peel and the City of Toronto to the Ontario/Quebec and Ontario/USA border crossings for furtherance to points as authorized by the relevant jurisdictions:

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

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

- (ii) on a one way movement.

- B) points in the United States of America as authorized by the relevant jurisdiction from the Ontario/USA and Ontario/Quebec border crossings:

- (i) to points in Ontario;

and for the return of the same passengers on the same chartered trip to point of origin.

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

- (ii) in transit through Ontario to the Ontario/Quebec and Ontario/USA border crossings for furtherance.

PROVIDED THAT:

1. the licensee be restricted to the use of Class "D" "Van Type" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the *Public Vehicles Act*, RSO 1990, Chapter P. 54, each having a maximum seating capacity of twelve (12) passengers exclusive of the driver;
2. all such passengers shall have a prior or will have a subsequent movement by air;
3. charter trips other than those authorized herein be prohibited.

Explanatory note: The Applicant now holds these authorities restricted to nine (9) tour operators and three (3) public vehicles. The purpose is to eliminate those restrictions. X-1892 now permits the pick up of passengers in Toronto, PV-4203 does not. The purpose is to eliminate that restriction in PV-4203 such that the licences are consistent.

Applies for an amendment to public vehicle operating licence PV-4203 as follows: **45026-C**

For the transportation of passengers on a chartered trip from the Regional Municipality of Peel and the City of Toronto.

PROVIDED THAT:

1. the licensee be restricted to the use of Class "D" "Van Type" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the *Public Vehicles Act*, RSO 1990, Chapter P. 54, each having a maximum seating capacity of twelve (12) passengers exclusive of the driver;
2. all such passengers shall have a prior or will have a subsequent movement by air;
3. charter trips other than those authorized herein be prohibited.

Explanatory note: The Applicant now holds these authorities restricted to nine (9) tour operators and three (3) public vehicles. The purpose is to eliminate those restrictions. X-1892 now permits the pick up of passengers in Toronto, PV-4203 does not. The purpose is to eliminate that restriction in PV-4203 such that the licences are consistent.

NOTICE

The following is an application for an extra-provincial operating license filed under the *Motor Vehicle Transport Act, 1987*, and the *Public Vehicles Act* to be heard on Tuesday the 18th day of December, 2001 at 10:00 a.m. at the Board's Chambers, 151 Bloor Street West, 10th Floor, Toronto, Ontario M5S 2T5. 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 this application may serve and file an objection by December 11, 2001. 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.

Autocars Orleans Express Inc. 44635-A
420 McGill St., 2nd Floor, Montreal, Quebec H2Y 2G1

Applies for an extra provincial operating licence as follows:

For the transportation of passengers, together with their baggage, on chartered trips for Skican Ltd. from the Cities of Mississauga, Toronto, Oshawa and Kingston to the Ontario/Quebec border crossings for furtherance to the Municipalities of Ste-Anne-De-Beaupre, La Malbaie and Quebec City all in the Province of Quebec and for the return of the same passengers on the same chartered trip to point of origin.

PROVIDED THAT:

- (i) there shall be no pick up or discharge of passengers except at point of origin;
- (ii) the licensee shall be restricted to specialized Class "A" public vehicles (equipped with captain seats, tray tables, in seat audio systems and a kitchenette) as defined in paragraph (a)(i) of subsection 1 of Section 7 of Regulation 982 under the *Public Vehicles Act*, RSO 1990, Chapter P. 54, each having a maximum seating capacity of thirty-five (35) passengers exclusive of the driver;
- (iii) the licensee shall be restricted to the provision of charters in the months of December to April, inclusive; and

- (iv) the licensee shall be restricted to the transportation of passengers who are skiers on a packaged trip (including transportation, lodging and lift tickets) destined to the ski resorts of Stoneham, Mont Ste-Anne, Le Massif de la Petite-Riviere-St-Francois and Mont Grand-Fonds.

45/01

Felix D'Mello
 Board Secretary/
 Secrétaire de la Commission

ERRATUM

Vide Ontario Gazette, **Volume 134-44, page 1907**, dated **November 3, 2001**.

NOTICE IS HEREBY GIVEN that File #25906-RE(1) in the name of Mr. Michael Rossignol, o/a "M & D Casino Shuttle":

NOTICE

The Board is in receipt of an application by 1029979 Ontario Inc. ("Casino Shuttle Service"), pursuant to Sections 10 and 11 of the Public Vehicles Act. Casino Shuttle Service have satisfied the Board that there are apparent grounds to suspend, cancel or impose conditions on CBL-JLD Motor Coach Inc., et al's operating licences or issue an order described in Section 11(3) of the Public Vehicles Act.

was printed in error and the paragraph should have read:

NOTICE

The Board is in receipt of an application by 1029979 Ontario Inc. ("Casino Shuttle Service"), pursuant to Sections 10 and 11 of the Public Vehicles Act. Casino Shuttle Service have satisfied the Board that there are apparent grounds to suspend, cancel or impose conditions on Michael Rossignol, o/a M & D Casino Shuttle's operating licences or issue an order described in Section 11(3) of the Public Vehicles Act.

Felix D'Mello
 Board Secretary

Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

Certificates of Dissolution Certificats de dissolution

NOTICE IS HEREBY GIVEN that a certificate of dissolution under the *Business Corporations Act*, has been endorsed. The effective date of dissolution 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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2001-09-20

COLLISION APPRAISAL SERVICES (1984) LTD.	600150
DES SMITHSON HOLDINGS LIMITED	343302
DEYVES TRUCKING INC.	1256778
KREGER APPRAISAL SERVICES (BARRIE) LTD.	695996
KREGER APPRAISAL SERVICES (OSHAWA) LTD.	637372

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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NORTH YORK CONSTRUCTION LTD.	481845
NORTHAM EXIMCO LIMITED	886901
1221802 ONTARIO INC.	1221802
2001-09-21	
APPLEWOOD LAND INVESTMENTS LIMITED	226419
APPLEWOOD PROPERTY MANAGEMENT LIMITED	989708
EMMS ENTERPRISES INC.	1235094
FAIRVIEW COMPUTERS (BURLINGTON) INC.	603362
HARMUTE INVESTMENTS LIMITED	206580
HIEROGRAM ASSOCIATES LTD.	485942
PAULROB INVESTMENTS LTD.	627637
SHIPP SECURITY LIMITED	243206
SUPER DEAL INTERNATIONAL INC.	619176
WM.L. (BILL) MARTINEAU REAL ESTATE LTD.	1324727
1268337 ONTARIO INC.	1268337
272393 ONTARIO LIMITED	272393
974460 ONTARIO LIMITED	974460

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
989710 ONTARIO INC.	989710
2001-09-24	
CARINA CONSTRUCTION INC.	1019133
FJGK INCORPORATED	1331729
FOXCROFT CONSULTANTS INC.	358073
LAUSCAR MANAGEMENT COMPANY LIMITED	389751
NEW VERSION SPACE LIMITED	1239794
SOVEREIGN LEGACY INC.	1035027
THE ANGELS' PLAYGROUND INC.	1433949
WEISZ IRON & METAL (1974) LIMITED	765187
WING'S MONUMENT INC.	1254514
2001-09-25	
DVS INCORPORATED	1159791
GREAT WALL FOOD EXPRESS INC.	1362750
MIRO SOFTWARE INC.	1223535
SMARCO CANADA LTD.	968938
WILLIAM T. HALL LIMITED	403037
1235434 ONTARIO LIMITED	1235434
2001-09-26	
G.S. MORTON & ASSOCIATES LTD.	1068766
1145253 ONTARIO LTD.	1145253
1263102 ONTARIO INC.	1263102
1283901 ONTARIO INC.	1283901
677084 ONTARIO LIMITED	677084
854966 ONTARIO LIMITED	854966
2001-09-27	
GNX INC.	625845
SPRING GARDEN RESTAURANT INC.	1322371
STEPHEN BIGI MANUFACTURING INC.	908706
1036640 ONTARIO LIMITED	1036640
2001-09-28	
JOEDEN SALES LTD.	336589
LOGIC ALLIANCE (CANADA) CO. LTD.	1214349
PEBBLEHUT PREY SERVICES INC.	1291569
PLACE DUFORD INC.	702509
1227135 ONTARIO INC.	1227135
267177 ONTARIO LIMITED	267177
338860 ONTARIO LIMITED	338860
2001-09-30	
BELLEVILLE MOTOR HOTELS LIMITED	125879
RON BOX AUTO BODY LIMITED	264860
1178501 ONTARIO INC.	1178501
1256626 ONTARIO LIMITED	1256626
1314524 ONTARIO INC.	1314524
1364845 ONTARIO INC.	1364845
1448216 ONTARIO INC.	1448216
2001-10-01	
AGNI CORPORATION	709106
AMBLESIDE CONSULTING INC.	1142823
AUD & ART CATERING LIMITED	340963
HAIRSTYLES BY MEL INC.	1077823
MANOC FIBER GLASS INC.	887680
MANOC FIBRE DE VERRE INC.	
PEBBLEHUT EVENSON SERVICES INC.	1411024
1019279 ONTARIO LIMITED	1019279
2001-10-02	
ISRAELSON AGENCIES LIMITED	97940
ORMA INVESTMENTS INC.	745222
WECANDUIT COMMUNICATIONS INC.	1337425
1125856 ONTARIO INC.	1125856
1173802 ONTARIO INC.	1173802
315813 ONTARIO LTD.	315813
576986 ONTARIO INC.	576986
667058 ONTARIO LIMITED	667058
2001-10-04	
CARLETON PLACE DEVELOPMENTS LIMITED	201319
K-ENDO HOLDINGS LIMITED	381091
1295223 ONTARIO INC.	1295223
763297 ONTARIO INC.	763297
2001-10-05	
B.E.S.TECH LTD.	1224569
FRANKLIN TUCKEY OFFSET INC.	356511

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
GREAT NORTHERN WATER DEVELOPMENT COMPANY INC.	1424766
IKAROS INVESTMENTS INC.	706007
LEARNING UNLIMITED INC.	1248499
OSHKOSH MANAGEMENT INC.	489103
PANDOLFO MARBLE & GRANITE LTD.	1056296
SAVIGNY REAL ESTATE LIMITED	275441
1238284 ONTARIO LIMITED	1238284
2001-10-09	
G-COM ENTERPRISES LTD.	1009361
GLOBAL RICH INTERNATIONAL COMPANY LTD. ...	1214911
VACUUM ION PLASMA COATINGS INC.	1136548
1116759 ONTARIO INC.	1116759
939356 ONTARIO INC.	939356
991867 ONTARIO INC.	991867
2001-10-15	
A&M PATTY INC.	975526
COMMON SENSE FINANCIAL ADVISORS GROUP INC.	1321537
KO QUAN INC.	1232787
PAYTON'S QUALITY FABRICS LIMITED	969602
TOTAL ELECTRONIC AUTOMATION MANAGEMENT LTD.	889663
2001-10-18	
1225210 ONTARIO LIMITED	1225210
2001-10-19	
AFFLUENT INFORMATION SERVICES INC.	1076951
CANUCK STORAGE INSTALLATIONS LTD.	1118892
CSI ENGINEERING MECHANICS INC.	575698
EASTSIDE DEVELOPMENTS LIMITED	84045
GAUDON'S FLOOR COVERINGS & ACCESSORIES LTD.	831461
GRAPHIC DESIGN MEDIUMS INC.	1491937
HEERAY INC.	1141299
HUNG HWA ENTERPRISES INC.	1127577
JATON CONSULTING AND TRADING (CANADA) CO. LTD.	1397796
JOYBASE TRADING COMPANY LTD.	1143871
PADULO INFORMATION CENTRE INC.	1061875
PADULO VIRTUAL REALITY INC.	1053278
SPEED AUTO ACCESSORIES INC.	1099826
1433701 ONTARIO INC.	1433701
2001-10-21	
1234760 ONTARIO LTD.	1234760
2001-10-22	
NEXELLE INTERNET SERVICES INC.	1161659
TOMMY TEASE INC.	1294261
2001-10-23	
BEST SELLER FINANCIAL CORPORATION	977488
BEST SELLER REALTY CORP.	1136429
CONCOF CONSTRUCTION CORPORATION	1095551
D.H. BLACK SURVEYING LTD.	288944
GEM PRINTING INC.	750245
ITOC COMMUNICATIONS INC.	978750
LOONIE-TOONIE FOOD CORP.	116184
STAM INSURANCE SERVICES LIMITED	331474
STAND-BY TRAVEL CORP.	1218243
TEE-4-FUN CORP.	1187179
XCESSIBLE INC.	1360853
1188951 ONTARIO LTD.	1188951
1213638 ONTARIO INC.	1213638
1280829 ONTARIO INC.	1280829
836542 ONTARIO LTD.	836542
2001-10-24	
EXPLOSAFE NORTH AMERICA INC.	811469
1283979 ONTARIO LIMITED	1283979
2001-10-25	
ARAWA INVESTMENTS INC.	982128
CONNECT/ED SCHOOL SERVICES INC.	1398444
FORMGEN CORP.	735874
KAYNET BUILDING PRODUCTS LTD.	797920
LIFFULL TRADING CORPORATION	1400106

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
1051236 ONTARIO INC.	1051236
1312416 ONTARIO LIMITED	1312416
1492701 ONTARIO INC.	1492701
935177 ONTARIO INC.	935177
2001-10-26	
AK COMPUTING SERVICES INC.	1104617
GOOD BOY CHINESE FOOD LTD.	464482
JARROW INVESTMENTS INC.	913339
JOHN GUEST CANADA INC.	639677
M.C. ROLLER & DIE LTD.	562605
SHANAHAN ENTERPRISES INC.	1095245

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

45/01

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
EURO FORKLIFT SERVICES INC.	951387

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

45/01

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 corporations named hereunder have been cancelled by an Order dated 15 October, 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 15 octobre 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: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
R. & B. MECHANICAL SERVICES INC.	985557

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

45/01

Co-operative Corporations Act (Certificate of Amendment of Articles Issued) La Loi sur les sociétés coopératives (Certificat de modification de statut)

NOTICE IS HEREBY GIVEN that, under the *Co-operative Corporations Act*, amendment to article have been effected as follows:

AVIS EST PAR LA PRÉSENTE DONNÉ qu'en vertu de la *Loi sur les sociétés coopératives* la modification suivante a été apportée au statut de la compagnie mentionnée ci-dessous :

Date of Incorporation: Date de constitution :	Name of Co-operative: Nom de la Coopérative :	Effective Date Date d'entrée en vigueur
1975-08-01	Huntsville and District Co-operative Nursery School Inc. To change its name to: Huntsville Co-operative Nursery School and Day Care Centre Inc.	2001-10-25

JOHN M. HARPER,
Director, Compliance Branch
Licensing and Compliance Division
by delegated authority from the
Superintendent of Financial Services
Directeur, Observation des lois
et des règlements
Division de la délivrance des permis
et de l'observation des lois et des
règlements en vertu de pouvoirs
délégués par le surintendant des
services financiers

45/01

Marriage Act Loi sur le mariage

OCTOBER 2001

CERTIFICATES OF PERMANENT REGISTRATION as a person authorized to solemnize marriage in Ontario have been issued to the following:

LES CERTIFICATS D'ENREGISTREMENT PERMANENT autorisant à célébrer des mariages en Ontario ont été délivrés aux suivants :

Name	Location	Effective Date
Mann, Bruce K	Brantford	1-Oct-01
Cliffe, Karen	Goulais River	1-Oct-01
Johnston, Terry L	Scarborough	1-Oct-01
Stafford, Calvin Samuel	Stoney Creek	1-Oct-01
Schaffer, Marion	Toronto	1-Oct-01
Beamer, Wayne Bruce	Wingham	1-Oct-01
Witton, Brendan	Pickering	1-Oct-01
Kean, Byron Wade	York	2-Oct-01
Golovenko, Alex	Niagara Falls	2-Oct-01
Kean, Joy Elizabeth	York	2-Oct-01
Crozier, William	Jasper	2-Oct-01
Okorn, Stane	Hamilton	3-Oct-01
Callacott, Donald	Sarnia	3-Oct-01
Salles, George	Toronto	3-Oct-01
Rosin, Richard	Etobicoke	3-Oct-01
Wahb, Asaad	North York	4-Oct-01
Jones, Laura	Scarborough	4-Oct-01
High, Carolyn	Orillia	4-Oct-01
Horne, Janyce	Lyn	4-Oct-01
Marshall, Earl	Orangeville	5-Oct-01
Miodek, Piotr	Thunder Bay	5-Oct-01
Thomson, Kelly Sue Fry Nicholson	Etobicoke	5-Oct-01
Couillard, Jean-Pierre	Sudbury	9-Oct-01
Wellman, G Bruce	Campbellford	9-Oct-01
Brittain, Katherine	Toronto	9-Oct-01
Leung, Petet TC	Markham	9-Oct-01
Travar, Roman	Etobicoke	9-Oct-01
Keane, John	Toronto	9-Oct-01
Mbah, Dominic	St Catharines	9-Oct-01
Abraham, John Kandhiraj	Scarborough	9-Oct-01
Battaglia, Ignatius	Hamilton	10-Oct-01
Good, Gerald E	Toronto	10-Oct-01
Blair, Jean M	Brampton	10-Oct-01
Dortono, Lori	Whitby	11-Oct-01
Wilson, Alexander Christopher	North York	11-Oct-01
Choi, Dave	Kitchener	11-Oct-01
Dewit, Gerald	Harrowsmith	12-Oct-01
Gingras, Michel	Toronto	12-Oct-01
Irwin, Beverley	Penetanguishene	12-Oct-01
Cotton, Charles	Kingston	12-Oct-01
Cho, Yun Sook	Toronto	12-Oct-01
McMullen, Danny Kent	Brampton	12-Oct-01
Man, Stan	Scarborough	15-Oct-01
Gownlock, Charles	Scarborough	15-Oct-01
Cho, Kyung Won	Scarborough	15-Oct-01
Paulidis, Konstantinos	North York	16-Oct-01
Papazoglou, George	Sarnia	16-Oct-01
Yonkheym, Janet	Woodstock	16-Oct-01
Ninaber, Jack	Milton	16-Oct-01
Evans, James	Toronto	16-Oct-01
Shin, David Jeong-Sig	Oshawa	16-Oct-01
Pereboom, J Pieter	Denfield	16-Oct-01
Tuokkola, Samuli J Sakari	Sudbury	16-Oct-01
Ryan, Christopher Keith	Borden	17-Oct-01
Letki, Matthew	Toronto	17-Oct-01
Cheung, Larry	Windsor	17-Oct-01
Stoll, Peter	Alymer	18-Oct-01
Ng, Rex	North York	18-Oct-01
Dickau, Wayne	Toronto	18-Oct-01
Coupland, Kevin-Joel	Oshawa	19-Oct-01

Binye, Grabriel Michel	Toronto	19-Oct-01
Spajic, Zdenko	Streetsville	19-Oct-01
Males, Stephen	London	19-Oct-01
Bouchard, Denis	St Catharines	22-Oct-01
Betts, Douglas Daniel	Kitchener	23-Oct-01
Baker, Peter Michael	Durham	23-Oct-01
Friesin Waldner, David Clinton	London	24-Oct-01
Mullins, Brian	Bradford	24-Oct-01
Rasskazvski, Serguei	Toronto	25-Oct-01
Bungay, Harold	Peterborough	25-Oct-01
Bungay, Marion	Peterborough	25-Oct-01
Panattuparambil, Babu	Toronto	25-Oct-01
Neshinapaise, Violet Mary	Wunnumin Lake	29-Oct-01
Du Toit, Johan	Newmarket	29-Oct-01
Wong, William Don-Keung	Richmond Hill	29-Oct-01
Schepers, Stewart	Alliston	29-Oct-01
Popovich, Fedir I	Toronto	29-Oct-01
Cooper, Donville	Toronto	29-Oct-01
Love, David	Dehli	29-Oct-01
Thomas, Joan D	Lyn	29-Oct-01
Edwards, Dalfrada	Brampton	30-Oct-01
Mayangi, Robert S	Scarborough	30-Oct-01
Mitchell, Mirthell	Thornhill	30-Oct-01

RE-REGISTRATIONS

Name	Location	Effective Date
Elmhirst, Frank	Lakefield	1-Oct-01
General Morris	Oshwiken	1-Oct-01
Jennings, Bruce	Listowel	2-Oct-01
Timbers, Gordon	Markham	15-Oct-01
Johnstone, James	Brantford	16-Oct-01
Worth, Stanley	New Liskeard	16-Oct-01
Kettle, David	Orleans	17-Oct-01
Rea, Marguerite	Port Sydney	18-Oct-01
Budgell, Ivan	Brantford	22-Oct-01
Milne, Charles	Geraldton	23-Oct-01
Shail, Harold	North Bay	23-Oct-01
Dobbyn, Jessie	Linwood	29-Oct-01
Hamiltajn, John	Wasaga Beach	29-Oct-01
Varey, Douglas	Don Mills	29-Oct-01
Orr, Aaron	Hamilton	30-Oct-01
Ovens, Steven	London	30-Oct-01

CERTIFICATES OF TEMPORARY REGISTRATION as a person authorized to solemnize marriage in Ontario have been issued to the following:

LES CERTIFICATS D'ENREGISTREMENT TEMPORAIRE autorisant à célébrer des mariages en Ontario ont été délivrés aux suivants :

Name	Location	Effective Date
Schoeman, Jack T	Lethbridge, AB	2-Oct-01
Oct. 18, 2001 to Oct. 22, 2001		
Massey, Craig	Southfield, MI	3-Oct-01
Nov. 1, 2001 to Nov. 5, 2001	USA	
Roberts, Gary	Austin, TX USA	3-Oct-01
Oct. 24, 2001 to Oct. 28, 2001		
Unger, Isaak	Leamington	3-Oct-01
Nov. 15, 2001 to Nov. 19, 2001		
Venables, Gary Allen	Burnaby, BC	4-Oct-01
Nov. 2, 2001 to Nov. 6, 2001		
Power, Jennifer	Musquodoboit	10-Oct-01
Oct. 18, 2001 to Oct. 22, 2001	Harbour NS	
Krushel, Brian Elmer	Comox, BC	10-Oct-01
Nov. 22, 2001 to Nov. 26, 2001		
Pereira, Alfredo Socorro	Calgary, AB	11-Oct-01
Oct. 24, 2001 to Oct. 28, 2001		
Brackin, Perry	Killen AL USA	12-Oct-01
Oct. 11, 2001 to Oct. 15, 2001		
Dykstra, Joel	Wellandport	15-Oct-01
Oct. 17, 2001 to Oct. 21, 2001		

MacLean, Catherine Faith Nov. 14, 2001 to Nov. 18, 2001	Canmore, AB	16-Oct-01
Kraft, Mark Oct. 18, 2001 to Oct. 22, 2001	Maitland	17-Oct-01
Hawkins, Peter Oct. 25, 2001 to Oct. 29, 2001	Thunder Bay	22-Oct-01
Sawatsky, Bartley Nov. 29, 2001 to Dec. 3, 2001	Mississauga	24-Oct-01
Gallant, Charles Nov. 8, 2001 to Nov. 12, 2001	Baiegegmont, PEI	25-Oct-01
Lee, Sang-Ho Dec. 27, 2001 to Dec. 31, 2001	Peterborough	25-Oct-01
Waaraniemi, Keith A Nov. 22, 2001 to Nov. 26, 2001	Plymouth, MN USA	29-Oct-01
Sider, Douglas Dec. 6, 2001 to Dec. 10, 2001	Kitchener	30-Oct-01
Saunders, Allan John May 16, 2002 to May 20, 2002	Victoria, BC	31-Oct-01

CERTIFICATES OF CANCELLATION OF REGISTRATION as a person authorized to solemnize marriage in Ontario have been issued to the following:

LES AVIS DE RADIATION de personnes autorisées à célébrer des mariages en Ontario ont été envoyés à :

Name	Location	Effective Date
Finlayson, John	Petawawa	11-Oct-01
McGibbon, Keith	London	11-Oct-01
Arnold, Herbert	Ottawa	18-Oct-01
Bell, David	Mississauga	18-Oct-01
Bennett, Robert	Bowmanville	18-Oct-01
Braden, Horace	London	18-Oct-01
Bryan, James	Ottawa	18-Oct-01
Brown, Dana	Beamsville	18-Oct-01
Campbell, Ian	Toronto	18-Oct-01
Campbell, Leslie	St Catharines	18-Oct-01
Coker, Bryan	Stouffville	18-Oct-01
Corriveau, Douglas	Seaforth	18-Oct-01
Davidson, Mark	Burlington	18-Oct-01
Dadian, Calvin	Coehill	18-Oct-01
Gould, Frederick	Stratford	18-Oct-01
Harrison, Robert	Toronto	18-Oct-01
Hiscox, Gordon	Beaverton	18-Oct-01
Ho, Paul	Toronto	18-Oct-01
James, Norman	Toronto	18-Oct-01
Johnson, Charles	Woodstock	18-Oct-01
Johnson, Lyle	Ottawa	18-Oct-01
Kerr, Steven	London	18-Oct-01
King, Allan	Trenton	18-Oct-01
Lambshead, Thomas	Simcoe	18-Oct-01
Lane, David	Wyoming, On	18-Oct-01
Leonard, Orth	Niagara Falls	18-Oct-01
Lovering, Kerry	Toronto	18-Oct-01
MacKay, Kathleen A	Sarnia	18-Oct-01
Vulgarelis, Angelo	Don Mills	18-Oct-01
Klumpenhower, Brian	Delta	18-Oct-01
Bouwmeester, Bernard	Windsor	18-Oct-01
Fung, John Tsin	Brampton	18-Oct-01
Shail, Harold	North Bay	18-Oct-01
Milne, Charles	Geraldton	18-Oct-01
Daley, George	Chaput Hughes	18-Oct-01
Bedford-Jones, Canon Hugh	Maitland	23-Oct-01
Zettas, Basil	Toronto	23-Oct-01
Thompson, Philip	Oakville	23-Oct-01
Worozbyt, Morry	Winona	23-Oct-01
Woodward, John	Winona	23-Oct-01
Wilson, Raymond	Dunnville	23-Oct-01
Wills, Erwin	Kingston	23-Oct-01
Wilkinson, Donald	Kitchener	23-Oct-01
Weber, James	Burlington	23-Oct-01
Walls, David	Burlington	23-Oct-01
Tam, Jim	North York	23-Oct-01
Thomas, Robert	Kingston	23-Oct-01
Stubblefield, Gary	Ottawa	23-Oct-01
Styles, Kenneth	St Catharines	23-Oct-01

Streight, Walter	London	23-Oct-01
Snyder, Dale	Sault ste Marie	23-Oct-01
Snider, Herbert	Niagara Falls	23-Oct-01
Simmonds, Frederick	Burlington	23-Oct-01
Shantz, Floyd	Seaforth	23-Oct-01
Schoenmaker, Charles	Neapen	23-Oct-01
Robertson, Archibald	Seaforth	23-Oct-01
Ratcliffe, Kenneth	Beaverton	23-Oct-01
Raimundo, Josue	Hamilton	23-Oct-01
Quick, Kenneth	Scarborough	23-Oct-01
Mitchell, Robert	Toronto	23-Oct-01
McHarg, Arthur	Hamilton	23-Oct-01
Mason, Arthur	Willowdale	23-Oct-01
Morris, Graham	Campbellford	24-Oct-01
Wilson, James	Oshawa	24-Oct-01
Sormin, Herbert	Kingston	24-Oct-01
Rodor, Amin	Willowdale	24-Oct-01
Peter, Kingsley	Chatham	24-Oct-01
Parent, Richard	Hamilton	24-Oct-01
Liverpool, Errol	Ajax	24-Oct-01
Liang, Ah Onn	Thornhill	24-Oct-01
Kurtz, Laren	Thamesville	24-Oct-01
Kerr, Vassel	Thornhill	24-Oct-01
Kanacki, Damir	Oshawa	24-Oct-01
Houston, Gordon	Oshawa	24-Oct-01
Homenchuk, Howard	Willowdale	24-Oct-01
Fournier, John	St Thomas	24-Oct-01
Cameron, Earl	Thornhill	24-Oct-01
Campbell, Jim	Campbridge	24-Oct-01
Aguilar, Robert	Willowdale	24-Oct-01
Airpuro, Saul	Willowdale	24-Oct-01
MacDonald, James	Windsor	29-Oct-01
Guenther, Daniel	Aylmer	31-Oct-01
Long, Ty	London	31-Oct-01

(6524) 45

Public Guardian and Trustee Tuteur et curateur public

CERTIFICATE OF THE PUBLIC GUARDIAN AND TRUSTEE

(pursuant to s. 13.1 of the *Public Guardian and Trustee Act*,
R.S.O. 1990, c. P.51, as amended)

1. Effective November 1, 2001, interest shall be computed from the day on which the money was received by the Public Guardian and Trustee to the day before the date on which the money is available for payment to the person or trust entitled thereto and be added to each account and compounded at the end of each month;

(a) subject to subparagraphs (b) and (c) and paragraph 2 of this Certificate, on funds managed under the *Mental Health Act*, *Substitute Decisions Act*, *Trustee Act*, *Victims' Right to Proceeds of Crime Act*, *Ontario Disability Support Program Act*, *Powers of Attorney Act*, *Canada Pension Plan Act* or other trust accepted by the Public Guardian and Trustee, at the rate of 5.50% per annum payable monthly and calculated on the closing daily balance;

(b) on funds managed under the *Crown Administration of Estates Act*, at the rate of 5.50% per annum payable monthly and calculated on the closing daily balance;

(c) on funds managed under the *Cemeteries Act*, at the rate of 5.50% per annum, payable monthly and calculated on the closing daily balance.

2. Effective November 1, 2001, funds managed by the Public Guardian and Trustee pursuant to the *Escheats Act* and funds transferred to the Unadministered Estates Account of the Public Guardian and Trustee shall bear interest at the rate of 0%.

3. (a) Effective November 1, 2001, interest shall be computed from the day on which money was received by the Accountant of the Superior Court of Justice to the day before the date on which the money is available for payment to the person entitled thereto and be added to each account and compounded at the end of each month.

(b) Money paid or transferred to the Accountant of the Superior Court of Justice bears interest on the closing daily balance,

- (i) in the case of money required to be held in United States currency, at the rate of 1.75%;
- (ii) in the case of money deposited for the benefit of minors and parties under disability, at the rate of 5.50% per annum, payable monthly; and

(iii) in the case of all other money, including litigants, at the rate of 5.50% per annum, payable monthly.

Dated this 30th day of October, 2001.

PUBLIC GUARDIAN AND TRUSTEE,

LOUISE STRATFORD

Approved by the Investment Advisory Committee pursuant to section 13.1 of the *Public Guardian and Trustee Act*, on October 30, 2001.

(6523) 45

ROBERT KAY,
Chair Investment Advisory Committee.

MPP Compensation Reform Act (Arm's Length Process), 2001
Loi de 2001 portant réforme de la rétribution des députés
(processus sans lien de dépendance)

REPORT
PURSUANT TO SECTION 1 OF THE
MPP COMPENSATION REFORM ACT
(ARM'S LENGTH PROCESS), 2001

THE HONOURABLE
GREGORY T. EVANS, C.M., O.Ont., Q.C.
INTEGRITY COMMISSIONER

TORONTO, ONTARIO
AUGUST 27, 2001

1. INTRODUCTION

An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation received Royal Assent on June 29, 2001. The Act reads as follows:

"An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation

Chapter: S.O. 2001, c.15

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 61 (1) of the Legislative Assembly Act, as re-enacted by the Statutes of Ontario, 1996, chapter 6, section 7, is repealed and the following substituted:

Annual salary of members

(1) Every member of the Assembly shall be paid an annual salary of \$78,007 or such other amount as is determined under this section.

Salary review

(1.1) *The Integrity Commissioner appointed under the Members' Integrity Act, 1994 shall, at such intervals as he or she considers appropriate, review the salary paid to members under subsection (1) and determine the appropriate salary.*

Report

(1.2) *Following each review, the Integrity Commissioner shall prepare a report setting out the amount of the salary that he or she has determined.*

Tabling

(1.3) *The Integrity Commissioner shall cause a copy of the report to be delivered to the Speaker who shall, at the first opportunity, cause it to be tabled in the Assembly and published in The Ontario Gazette.*

Effective date

(1.4) *If the report provides for a salary change, the change takes effect on the day that the report is delivered to the Speaker and if the report so provides, an increase is retroactive to the date set out in the report.*

2. Section 75 of the Act, as re-enacted by the Statutes of Ontario, 1996, chapter 6, section 19, is repealed.

3. Section 75.1 of the Act, as enacted by the Statutes of Ontario, 1996, chapter 6, section 19, is repealed.

Commencement

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *MPP Compensation Reform Act (Arm's Length Process)*, 2001."

The Act requires the Integrity Commissioner to review the annual salary of Members at such intervals as he or she considers appropriate, and determine the appropriate salary, and if a change in the salary is directed, the report shall state the effective date of such change. The mandate of the Commissioner is restricted to the determination of Members' salaries, and not the additional compensation of those Members who have additional duties and responsibilities.

2. CONFLICT OF INTEREST

During discussions of the Bill in the Ontario Legislature, a Member opposed the appointment of the Integrity Commissioner on the basis that it provided an opportunity "for a perception of conflict of interest". The Office of the Integrity Commissioner has always taken the position that a "perception of interest" is in the eyes of the beholder and the Integrity Commissioner will only act when the conflict of interest is based on facts established beyond a reasonable doubt. Perception of impropriety, including perception of conflict of interest, is an individual subjective viewpoint of a situation which would appear improper to a reasonable, non-partisan, fully informed person. The problem with such an "appearance standard" is that there are few, if any, reasonable, non-partisan, fully informed persons.

Section 23.1 of the Members' Integrity Act, states:

"The Commissioner may exercise the powers and shall perform the duties assigned to him or her under this Act or any other Act."

The *Members' Integrity Act*, 1994, replaced the *Members' Conflict of Interest Act*, 1988. The Integrity Commissioner is appointed by the Lieutenant Governor in Council on the address of the Assembly and is an officer of the Assembly, and while the appointment is by Order-in-Council, it is a prerequisite that it be "on the address of the Assembly". The Act provides that no proceedings shall be commenced against the Commissioner for any act done or omitted in good faith in the execution of his or her duties under the *Members' Integrity Act* or any other Act; nor is he or she a competent or compellable witness in a civil proceeding outside the Assembly in anything done under that Act; nor is the office

subject to the *Freedom of Information and Protection of Privacy Act*, 1994.

These provisions were considered necessary to protect the confidentiality of information passing between the Members of the Legislative Assembly and the Office of the Integrity Commissioner, and to provide a measure of independence to the Commissioner.

As an Officer of the Assembly, the Integrity Commissioner's office has always maintained an arm's length relationship with the Members. The *Members' Integrity Act* requires all Members to make financial disclosure to the office, and it also requires the Commissioner to investigate and decide complaints against Members; to give advice; to prohibit certain activities and to recommend penalties if required. Complaints by the public are referred to Members of opposition parties and if considered to have merit, are investigated and adjudicated by the Commissioner.

I am satisfied that my acceptance of this undertaking does not compromise the integrity of the Office of the Integrity Commissioner. Officers of the Legislature include the Provincial Auditor, the Information and Privacy Commissioner and others who share the same degree of independence in their dealings with government officers and agencies. We maintain an arm's length position in any process involving the Members of the Legislature and the public whom we also serve.

3. CONSTITUTIONALITY

Doubt has been expressed as to the constitutionality of the legislation as being an improper delegation of authority. This question has been reviewed and I am satisfied for the reasons set forth below that the Legislative Assembly is acting within its jurisdiction in delegating to the Integrity Commissioner the power to review and determine MPP salaries. The fact that the pay raises of elected representatives are not passed by the Assembly is irrelevant to the delegation question.

The *Constitution Act* does not address the concept of delegation but governing through delegated authority has been an important part of Canada's history since Confederation. In the case of *Hodge v. The Queen* (1883), 9 App. Cas. 117, the Privy Council upheld a legislative scheme whereby the Legislative Assembly of Ontario had delegated to a Board of Licence Commissioners the power to make regulations for licensed taverns. The following passage from Lord Peacock's decision demonstrates the very broad scope provincial legislatures have to delegate powers within their jurisdiction:

... the objection thus raised by the appellants is founded on an entire misconception of the true character and position of the provincial legislatures. They are in no sense delegates of or acting under any mandate from the Imperial Parliament. When the British North America Act enacted that there should be a legislature for Ontario, and that its legislative assembly should have exclusive authority to make laws for the Province and for provincial purposes in relation to matters enumerated in sect. 92, it conferred powers not in any sense to be exercised by delegation from or as agents of the Imperial Parliament in the plenitude of its power possessed and could bestow. Within these limits of subject and area the local legislature is supreme, and has the same authority as the Imperial Parliament, or the Parliament of the Dominion, would have had under like circumstances to confide to a municipal institution or body of its own creation authority to make by-laws or resolutions as to subjects specified in the enactment, and with the object of carrying the enactment into operation and effect.

... It was argued at bar that a legislature committing important regulations to agents or delegates effaces itself. That is not so. It retains its powers intact, and can, whenever it pleases, destroy the agency it has created and set up another, or take the matter directly into his own hands. How far it shall seek the aid of subordinate agencies, and how long it shall continue them, are matters for each legislature, and not for Courts of Law, to decided. (Emphasis added)

In essence, the Privy Council decided that provincial legislatures have

constitutional authority to delegate powers within their jurisdiction under the *Constitution Act*.

In determining the constitutionality of the delegation to the Commissioner of the power to set MPPs salaries, the key consideration is whether the primary purpose of the scheme falls within the province's jurisdiction under section 92 of the *Constitution Act*. This is simply a case of the Legislative Assembly delegating its power to a subordinate entity. There is no doubt that jurisdiction over MPP salaries is within the exclusive legislative domain of the province. Subsection 92 (4) of the *Constitution Act* expressly provides for provincial jurisdiction over "The Establishment and Tenure of Provincial Offices and the Appointment and Payment of Provincial Officers".

The case of *Hollinshead v. Hazelton* (1916) A.C. 428 was referred to in one submission as authority for the proposition that only the legislative body can determine the salary of its members. This case dealt only with the issue of whether the salary of a bankrupt MP could be appropriated for the benefit of his creditors. The "historical" view cited speaks only to the original purpose of an MP's salary and only insofar as determining whether the salary of an MP is in fact "Salary". This case has nothing to do with delegation.

Based on the foregoing, it is my opinion the Legislative Assembly of Ontario is acting within its jurisdiction in delegating the power to review and determine MPP salaries.

4. HISTORY

After the election of the Harris Government in 1995, a five member commission of financial and actuarial experts under the Chairmanship of M. David R. Brown, F.S.A., FCIA, the Managing Partner of Eckler Partners Limited, was retained to examine the compensation of all elected Members of the Provincial Parliament and to recommend changes, as appropriate, paying particular attention to the existence of tax-free allowances and special indemnities and the government's announced intention to end the then existing pension arrangements.

On November 27, 1995, the Commission reported to the Minister of Finance and came to three main conclusions.

- (1) The current pension arrangement is overly generous and should be reduced.
- (2) The tax-free allowances not supported by documented expenses should be eliminated.
- (3) Any changes in the compensation of the Members should be made in the context of the total compensation as described in the report. The total compensation of Members should be measured against a benchmark reflecting private-sector norms and practices, and this benchmark should be updated regularly.

In 1996, the key recommendations of that Commission were adopted by the Legislative Assembly.

Although the Commission had recommended that the compensation should be updated regularly, no action was taken until May 2000, when a Commission on Members' Compensation was appointed by the Speaker of the Legislative Assembly, with M. David R. Brown as Chair and two other commissioners who had not served on the 1995 Commission.

The terms of that Commission included a review of the Members' salaries. Their report paid close attention to the methodology adopted in the November, 1995 Report and recommended a salary of \$103,458. In addition, it recommended a statutory provision to adjust the salaries each year for a period of not more than four years by the increase in the Industrial Average Index for Ontario, and that a successor Commission be appointed within that period to review the compensation issue.

No positive action was taken by the Legislative Assembly on the June 14, 2000 Report.

I also had the opportunity to review the May 29, 2001 report on com-

pensation for Members of the Federal Parliament as well as the Report of the Speaker's Commission dated June 14, 2000. I have also reviewed other reports dealing with compensation for Provincial Legislatures, Members of Federal Parliament, Municipal Councils and other comparables, excerpts of which I have attached to this Report as Appendices "A", "B", "C", and "D". Much of the statistical information herein is based on these reports. I agree with the principles of simplicity, accountability and fairness, which guided their considerations and appreciate that my assessment of the compensation must be fair not only to the Members of the Legislative Assembly, but also the public whom they serve.

The report of the Committee reviewing the salaries of the "Membres de L'Assemblée Nationale" of the Province of Québec dated November 8, 2000 was of particular interest and assistance since the mandate of the Committee included *inter alia* a specific direction to consider the remuneration of the Members of the Ontario Legislature and the Federal Parliament.

In an effort to solicit public participation, advertisements were inserted in the Toronto Star and The Globe and Mail, inviting citizens to make submissions. Fifty responses were received, including comments from the Canadian Taxpayers Federation and I am appreciative of all contributions. Quite naturally, as taxpayers, most were concerned about the cost of compensation increases and the timing of them, but generally there was recognition that a reasonable increase would be acceptable, but any substantial increase should be deferred until after the next election.

5. CONSIDERATIONS

The question of compensation for elected members of any public body whether municipal, provincial or federal is always a matter of public interest and discussion. The public demands a high degree of responsibility for those who hold elective office. We expect them to establish a stable economy that will provide a high standard of living, maximum employment, a good education for our children, proper medical care and a safe environment for all citizens. We want air and water that is not polluted. We demand that our natural resources be protected against exploitation and that our streets and communities be free of crime and corruption. Above all, we want to maintain that high degree of personal freedom that prevails in our society. In other words, we want our legislators to provide Peace, Order and Good Government, the underlying principles of our democratic way of life.

In order to achieve the optimum of our various demands, we require leadership at all levels of government. Our hierarchy of government – municipal, provincial and federal – may give the appearance of excessive government, however, if each operates within the limits of its proper jurisdiction, conflicts can be minimized and a proper division of responsibility maintained.

A democracy is not the most efficient form of government. But even the most benevolent dictatorship places restrictions on personal freedom and ultimately becomes an absolute dictatorship. The price to be paid for our form of democratic government is inconsequential when we consider the advantages that we enjoy.

The citizens of Ontario are entitled to a high standard of government. That can only be achieved by electing women and men of ability and integrity, and those important personal characteristics can be found at all levels of society. They are not the exclusive property of the highly educated or the wealthy. A good candidate or member is one who is approachable and who reflects the basic values that we all appreciate. Collectively, the Legislature should mirror the image of the electorate. It can only have the confidence and respect of the public when it demonstrates that a relationship of trust exists between the electors and the elected.

Members in discharging the obligations of their office have a dual responsibility. They represent their constituents and also are responsible for the manner in which they govern the Province of Ontario.

Salary should be appropriate to the demanding nature and responsibility

ties of the office in order to attract and retain women and men possessing the knowledge and ability required to fulfill the duties of an office which is the foundation of our democracy and of prime importance in maintaining a sound and stable government.

Compensation for Members of the Assembly must be fair to them and to the public. The usual method of determining compensation in labour arbitrations is to compare wages in comparable fields of industry or within the particular industry involved. There is usually a hierarchy of levels of skills and responsibilities upon which compensation is based. However, there is a minimum of comparables when reviewing the compensation of the Members of the Ontario Legislative Assembly, other than provincial Legislatures, the Federal Parliament, and City of Toronto Councillors.

Having served as Conflict of Interest Commissioner and Integrity Commissioner for over ten years, I am aware of the financial position of the Members during that period and have a reasonably good knowledge of the parliamentary activities in which they are involved and the many demands upon their time. There are, no doubt, various reasons, which motivate a person to run for the Ontario Legislature, but quite obviously from my research, it cannot be for financial reasons. When they seek re-election, I am convinced that their motive must be a desire to render public service.

Parliament and the Legislature are forums where important social, cultural, legal and economic issues that fashion the future of our country are decided. They should be places where informed discussion and intelligent debate occur with contributions from Members of all parties without the intervention of rude and raucous behaviour on the part of a few Members – behaviour that would not be tolerated in any school classroom.

National polls consistently confirm that the image of politicians reaches a lower level of popular approval and respect as each decade passes. Televised proceedings of the Legislative Assembly during Question Period have not been kind to the Members. The Members themselves have contributed to their decline in public support by conduct that would not be acceptable in any school.

Recently the Advocates' Society of Ontario considered it desirable to publish "The Advocates' Society Principles of Civility". The Preamble states:

"Civility among those entrusted with the administration of justice is central to its effectiveness and to the public's confidence in that system. Civility ensures matters before the court are resolved in an orderly way and helps preserve the role of counsel in the justice system as an honourable one."

This statement can be applied with equal force to Members of the Legislative Assembly. In the legal profession, lack of civility indicates a lack of personal professionalism that reflects adversely on the entire legal profession and a consequent loss of public respect. In politics, the rude and boorish conduct of a few unfairly creates the public image of the Assembly and diminishes public confidence. Whether politics is viewed as a profession or an avocation, Members, like lawyers, share a level of public approval that is discouragingly low. The remedial action necessary to elevate the level of public confidence in the Assembly rests with our elected Members.

A considerable portion of the Members' time is taken up with committee work when proposed legislation is discussed and formulated. Individuals and delegations attend and make representations on particular issues. This is an important part of the Members' duties and is generally conducted with a minimum of public notice or appreciation. They also examine the operation and performance of government departments to ensure that the interests of the public are properly represented and protected.

The Member is always under public scrutiny and constant media attention unlike any other profession or avocation, and they are subject, on occasion, to unreasonable demands from constituents that border on harassment.

Family life, particularly for Members outside Toronto, is continually

disrupted, with consequent stress on spouses and children. Travel throughout the constituency and to Toronto is time consuming and health demanding, and developing knowledge of parliamentary procedure and the specialized skill required to participate properly in debates is not easily acquired.

Finally, there is a further factor to be considered. Membership in the Legislature is not normally a lifetime career, but a limited period of contribution by a public-spirited citizen to public service during which time his or her normal business or professional calling is placed on hold. The termination of that public service may be made voluntarily by the Member for a myriad of reasons, or it may be involuntarily foreclosed by the will of the electorate. In either case, the readjustment in the return to a previous career, if available, or to a retraining for another career is no doubt accompanied by considerable stress and possibly financial loss.

6. CONCLUSION

I am fully aware of the responsibilities associated with this review. The Members of the Legislative Assembly of Ontario are entitled to fair compensation and the decision must be acceptable to a majority of the public.

The Members of the Ontario Legislature like Members of all legislatures, parliaments and municipal councils avoid granting themselves a salary raise. It is not a vote attracting process. Usually the matter is referred to an individual or a panel for review and to make a recommendation which is then debated by the Members. In this instance, the legislation requires the Integrity Commissioner to determine the compensation.

Members' duties have expanded in the last decade. Our continuously changing economic and social situations create complex issues, the solutions for which require input from Members who have the necessary experience, skills and knowledge. There is a general feeling among MPPs that while their constituency duties and activities closely approximate those of their federal counterparts, their benefits, including salaries, pensions, severances, allowances, and insurance coverage are considerably less or non-existent. The recent salary raise for a Federal backbencher exceeds that of Ontario Cabinet Ministers.

Ontario has reduced the number of constituencies from 130 to 103 to conform with the Federal constituency boundaries. This realignment and reduction of Members means that the workload of the present Members has increased.

Salary History of Ontario MPPs

Date	Basic Wage	Tax Free Allowance	Total
April 1990	\$44,675	\$14,984	\$59,659
April 1991	\$44,675	\$14,984	\$59,659
June 1993	\$42,218	\$14,160	\$56,378
April 1994	\$42,218	\$14,160	\$56,378
April 1995	\$42,218	\$14,160	\$56,378
April 1996	\$78,007	0	\$78,007
April 1997	\$78,007	0	\$78,007
April 1998	\$78,007	0	\$78,007
April 1999	\$78,007	0	\$78,007
April 2000	\$78,007	0	\$78,007
April 2001	\$78,007	0	\$78,007

There has been no change in the Members' salary since April 1990, other than in 1992 when their salary was reduced by 5.5%. The reduction was restored in 1996 by the Brown Commission when the tax-free allowance was eliminated, the pension plan revised and the salary restructured to the present salary of \$78,007, all of which became subject to tax.

According to the Conference Board of Canada's Annual Survey of all sectors of the economy, the overall cumulative wage increase in Canada from 1991 to 2000 was 31.9%; the average annual increase was 2.8%. The Consumer Price Index for the same period averaged 1.98% and the Average Industrial wage was 2.15%.

Compensation Indices Since 1991

Year	Consumer Price Index	Average Industrial Wage	Conference Board Survey
1991	5.6%	4.6%	5.0%
1992	1.5%	3.5%	3.5%
1993	1.8%	1.8%	2.5%
1994	0.2%	1.8%	2.0%
1995	2.2%	1.0%	2.1%
1996	1.6%	2.1%	2.5%
1997	1.6%	2.1%	3.0%
1998	0.9%	1.4%	3.2%
1999	1.7%	0.7%	2.0%
2000	2.7%	2.5%	2.3%
Total 1991–2000	21.6%	23.6%	31.9%
Average Annual Increase	1.98%	2.15%	2.81%

Clearly the Ontario Members over the above period are at an ever-increasing disadvantage as their salaries fall further behind each year. The question is how can this present situation be corrected? Substantial retroactive salary increases are not popular with the taxpayers, and the argument is advanced that Members at the time they ran for public office were aware of the salary attached to the position. In the public service and in the private areas, annual cost of living increases are the norm. Should these be rescinded because the employee was hired at a set salary? Is it fair to the present Members that they should be deprived of a practice which is generally followed in both the private and public sectors?

A multi-year salary freeze distorts the principle of fairness both to the Members and the taxpayer. The Member is deprived of benefits which upset the equivalence sought to be maintained with other comparables. It is unfair to the taxpayer because ultimately the day arrives when a "catch up" increase of a substantial amount is necessary to overcome obvious disparities. That happening causes public resentment and unfair criticism.

The public input which I have received recognizes the situation but overwhelmingly rejects any substantial adjustment until after the next election. I agree that catch-up adjustments should not be made prior to the next election.

In my opinion, the failure to provide for annual salary increments has placed the present members in an unfair position and I propose to correct this oversight by providing an annual increase of 3% on April 1, 2001, and each successive year, including the year in which the Writ for the next election is issued. These annual increases are the same as those provided for Metropolitan Toronto Councillors.

Immediately after the next election, the salary of the Members shall increase 25% until the first quadrennial review in 2005, at which time a complete assessment of the salary and pensions shall be undertaken to provide Ontario Members of Provincial Parliament compensation comparable to other provincial parliaments and a closer relationship to the Federal Parliament.

In the interim period between the date of the next election following release of this Report and the quadrennial review in 2005, the Members shall receive an annual increase in an amount equal to the Ontario Industrial Average Wage Index, not to exceed 7%, for the previous year as determined by Statistics Canada. These changes reflect the views suggested in the recent Federal Commission's Report which recommended the adoption of the adjustment formula for periodic adjustment and revision of salaries and the provision for the establishment of a quadrennial review in the recent amendments to the *Judges Act*.

DATED At Toronto, Ontario, this 27th day of August, 2001.

The Honourable Gregory T. Evans
Integrity Commissioner

APPENDICES

APPENDIX "A"

Salaries and Allowances for Provincial Legislatures
(as of August, 2001)

Legislature	Indemnity	Tax-Free Expense	Real Value Tax-Free Allowance	Total
Alberta**	\$48,802	\$20,526	\$28,633	\$77,435
British Columbia*	\$71,000	0		\$71,000
Manitoba*	\$61,519	0		\$61,519
Ontario*	\$78,007	0		\$78,007
Quebec**	\$71,714	\$12,789	\$19,181	\$90,895

* Manitoba, Ontario and British Columbia abolished their incidental expense allowance and gave their Members an increase in the base salary.

** Alberta tax rate is 39.5%; Quebec Tax Rate is 49.2%.

The above schedule shows that Ontario legislators are at a significant financial disadvantage when compared with Quebec (\$12,888). While the duties and responsibilities of the respective legislatures are similar in nature, Ontario's population of 11,669,300 is served by 103 members while Quebec with a population of 7,372,400 has 125 members.

APPENDIX "B"

Federal Salaries

In 2001, the Members of the House of Commons received a sessional indemnity of \$69,100 plus an incidental tax-free expense allowance of \$22,800.

The Lumley Report recommended that the tax-free expense allowance of \$22,800 be converted to \$40,400, being the equivalent taxable amount. The \$40,400 added to the sessional indemnity of \$69,100 amounted to \$109,500.

In order to compensate for the failure to receive annual increases to partially compensate for inflation and for the period between 1991 and 1997 when MP salaries were frozen, the Commission recommended an increase of 20% to \$131,400, effective April 1, 2001.

Legislation implementing the salary recommendations received swift passage in Parliament.

APPENDIX "C"

Metropolitan Toronto Councillors' Salaries

The remuneration of Members of Council of the City of Toronto for the period January 1, 1998 to December 31, 2000 was \$63,915.00 per year, one-third of which (\$21,305) is deemed to be for expenses incidental to the discharge of his or her duties as a Member of the Council. Assuming an average tax rate of 46.4%, that amount when restructured would amount to \$31,190, for a total indemnity of \$73,800 on December 31, 2000.

The City of Toronto Municipal Code provides for increases of 3% on January 1, 2001, January 1, 2002, and January 1, 2003.

As of January 1, 2001, Metro Toronto Councillors will receive a salary of \$65,832 with a tax-free component of \$21,944, which when restructured, amounts to \$32,126, for a total indemnity of \$76,014.

Date	Salary	Tax-Free Restructured Expenses	Real Value (Tax-Free) Component	Total
January 1, 2000	\$63,915	\$21,305	\$31,190	\$73,800
January 1, 2001	\$65,832	\$21,944	\$32,126	\$76,014

APPENDIX "D"

Salaries of Public Servants, School Boards and Union Officials over \$100,000 as Reported under the Public Sector Disclosure Act and the Labour Relations Act.

Deputy Ministers in Ontario: \$162,924 to \$182,100

Toronto District School Board:

Teachers	\$108,771 to \$126,360
Principals	\$104,317
Superintendents	\$115,000 to \$132,000

Union Officials:

The Ontario Government's *Labour Relations Act* discloses that salaries and taxable benefits in excess of \$100,000 were earned by over 200 Ontario union employees in the year 2000, including \$100,084 for the President of the Ontario English Catholic Teachers' Association and \$161,611 for the Director of Canadian Affairs of the Sheet Metal Workers' International Association.

(6522) 45

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

GROVES MEMORIAL COMMUNITY HOSPITAL

NOTICE IS HEREBY GIVEN that on behalf of the Corporation of the Township of Centre Wellington and the Groves Memorial Community Hospital Commission application will be made to the Legislative Assembly of the Province of Ontario for an Act called "An Act Respecting Groves

Memorial Community Hospital", which provides for, amongst other things:

- The incorporation of the Groves Memorial Community Hospital as a corporation without share capital under the name "Groves Memorial Community Hospital";
- The establishment of the board of directors, objects and powers of the Groves Memorial Community Hospital;
- The transfer of all of the property held absolutely and/or in trust for the Groves Memorial Community Hospital by the Corporation of the Township of Centre Wellington (excluding the "Designated Lands" on which the Hospital is located, as described in the Act) to the Groves Memorial Community Hospital;
- The revised composition of the board of directors in the event the Corporation of the Township of Centre Wellington is "restructured", as defined in the Act; and
- The repeal of certain Acts governing the Groves Memorial Community Hospital.

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

Dated at the City of Toronto, this 17th day of October, 2001.

CAVAN B. ACHESON,
Solicitor for:
The Corporation of the Township
of Centre Wellington
KEARNS, MCKINNON
Barristers and Solicitors
265 Bridge Street
Fergus, Ontario
N1M 2W7

KATHY O'BRIEN,
Solicitor for:
Groves Memorial Community Hospital
Commission
CASSELS BROCK & BLACKWELL LLP
Barristers and Solicitors
40 King Street West, Suite 2100
Toronto, Ontario
M5H 3C2

(3753) 43 to 46

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 and to clarify the rules respecting the terms of office for members of the board of governors and senate. 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 on Regulations and Private Bills should notify, in writing, the Clerk of the Legislative Assembly, Legislative Building, Queen's Park, Toronto, Ontario, M7A 1A2.

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

(3764) 45 to 48 DAVE MARSHALL, PhD
President and Vice-Chancellor
Nipissing University

Notice To Creditors Avis aux créanciers

ESTATE OF GEORGE WILSON

All claims against the Estate of GEORGE WILSON late of the City of Toronto, Municipality of Metropolitan Toronto, who died on September 16, 2001, must be filed with the undersigned on or before November 27, 2001, thereafter the estate will be distributed having regard only to the claims then filed.

Dated at Toronto this 16th day of October, 2001.

STEVEN J. VANO
Solicitor
528 St. Clair Avenue West
Toronto, Ontario
M6C 1A2

(3742) 43 to 45

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

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

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

MICHAEL W. GIRARD
Treasurer
Town of Essex
33 Talbot Street South,
Essex, Ontario, N8M 1A8

(3760) 45

MUNICIPAL TAX SALES ACT

THE CORPORATION OF THE TOWN OF INNISFIL

TAKE NOTICE that tenders are invited for the purchase of the land described below and will be received until 3:00 p.m. local time on November 29, 2001 at the Office of the Treasurer of the Town of Innisfil, 2147 Innisfil Beach Road, Innisfil, Ontario L9S 1A1.

The tenders will then be opened in public on the same day at the Town of Innisfil Council Chambers, 2147 Innisfil Beach Road, Innisfil, Ontario L9S 1A1.

Description of Land(s)	Minimum Tender Amount
Part of Lot 90, Plan 767, Town of Innisfil, County of Simcoe, as in RO496531, being all of P.I.N. 58989-0010(LT)	\$7,557.79

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* being chapter M.60 of the Revised Statutes of Ontario 1990 and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and the relevant land transfer tax and relevant goods and services tax, if applicable.

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

ANDREW COWAN,
Treasurer
The Corporation of
the Town of Innisfil
2147 Innisfil Beach Road
Innisfil, Ontario
L9S 1A1

(3761) 45

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 TOWN OF RENFREW

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 November 28, 2001, at the Municipal Offices, 127 Raglan St. S. Renfrew, Ontario K7V 1P8.

Partnership Dissolution/Changes Dissolution de sociétés/La modifications

ONSITE TECHNICAL SERVICES

TAKE NOTICE that the partnership between Janine Dupuis and Troy Foley carrying on business under the name and style of OnSite Technical Services at the address of 101-1400 The Esplanade North, Pickering Ontario, will be dissolved by agreement of the partners on November 15, 2001 pursuant to the *Partnership Act*.

Dated at Whitby this 2nd day of November, 2001.

JANINE DUPUIS
TROY FOLEY

(3766) 45

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

MUNICIPAL TAX SALES ACT 1990

THE CORPORATION OF THE TOWN OF ESSEX

TAKE NOTICE that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on Friday, December 7th, 2001, at 33 Talbot Street S., Essex, Ontario.

The tenders will then be opened in public on the same day at Town of Essex Council Chambers.

Description of Land(s)	Minimum Tender Amount
A. Part of Lots 7 and 8 being in the 2nd Concession, Town of Essex	\$5,209.74
B. Concession 1, Part of Lot 90, Town of Essex	\$25,232.33
C. Part of Lots 71 and 72, in the First Concession, Town of Essex	\$507.19

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 tenders will then be opened in public on the same day at the Municipal Offices.

Description of Land(s)	Minimum Tender Amount
Lots 1 – 3, Part Lots 4 & 5, Block A, Plan 8 as in R362339, Town of Renfrew County of Renfrew, being all of PIN 57614-0012 (LT). (Formerly Hanson Mohawk – 200 Stewart Street Renfrew, Ontario	\$243,899.69

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:

(3762) 45
Treasurer
The Corporation of
the Town of Renfrew
P.O. Bag 2000,
Renfrew, Ontario K7V 4G7

MUNICIPAL TAX SALES ACT

THE CORPORATION OF THE MUNICIPALITY OF TRENT HILLS

TAKE NOTICE that tenders are invited for the purchase of the lands described below and will be received until 3:00 p.m. local time on December 6, 2001, at the Municipal Office, 66 Front Street South, Campbellford.

The tenders will then be opened in public on the same day at the Municipal Office, Campbellford.

Description of Land(s)	Minimum Tender Amount
1. Roll 134-050-18763 Concession 1, Part Lot 22, Plan RD54 Part 63, formerly the Municipality of Campbellford/Seymour	\$889.20
2. Roll 134-050-18761 Concession 1, Part Lot 22, Plan Rd54 Part 61, formerly the Municipality of Campbellford/Seymour	\$911.50
3. Roll 134-050-18762 Concession 1, Part Lot 22, Plan RD54 Part 62, formerly the Municipality of Campbellford/Seymour	\$933.10
4. Roll 134-050-18764 Concession 1, Part of Lot 22, Plan RD54 Part 64 formerly the Municipality of Campbellford/Seymour	\$883.88
5. Roll 134-010-14411 Concession 6, Part Lot 2, being designated as RP 39R6168 Part 2,	

formerly the Municipality of Campbellford/Seymour ... \$2,603.53

6. Roll 134-020-04700	Concession 8, Part Lot 14, formerly the Municipality of Campbellford/Seymour ...	\$5,825.90
7. Roll 229-040-03800	Concession 1, Part of Lot 21 and 22, being RP38R271 Part 9 formerly the Municipality of Campbellford/Seymour	\$3,309.69

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

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

(3763) 45
JANICE CAMPBELL,
Tax Collector
JEFF BUSH,
Treasurer
DEAN FINDLAY,
Building Inspector
The Corporation of the
Municipality of Trent Hills
PO Box 1030
Campbellford, ON, K0L 1L0
Phone: 705-653-1900
Fax: 705-653-5203

MUNICIPAL TAX SALES ACT

THE CORPORATION OF THE TOWNSHIP OF THE NORTH SHORE

TAKE NOTICE that tenders are invited for the purchase of the lands described below and will be received until 3:00 p.m. local time on Monday, December 17, 2001 at the Municipal Office, P.O. Box 108, Algoma Mills, Ontario P0R 1A0.

The tenders will then be opened in public on the same day at 3:00 p.m., at the Municipal Office, 1385 Hwy. 17 West, Algoma Mills, Ontario.

Description of Land(s)	Minimum Tender Amount
1027 Centre Street, Algoma Mills; Location CK195, PCL. 2983 AES; Striker Township; 1.8 acres, Zoned: Commercial	\$2,655.51
1547 Riverview Road, Serpent River; Con. 2, Lot 10, PT. PCL. 5739; Lewis Township; .34 acres; Zoned: Residential	\$5,090.13

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

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

Clerk Treasurer
P.O. Box 108
Algoma Mills, Ontario P0R 1A0
Tele: 705-849-2213
Fax: 705-849-2428

(3764) 45

MUNICIPAL TAX SALES ACT

THE CORPORATION OF THE TOWNSHIP OF FAUQUIER-STRICKLAND

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 December 10, 2001 at Fauquier Municipal Office.

The tenders will then be opened in public on the same day at Community Centre in Fauquier.

Description of Land(s)	Minimum Tender Amount
1) Parcel 897 Centre Cochrane, Part of Lot 2, Concession 9, Township of Shackleton, District of Cochrane	\$2,073.62

- 2) Parcel 4675 Centre Cochrane, Part Lot 1,
Concession 10, Township of Shackleton,
District of Cochrane \$2,044.23

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

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

LOUISETTE MORIN
Deputy Clerk-Treasurer
The Corporation of the
Township of Fauquier-Strickland
P.O. Box 40
25 Grzela Rd.,
Fauquier, On., P0L 1G0

(3765) 45

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ONTARIO REGULATION 395/01

made under the

FARM PRODUCTS MARKETING ACT

Made: October 3, 2001

Filed: October 22, 2001

Amending Reg. 414 of R.R.O. 1990

(Grapes for Processing — Marketing)

Note: Regulation 414 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. Section 6 of Regulation 414 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:

- (i.1) authorizing the fixing of prompt payment discounts, delayed payment penalties and interest on licence fees owing by any person engaged in the producing, marketing or processing of grapes or late harvest juice;

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

ROD STORK
Chair

GLORIA MARCO BORYS
Secretary

Dated on October 3, 2001.

45/01

ONTARIO REGULATION 396/01

made under the

ENVIRONMENTAL PROTECTION ACT

Made: October 17, 2001

Filed: October 23, 2001

LAKEVIEW GENERATING STATION

Definitions

1. In this Regulation,

“facility” means the facility, including the land on which the facility is located, known as Lakeview Generating Station on Hydro Road in the City of Mississauga, whether or not its name or ownership changes.

Limits

2. (1) The owner and the operator of the facility shall ensure that,

- (a) from January 1, 2002 to December 31, 2004, emissions of nitric oxide from the facility do not exceed 3,900 metric tonnes in any calendar year; and

- (b) from January 1, 2005 to April 30, 2005, emissions of nitric oxide from the facility do not exceed 1,300 metric tonnes.

(2) The owner and the operator of the facility shall ensure that, until April 30, 2005, nitric oxide emissions from the facility are measured using,

- (a) the continuous emissions measurement method set out in the emission verification and reporting order issued to Ontario Hydro by the Director under section 17 of the Act on June 15, 1990, as amended on June 1, 1996,

- (i) whether or not the facility was exempt from that order on June 15, 1990 or any subsequent date,

- (ii) whether or not the order was or is revoked, and

- (iii) regardless of the annual capacity at which the facility operates; or

- (b) a method providing greater accuracy than the method described in clause (a) and approved in writing by the Director.

Restriction

3. The owner and the operator of the facility shall ensure that, after April 30, 2005,

- (a) coal is not used to generate electricity at the facility; and

- (b) emissions from the facility meet or are better than the emissions performance of a gas fired electricity generating unit that has an annual average heat rate of no greater than 12,000 kilojoules per kilowatt hour.

Actions to be taken

4. (1) When the limits established under section 2 have been reached, the owner and the operator of the facility shall ensure that,

- (a) the Director and the Independent Electricity Market Operator established under Part II of the *Electricity Act, 1998* are immediately notified; and

- (b) the facility emits no further nitric oxide in the relevant time period specified in that section.

(2) Despite subsection (1), the facility may emit nitric oxide in excess of the limits for the relevant time period if such excess emissions are the result of facility operation during the relevant time period,

- (a) pursuant to a reliability must run contract as defined in the Market Rules made under section 32 of the *Electricity Act, 1998*; or

- (b) pursuant to a direction issued by the Independent Electricity Market Operator as authorized by the Market Rules.

Filing

5. (1) By March 31 of 2003, 2004 and 2005, the owner and the operator of the facility shall ensure that a report is filed with the Director,

- (a) setting out the amount of electricity generated and nitric oxide emitted for the previous year; and

- (b) setting out the amount of electricity generated and nitric oxide emitted under a reliability must run contract or at the direction of the Independent Electricity Market Operator as authorized by the Market Rules, after the date upon which the limit set out in clause 2 (1) (a) is reached.

(2) By July 31, 2005, the owner and the operator of the facility shall ensure that a report is filed with the Director,

- (a) setting out the amount of electricity generated and nitric oxide emitted for the period from January 1, 2005 to April 30, 2005; and
- (b) setting out the amount of electricity generated and nitric oxide emitted under a reliability must run contract or at the direction of the Independent Electricity Market Operator as authorized by the Market Rules, after the date upon which the limit set out in clause 2 (1) (b) is reached.

(3) The owner and the operator of the facility shall ensure that the information and supporting documentation on which the report filed under subsection (1) or (2) is based is kept for a period of five years from the date the report is filed.

45/01

ONTARIO REGULATION 397/01

made under the

ENVIRONMENTAL PROTECTION ACT

Made: October 19, 2001

Filed: October 23, 2001

EMISSIONS TRADING

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INTERPRETATION

Definitions

1. In this Regulation,

“combined nitric oxide facility” means a generation facility located in Atikokan, Bath, Courtright, Nanticoke or Thunder Bay that, immediately before April 1, 1999, was owned by Ontario Hydro or a subsidiary of Ontario Hydro, and, until April 30, 2005, includes the Lakeview Generation Facility;

“combined sulphur dioxide facility” means a generation facility located in Atikokan, Bath, Courtright, Mississauga, Nanticoke or Thunder Bay that, immediately before April 1, 1999, was owned by Ontario Hydro or a subsidiary of Ontario Hydro;

“emission allowances” means nitric oxide emission allowances or sulphur dioxide emission allowances;

“emission reduction credits” means nitric oxide emission reduction credits or sulphur dioxide emission reduction credits;

“generation facility” has the same meaning as in the *Electricity Act, 1998*;

“independent nitric oxide facility” means a generation facility other than a combined nitric oxide facility;

“IMO” has the same meaning as in the *Electricity Act, 1998*;

“IMO-controlled grid” has the same meaning as in the *Electricity Act, 1998*;

“independent sulphur dioxide facility” means a generation facility other than a combined sulphur dioxide facility;

“Lakeview Generation Facility” means the generation facility located in Mississauga that, immediately before April 1, 1999, was owned by Ontario Hydro or a subsidiary of Ontario Hydro;

“market rules” has the same meaning as in the *Electricity Act, 1998*;

“name plate capacity” means, with respect to a generation facility, the total of the design electricity generating capacities of all the generation units in the facility;

“nitric oxide emission reduction credits” means nitric oxide smog season emission reduction credits or nitric oxide non-smog season emission reduction credits;

“Ontario Emissions Trading Code” means the Ministry of the Environment publication of that name, dated October 2001, as amended from time to time;

“operator of the Registry” means the Minister or, if an agreement referred to in subsection 3 (2) so provides, the person to whom powers or duties of the Minister have been delegated by the agreement;

“Pollution Emission Management Area” means the part of Ontario that is within the Pollution Emission Management Area designated by Annex 3 of the Agreement between the Government of Canada and the Government of the United States of America on Air Quality done at Ottawa March 13, 1991, as amended from time to time;

“Registry” means the Ontario Emissions Trading Registry established by section 3;

“smog season” means the period from May 1 to September 30 in each year.

“subsidiary” has the same meaning as in the *Electricity Act, 1998*.

Determinations of deemed electricity production

2. (1) In this section,

“following year” means, with respect to a determination of a facility’s deemed electricity production, the year following the year in which the determination is made;

“preceding year” means, with respect to a determination of a facility’s deemed electricity production, the year preceding the year in which the determination is made.

(2) Subject to subsections (3) to (16), for the purposes of this Regulation, a generation facility’s deemed electricity production shall be determined by the Director in accordance with the following formula:

$$A + B + C$$

where,

A = the amount of electricity generated by the facility in the preceding year,

B = if electricity was first generated by the facility in the preceding year, the amount of electricity that the owner of the facility estimates will be generated by the facility during the part of the following year that ends on the day before the second anniversary of the day electricity was first generated by the facility,

C = if electricity will first be generated by the facility after the end of the preceding year, the amount of electricity that the owner of the facility estimates will be generated by the facility during the following year.

(3) If the owner of a generation facility makes an estimate of an amount of electricity for the purpose of the definition of “B” or “C” in subsection (2) and the Director is of the opinion that the estimate is

too high, the Director may, for the purpose of that subsection, substitute a lower estimate made by the Director.

(4) Subsections (5) to (9) only apply to the determination of a generation facility’s deemed electricity production if,

(a) a previous determination of the facility’s deemed electricity production was made;

(b) the new determination is being made in the second year after the previous determination; and

(c) when the previous determination was made, the amount of “B” or “C” that was used for the purpose of subsection (2) was greater than zero.

(5) In subsections (6) and (7),

“completed production year” means the year following the year in which the previous determination referred to in subsection (4) was made.

(6) If, when the previous determination referred to in subsection (4) was made, the amount of “B” that was used for the purpose of subsection (2) was greater than zero, the Director shall, as part of the new determination, calculate the following amount:

$$X - Y$$

where,

X = the amount of electricity produced by the generation facility during the part of the completed production year that ended on the day before the second anniversary of the day electricity was first generated by the facility,

Y = the amount of “B” that was used for the purpose of subsection (2) when the previous determination was made.

(7) If, when the previous determination referred to in subsection (4) was made, the amount of “C” that was used for the purpose of subsection (2) was greater than zero, the Director shall, as part of the new determination, calculate the following amount:

$$X - Y$$

where,

X = the amount of electricity produced by the generation facility during the completed production year,

Y = the amount of “C” that was used for the purpose of subsection (2) when the previous determination was made.

(8) If this subsection applies to the determination of a facility’s deemed electricity production and an amount calculated under subsection (6) or (7) is greater than zero, the facility’s deemed electricity production is the amount determined under subsection (2), increased by the amount calculated under subsection (6) or (7).

(9) If this subsection applies to the determination of a facility’s deemed electricity production and an amount calculated under subsection (6) or (7) is less than zero, the facility’s deemed electricity production is the amount determined under subsection (2), reduced by the following amount:

$$-1.1 \times A$$

where,

A = the amount calculated under subsection (6) or (7).

(10) Despite subsections (2) to (9), but subject to subsection (11), if, for the purpose of section 8, a determination is made in 2004 of the Lakeview Generation Facility’s deemed electricity production, the facility’s deemed electricity production is the amount of electricity

that the owner of the facility estimates will be generated by the facility during the period from May 1, 2005 to December 31, 2005.

(11) If the owner of the Lakeview Generation Facility makes an estimate of an amount of electricity for the purpose of subsection (10) and the Director is of the opinion that the estimate is too high, the Director may, for the purpose of that subsection, substitute a lower estimate made by the Director.

(12) If a determination is made in 2006 of the Lakeview Generation Facility's deemed electricity production for the purpose of section 10 and a determination of the facility's deemed electricity production was made in 2004 for the purpose of section 8, the Director shall, as part of the determination made in 2006, calculate the following amount:

$$X - Y$$

where,

X = the amount of electricity produced by the Lakeview Generation Facility during the period from May 1, 2005 to January 1, 2005,

Y = the estimate that was used in 2004 for the purpose of subsection (10) of the amount of electricity that would be produced by the Lakeview Generation Facility during the period from May 1, 2005 to January 1, 2005.

(13) If a determination is made in 2006 of the Lakeview Generation Facility's deemed electricity production for the purpose of section 10 and the amount calculated under subsection (12) is greater than zero, the facility's deemed electricity production is the amount determined under subsection (2), increased by the amount calculated under subsection (12).

(14) If a determination is made in 2006 of the Lakeview Generation Facility's deemed electricity production for the purpose of section 10 and the amount calculated under subsection (12) is less than zero, the facility's deemed electricity production is the amount determined under subsection (2), reduced by the following amount:

$$-1.1 \times A$$

where,

A = the amount calculated under subsection (12).

(15) Despite subsections (2) to (14), a generation facility's deemed electricity production determined in a year for the purpose of section 8, 10 or 11 shall be deemed to be zero if the Director is satisfied that,

- (a) the facility will have a name plate capacity of more than 25 megawatts at no time in the following year;
- (b) the facility will not generate more than 20,000 megawatt hours of electricity in the following year that will be conveyed into the IMO-controlled grid or sold; or
- (c) the quotient determined by dividing the amount of nitric oxide that will be emitted from the facility in the following year by the amount of electricity that will be generated by the facility in the following year will not be more than 0.01 kilograms per megawatt hour.

(16) Despite subsections (2) to (9), a generation facility's deemed electricity production determined in a year for the purpose of section 14 shall be deemed to be zero if the Director is satisfied that,

- (a) the facility will have a name plate capacity of more than 25 megawatts at no time in the following year;
- (b) the facility will not generate more than 20,000 megawatt hours of electricity in the following year that will be conveyed into the IMO-controlled grid or sold; or

- (c) the quotient determined by dividing the amount of sulphur dioxide that will be emitted from the facility in the following year by the amount of electricity that will be generated by the facility in the following year will not be more than 0.05 kilograms per megawatt hour.

(17) If a determination of a generation facility's deemed electricity production is required by this Regulation, the Director may require the owner of the facility to submit to the Director information on the amount of electricity produced by the facility during any period referred to in this section.

ONTARIO EMISSIONS TRADING REGISTRY

Establishment of Registry

3. (1) The Minister shall establish, maintain and operate a registry known in English as the Ontario Emissions Trading Registry and in French as Registre ontarien des échanges de droits d'émission.

(2) The Minister may, by written agreement, delegate to any person any of the Minister's powers or duties relating to the establishment, maintenance and operation of the Registry.

Operation of Registry

4. The operator of the Registry shall operate the Registry in accordance with this Regulation and the Ontario Emissions Trading Code.

Contents of Registry

5. The Registry shall contain the following information:

1. For all emission allowances recorded in the Registry,
 - i. the name of the person who acquired the allowances under section 7, 8, 9, 10, 11, 12, 13, 14 or 15,
 - ii. the date the allowances were acquired under section 7, 8, 9, 10, 11, 12, 13, 14 or 15, and
 - iii. the name of the person who currently holds the allowances and the amount of the allowances held by that person.
2. For all emission reduction credits recorded in the Registry,
 - i. the name of the person who created the credits,
 - ii. the date the credits were created,
 - iii. the name of the person who currently holds the credits and the amount of the credits held by that person.
3. Such other information as is required by the Ontario Emissions Trading Code.

Registry available to the public

6. The operator of the Registry shall ensure that all information contained in the Registry is made available, without charge or on payment of a reasonable fee, to any person who requests it.

DISTRIBUTION OF NITRIC OXIDE EMISSION ALLOWANCES

Combined nitric oxide facilities: 2002 to 2006

7. On January 1 of each year from 2002 to 2006, Ontario Power Generation Inc. shall be deemed to have acquired nitric oxide emission allowances in respect of the combined nitric oxide facilities in the amount set out in the following Table for that year:

Year	Amount of Nitric Oxide Emission Allowances (kilotonnes)
2002	35.0
2003	35.0
2004	25.0
2005	22.4
2006	21.1

Independent nitric oxide facilities: 2004 to 2006

8. (1) The owner of an independent nitric oxide facility may apply to the Director for nitric oxide emission allowances for 2004, 2005 or 2006 in respect of the facility.

(2) An application under this section must be made not later than June 1 in the year preceding the year for which the allowances are applied for.

(3) An application may be made under this section by the owner of a facility that has not yet begun to generate electricity.

(4) The owner of the Lakeview Generation Facility may, not later than June 1, 2004, apply to the Director for nitric oxide emission allowances for 2005 in respect of the facility.

(5) For each facility for which an application for nitric oxide emission allowances is made in accordance with this section, the Director shall determine the following amount:

$$(A \div B) \times C$$

where,

A = the deemed electricity production of the facility, determined in accordance with section 2,

B = the total deemed electricity production of all the facilities for which applications were made in accordance with this section, determined in accordance with section 2,

C = the amount set out in the following Table for the year for which the emission allowances are applied for:

Year	Total Nitric Oxide Emission Allowances (kilotonnes)
2004	10.0
2005	12.6
2006	13.9

(6) If an application for nitric oxide emission allowances is made in accordance with this section in respect of a facility,

- (a) the Director shall send written notice of the amount determined for the facility under subsection (5) to the owner of the facility and to the operator of the Registry not later than October 1 in the year preceding the year for which the emission allowances are applied for; and
- (b) on January 1 of the year for which the emission allowances are applied for, the owner of the facility shall be deemed to have acquired nitric oxide emission allowances in respect of the facility in the amount determined for the facility under subsection (5).

Combined nitric oxide facilities: 2007

9. (1) On January 1, 2007, Ontario Power Generation Inc. shall be deemed to have acquired 15.5 kilotonnes of nitric oxide emission allowances in respect of the combined nitric oxide facilities that are located in the Pollution Emission Management Area.

(2) On January 1, 2007, Ontario Power Generation Inc. shall be deemed to have acquired 1.5 kilotonnes of nitric oxide emission allowances in respect of the combined nitric oxide facilities that are not located in the Pollution Emission Management Area.

Independent nitric oxide facilities: 2007

10. (1) The owner of an independent nitric oxide facility may apply to the Director for nitric oxide emission allowances for 2007 in respect of the facility.

(2) An application under this section must be made not later than June 1, 2006.

(3) An application may be made under this section by the owner of a facility that has not yet begun to generate electricity.

(4) For each facility for which an application for nitric oxide emission allowances is made in accordance with this section, the Director shall determine the following amount:

$$(A \div B) \times 10.0 \text{ kilotonnes}$$

where,

A = the deemed electricity production of the facility, determined in accordance with section 2,

B = the total deemed electricity production of all the facilities for which applications were made in accordance with this section, determined in accordance with section 2.

(5) If the total of all the amounts determined under subsection (4) for facilities located in the Pollution Emission Management Area is less than or equal to 9.1 kilotonnes,

- (a) the Director shall send written notice of the amount determined for each facility under subsection (4) to the owner of the facility and to the operator of the Registry not later than October 1 in the year preceding the year for which the emission allowances are applied for; and
- (b) on January 1 of the year for which the emission allowances are applied for, the owner of a facility shall be deemed to have acquired nitric oxide emission allowances in respect of the facility in the amount determined for the facility under subsection (4).

(6) If the total of all the amounts determined under subsection (4) for facilities located in the Pollution Emission Management Area is more than 9.1 kilotonnes,

- (a) the Director shall determine adjusted amounts under subsections (7) and (8) for each facility for which an amount was determined under subsection (4);
- (b) the Director shall send written notice of the adjusted amount determined for a facility under clause (a) to the owner of the facility and to the operator of the Registry not later than October 1 in the year preceding the year for which the emission allowances are applied for; and
- (c) on January 1 of the year for which the emission allowances are applied for, the owner of a facility shall be deemed to have acquired nitric oxide emission allowances in respect of the facility in the adjusted amount determined for the facility under clause (a).

(7) For the purpose of subsection (6), the adjusted amount for a facility located in the Pollution Emission Management Area shall be determined in accordance with the following formula:

$$A \times (9.1 \text{ kilotonnes} \div B)$$

where,

A = the amount determined for the facility under subsection (4),

B = the total of all the amounts determined under subsection (4) for all the facilities located in the Pollution Emission Management Area.

(8) For the purpose of subsection (6), the adjusted amount for a facility that is not located in the Pollution Emission Management Area shall be determined in accordance with the following formula:

$$A \times (0.9 \text{ kilotonnes} \div B)$$

where,

A = the amount determined for the facility under subsection (4),

B = the total of all the amounts determined under subsection (4) for all the facilities that are not located in the Pollution Emission Management Area.

Nitric oxide allowances for 2008 and later years

11. (1) The owner of a generation facility may apply to the Director for nitric oxide emission allowances for 2008 or a later year in respect of the facility.

(2) An application under this section must be made not later than June 1 in the year preceding the year for which the allowances are applied for.

(3) An application may be made under this section by the owner of a facility that has not yet begun to generate electricity.

(4) For each facility for which an application for nitric oxide emission allowances is made in accordance with this section, the Director shall determine the following amount:

$$(A \div B) \times 27.0 \text{ kilotonnes}$$

where,

A = the deemed electricity production of the facility, determined in accordance with section 2,

B = the total deemed electricity production of all the facilities for which applications were made in accordance with this section, determined in accordance with section 2.

(5) If the total of all the amounts determined under subsection (4) for facilities located in the Pollution Emission Management Area is less than or equal to 24.6 kilotonnes,

(a) the Director shall send written notice of the amount determined for each facility under subsection (4) to the owner of the facility and to the operator of the Registry not later than October 1 in the year preceding the year for which the emission allowances are applied for; and

(b) on January 1 of the year for which the emission allowances are applied for, the owner of a facility shall be deemed to have acquired nitric oxide emission allowances in respect of the facility in the amount determined for the facility under subsection (4).

(6) If the total of all the amounts determined under subsection (4) for facilities located in the Pollution Emission Management Area is more than 24.6 kilotonnes,

(a) the Director shall determine adjusted amounts under subsections (7) and (8) for each facility for which an amount was determined under subsection (4);

(b) the Director shall send written notice of the adjusted amount determined for a facility under clause (a) to the owner of the facility and to the operator of the Registry not later than October 1 in the year preceding the year for which the emission allowances are applied for; and

(c) on January 1 of the year for which the emission allowances are applied for, the owner of a facility shall be deemed to have acquired nitric oxide emission allowances in respect of the facility in the adjusted amount determined for the facility under clause (a).

(7) For the purpose of subsection (6), the adjusted amount for a facility located in the Pollution Emission Management Area shall be determined in accordance with the following formula:

$$A \times (24.6 \text{ kilotonnes} \div B)$$

where,

A = the amount determined for the facility under subsection (4),

B = the total of all the amounts determined under subsection (4) for all the facilities located in the Pollution Emission Management Area.

(8) For the purpose of subsection (6), the adjusted amount for a facility that is not located in the Pollution Emission Management Area shall be determined in accordance with the following formula:

$$A \times (2.4 \text{ kilotonnes} \div B)$$

where,

A = the amount determined for the facility under subsection (4),

B = the total of all the amounts determined under subsection (4) for all the facilities that are not located in the Pollution Emission Management Area.

Nitric oxide allowances for renewable energy and conservation projects

12. (1) A person may apply to the Director for nitric oxide emission allowances in connection with a renewable energy project or conservation project.

(2) The application must be made not later than September 1 in a year.

(3) The Director shall determine all applications made in a year not later than November 1 in the year.

(4) Subject to subsections (5) and (6), the Director shall determine the applications in accordance with the Ontario Emissions Trading Code and shall award successful applicants with the amount of nitric oxide emission allowances determined in accordance with the Code.

(5) The total amount of nitric oxide emission allowances that may be awarded by the Director under subsection (4) in a year must not exceed 1.0 kilotonnes.

(6) If the total amount of nitric oxide emission allowances that would be awarded by the Director under subsection (4) in a year, determined in accordance with the Ontario Emissions Trading Code, would exceed 1.0 kilotonnes, the Director shall instead award each successful applicant with an amount of nitric oxide emission allowances determined in accordance with the following formula:

$$(A \div B) \times 1.0 \text{ kilotonnes}$$

where,

A = the amount of nitric oxide emission allowances that would have been awarded to the successful applicant if that amount had been determined in accordance with the Ontario Emissions Trading Code,

B = the total amount of nitric oxide emission allowances that would have been awarded to all successful applicants if that amount had been determined in accordance with the Ontario Emissions Trading Code.

(7) If the Director awards a person with nitric oxide emission allowances under subsection (4) or (6) in a year,

(a) the Director shall, not later than November 1 of the year, send written notice of the amount awarded to the person and to the operator of the Registry; and

(b) on December 1 of the year, the person shall be deemed to have acquired the nitric oxide emission allowances awarded by the Director.

(8) If, in a year from 2002 to 2006, no nitric oxide emission allowances are awarded by the Director under subsection (6) and the total amount of nitric oxide emission allowances awarded by the Director under subsection (4) is less than 1.0 kilotonnes, Ontario Power Gen-

eration Inc. shall be deemed, on December 1 of the year, to have acquired nitric oxide emission allowances in respect of the combined nitric oxide facilities in an amount equal to 1.0 kilotonnes less the total amount of nitric oxide emission allowances awarded by the Director under subsection (4).

(9) If, in 2007, no nitric oxide emission allowances are awarded by the Director under subsection (6) and the total amount of nitric oxide emission allowances awarded by the Director under subsection (4) is less than 1.0 kilotonnes,

(a) Ontario Power Generation Inc. shall be deemed, on December 1, 2007, to have acquired nitric oxide emission allowances in respect of the combined nitric oxide facilities located in the Pollution Emission Management Area in an amount equal to 1.0 kilotonnes less the total amount of nitric oxide emission allowances awarded by the Director under subsection (4), multiplied by 0.91; and

(b) Ontario Power Generation Inc. shall be deemed, on December 1, 2007, to have acquired nitric oxide emission allowances in respect of the combined nitric oxide facilities that are not located in the Pollution Emission Management Area in an amount equal to 1.0 kilotonnes less the total amount of nitric oxide emission allowances awarded by the Director under subsection (4), multiplied by 0.09.

(10) If, in 2008 or a later year, no nitric oxide emission allowances are awarded by the Director under subsection (6) and the total amount of nitric oxide emission allowances awarded by the Director under subsection (4) is less than 1.0 kilotonnes, each person who acquired nitric oxide emission allowances in respect of a generation facility on January 1 of the year under section 11 shall be deemed, on December 1 of the year, to have acquired nitric oxide emission allowances in respect of the facility in an amount determined in accordance with the following formula:

$$(A \div 27.0 \text{ kilotonnes}) \times (1.0 \text{ kilotonnes} - B)$$

where,

A = the amount of nitric oxide emission allowances acquired in respect of the facility on January 1 of the year under section 11,

B = the total amount of nitric oxide emission allowances awarded by the Director under subsection (4).

DISTRIBUTION OF SULPHUR DIOXIDE EMISSION ALLOWANCES

Combined sulphur dioxide facilities: 2002 and 2003

13. On January 1, 2002 and January 1, 2003, Ontario Power Generation Inc. shall be deemed to have acquired 153.5 kilotonnes of sulphur dioxide emission allowances in respect of the combined sulphur dioxide facilities.

Sulphur dioxide allowances for 2004 and later years

14. (1) The owner of an independent sulphur dioxide facility may apply to the Director for sulphur dioxide emission allowances for 2004, 2005, 2006 or 2007 in respect of the facility.

(2) Ontario Power Generation Inc. may apply to the Director for sulphur dioxide emission allowances for 2004, 2005, 2006 or 2007 in respect of a combined sulphur dioxide facility.

(3) The owner of a generation facility may apply to the Director for sulphur dioxide emission allowances for 2008 or a later year in respect of the facility.

(4) An application under this section must be made not later than June 1 in the year preceding the year for which the allowances are applied for.

(5) An application may be made under this section by the owner of a facility that has not yet begun to generate electricity.

(6) For each facility for which an application for sulphur dioxide emission allowances is made in accordance with this section, the Director shall determine the following amount:

$$(A \div B) \times C$$

where,

A = the deemed electricity production of the facility, determined in accordance with section 2,

B = the total deemed electricity production of all the facilities for which applications were made in accordance with this section, determined in accordance with section 2,

C = 153.5 kilotonnes, if the year for which the emission allowances are applied for is 2004, 2005 or 2006, or 127.0 kilotonnes, if the year for which the emission allowances are applied for is a later year.

(7) If an application for sulphur dioxide emission allowances is made in accordance with this section in respect of a facility, the Director shall send written notice of the amount determined for the facility under subsection (6) to the owner of the facility and to the operator of the Registry not later than October 1 in the year preceding the year for which the emission allowances are applied for.

(8) If the owner of an independent sulphur dioxide facility makes an application in accordance with this section for emission allowances for 2007 or an earlier year, the owner shall be deemed, on January 1 of the year for which the emission allowances are applied for, to have acquired sulphur dioxide emission allowances in respect of the facility in the amount determined under subsection (6) for the facility.

(9) If Ontario Power Generation Inc. makes one or more applications in accordance with this section for emission allowances for 2007 or an earlier year in respect of one or more combined sulphur dioxide facilities, Ontario Power Generation Inc. shall be deemed, on January 1 of the year for which the emission allowances are applied for, to have acquired sulphur dioxide emission allowances in respect of the combined sulphur dioxide facilities to which the application or applications relate in an amount equal to the sum of the amounts determined under subsection (6) for those facilities.

(10) If the owner of a generation facility makes an application in accordance with this section for emission allowances for 2008 or a later year, the owner shall be deemed, on January 1 of the year for which the emission allowances are applied for, to have acquired sulphur dioxide emission allowances in respect of the facility in the amount determined under subsection (6) for the facility.

Sulphur dioxide allowances for renewable energy and conservation projects

15. (1) A person may apply to the Director for sulphur dioxide emission allowances in connection with a renewable energy project or conservation project.

(2) The application must be made not later than September 1 in a year after 2001.

(3) The Director shall determine all applications made in a year not later than November 1 in the year.

(4) Subject to subsections (5) and (6), the Director shall determine the applications in accordance with the Ontario Emissions Trading Code and shall award successful applicants with the amount of sulphur dioxide emission allowances determined in accordance with the Code.

(5) The total amount of sulphur dioxide emission allowances that may be awarded by the Director under subsection (4) in a year must not exceed 4.0 kilotonnes.

(6) If the total amount of sulphur dioxide emission allowances that would be awarded by the Director under subsection (4) in a year,

determined in accordance with the Ontario Emissions Trading Code, would exceed 4.0 kilotonnes, the Director shall instead award each successful applicant with an amount of sulphur dioxide emission allowances determined in accordance with the following formula:

$$(A \div B) \times 4.0 \text{ kilotonnes}$$

where,

A = the amount of sulphur dioxide emission allowances that would have been awarded to the successful applicant if that amount had been determined in accordance with the Ontario Emissions Trading Code,

B = the total amount of sulphur dioxide emission allowances that would have been awarded to all successful applicants if that amount had been determined in accordance with the Ontario Emissions Trading Code.

(7) If the Director awards a person with sulphur dioxide emission allowances under subsection (4) or (6) in a year,

(a) the Director shall, not later than November 1 of the year, send written notice of the amount awarded to the person and to the operator of the Registry; and

(b) on December 1 of the year, the person shall be deemed to have acquired the sulphur dioxide emission allowances awarded by the Director.

(8) If, in 2002 or 2003, no sulphur dioxide emission allowances are awarded by the Director under subsection (6) and the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4) is less than 4.0 kilotonnes, Ontario Power Generation Inc. shall be deemed, on December 1 of the year, to have acquired sulphur dioxide emission allowances in respect of the combined sulphur dioxide facilities in an amount equal to 4.0 kilotonnes less the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4).

(9) If, in 2004, 2005, 2006 or 2007, no sulphur dioxide emission allowances are awarded by the Director under subsection (6) and the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4) is less than 4.0 kilotonnes, each owner of an independent sulphur dioxide facility who acquired sulphur dioxide emission allowances in respect of the facility on January 1 of the year under section 14 shall be deemed, on December 1 of the year, to have acquired sulphur dioxide emission allowances in respect of the facility in an amount determined in accordance with the following formula:

$$(A \div B) \times (4.0 \text{ kilotonnes} - C)$$

where,

A = the amount of sulphur dioxide emission allowances acquired in respect of the facility on January 1 of the year under section 14,

B = 153.5 kilotonnes, if the year is 2004, 2005 or 2006, or 127.0 kilotonnes, if the year is 2007,

C = the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4).

(10) If, in 2004, 2005, 2006 or 2007, no sulphur dioxide emission allowances are awarded by the Director under subsection (6), the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4) is less than 4.0 kilotonnes, and Ontario Power Generation Inc. acquired sulphur dioxide emission allowances on January 1 of the year under section 14 in respect of one or more combined sulphur dioxide facilities, Ontario Power Generation Inc. shall be deemed, on December 1 of the year, to have acquired sulphur dioxide emission allowances in respect of those facilities in an amount determined in accordance with the following formula:

$$(A \div B) \times (4.0 \text{ kilotonnes} - C)$$

where,

A = the amount of sulphur dioxide emission allowances acquired by Ontario Power Generation Inc. in respect of combined sulphur dioxide facilities on January 1 of the year under section 14,

B = 153.5 kilotonnes, if the year is 2004, 2005 or 2006, or 127.0 kilotonnes, if the year is 2007,

C = the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4).

(11) If, in 2008 or a later year, no sulphur dioxide emission allowances are awarded by the Director under subsection (6) and the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4) is less than 4.0 kilotonnes, each person who acquired sulphur dioxide emission allowances in respect of a generation facility on January 1 of the year under section 14 shall be deemed, on December 1 of the year, to have acquired sulphur dioxide emission allowances in respect of the facility in an amount determined in accordance with the following formula:

$$(A \div 127.0 \text{ kilotonnes}) \times (4.0 \text{ kilotonnes} - B)$$

where,

A = the amount of sulphur dioxide emission allowances acquired in respect of the facility on January 1 of the year under section 14,

B = the total amount of sulphur dioxide emission allowances awarded by the Director under subsection (4).

RECORDING OF EMISSION ALLOWANCES

Recording of emission allowances

16. The operator of the Registry shall ensure that the acquisition of emission allowances by a person under section 7, 8, 9, 10, 11, 12, 13, 14 or 15 is recorded in the Registry as soon as possible after the acquisition.

Allowances created outside Ontario

17. (1) The only emission allowances that may be recorded in the Registry are emission allowances that were acquired by a person under section 7, 8, 9, 10, 11, 12, 13, 14 or 15.

(2) Subsection (1) does not prevent allowances created under the law of a jurisdiction outside Ontario from being recorded in the Registry as emission reduction credits if they meet the requirements of the Ontario Emissions Trading Code.

CREATION OF EMISSION REDUCTION CREDITS

Creation of emission reduction credits

18. (1) Subject to subsections (2) and (3), a person may create emission reduction credits in accordance with the Ontario Emissions Trading Code.

(2) Emission reduction credits may be created only as a result of an emission reduction project undertaken in Ontario, the District of Columbia or one of the following states:

1. Delaware.
2. Illinois.
3. Indiana.
4. Kentucky.
5. Maryland.
6. Michigan.
7. New Jersey.
8. New York.

9. Ohio.
10. Pennsylvania.
11. West Virginia.
12. Wisconsin.

(3) Despite subsection (2), emission reduction credits may be created as a result of an emission reduction project undertaken outside the areas referred to in subsection (2) if the Director is satisfied that reductions of nitric oxide emissions or sulphur dioxide emissions achieved by the project have a measurable effect in Ontario.

TRADING OF ALLOWANCES AND CREDITS

Trading of allowances and credits

19. (1) Emission allowances and emission reduction credits may be transferred from one person to another in accordance with the Ontario Emissions Trading Code.

(2) A person who has applied to the Director for approval to retire emission allowances or emission reduction credits for the purpose of subsection 20 (4) or 21 (4) may not transfer those allowances or credits to another person unless the Director refuses to approve their retirement.

OBLIGATION TO BALANCE EMISSIONS WITH ALLOWANCES AND CREDITS

Nitric oxide

20. (1) This section applies to a generation facility for a year if,

- (a) nitric oxide emission allowances were acquired by any person in respect of the facility on January 1 of the previous year under section 7, 8, 9, 10 or 11; or
- (b) in respect of 2005 and later years,
 - (i) the facility had a name plate capacity of more than 25 megawatts at any time in the previous year,
 - (ii) the facility generated more than 20,000 megawatt hours of electricity in the previous year that were conveyed into the IMO-controlled grid or sold, and
 - (iii) the quotient determined by dividing the amount of nitric oxide emitted from the facility in the previous year by the amount of electricity generated by the facility in the previous year is greater than 0.01 kilograms per megawatt hour.

(2) Not later than March 31 in each year after 2002, the owner of a facility to which this section applies for the year shall apply to the Director for approval to retire nitric oxide emission allowances for the purpose of subsection (4).

(3) An application under subsection (2) may also include an application for approval to retire nitric oxide emission reduction credits for the purpose of subsection (4).

(4) For each year after 2002, the owner of a facility to which this section applies shall, not later than June 1 of the year, ensure that the following statement is true:

$$A + (B \times 0.9) \geq C$$

where,

A = the total amount of nitric oxide emission allowances that are retired for the purpose of this subsection with the approval of the Director,

B = the total amount of nitric oxide emission reduction credits that are retired for the purpose of this subsection with the approval of the Director,

C = the amount of nitric oxide emitted from the facility in the previous year.

Sulphur dioxide

21. (1) This section applies to a generation facility for a year if,

- (a) sulphur dioxide emission allowances were acquired by any person in respect of the facility on January 1 of the previous year under section 13 or 14; or
- (b) in respect of 2005 and later years,
 - (i) the facility had a name plate capacity of more than 25 megawatts at any time in the previous year,
 - (ii) the facility generated more than 20,000 megawatt hours of electricity in the previous year that were conveyed into the IMO-controlled grid or sold, and
 - (iii) the quotient determined by dividing the amount of sulphur dioxide emitted from the facility in the previous year by the amount of electricity generated by the facility in the previous year is greater than 0.05 kilograms per megawatt hour.

(2) Not later than March 31 in each year after 2002, the owner of a facility to which this section applies for the year shall apply to the Director for approval to retire sulphur dioxide emission allowances for the purpose of subsection (4).

(3) An application under subsection (2) may also include an application for approval to retire sulphur dioxide emission reduction credits for the purpose of subsection (4).

(4) For each year after 2002, the owner of a facility to which this section applies shall, not later than June 1 of the year, ensure that the following statement is true:

$$A + (B \times 0.9) \geq C$$

where,

A = the total amount of sulphur dioxide emission allowances that are retired for the purpose of this subsection with the approval of the Director,

B = the total amount of sulphur dioxide emission reduction credits that are retired for the purpose of this subsection with the approval of the Director,

C = the amount of sulphur dioxide emitted from the facility in the previous year.

Approval of Director

22. (1) If an application for approval to retire emission allowances or emission reduction credits is made to the Director under section 20 or 21, the Director shall give approval or refuse to give approval within 30 days after he or she receives the application.

(2) If the Director refuses to give approval, the applicant may, within 15 days after he or she receives notice of the Director's decision, apply to the Director,

- (a) for reconsideration of the director's decision; or
- (b) for approval to retire other emission allowances or emission reduction credits.

(3) If an application is made under subsection (2), the Director shall make a decision on the application within 15 days after he or she receives the application.

Grounds for refusing approval

23. (1) The Director may refuse to give approval to retire emission allowances only if,

- (a) the applicant is not shown as the holder of the allowances on the Registry;
- (b) the Director is not satisfied that the allowances are held by the applicant; or
- (c) retirement of the credits is not permitted by this Regulation.

(2) The Director may refuse to give approval to retire emission reduction credits only if,

- (a) the applicant is not shown as the holder of the credits on the Registry;
- (b) the Director is not satisfied that the credits are held by the applicant; or
- (c) retirement of the credits is not permitted by this Regulation.

Information for Registry

24. (1) A person who makes an application to the Director under section 20, 21 or 22 shall give written notice of the application to the operator of the Registry.

(2) The Director shall give written notice of a decision on an application under section 20, 21 or 22 to the applicant and to the operator of the Registry and, if the Director has approved the retirement of emission allowances or emission reduction credits, the operator shall amend the Registry to indicate that the retired allowances or credits no longer exist.

LIMITS ON RETIREMENT OF EMISSION ALLOWANCES

Limits on retirement of emission allowances

25. The owner of a facility may not retire emission allowances in a year for the purpose of subsection 20 (4) or 21 (4) if the allowances were acquired by a person under section 7, 8, 9, 10, 11, 13 or 14 on January 1 of that year.

LIMITS ON RETIREMENT OF EMISSION REDUCTION CREDITS

Ratio of credits to allowances limits

26. (1) The owner of a facility may not retire an amount of nitric oxide emission reduction credits in a year for the purpose of subsection 20 (4) unless the following statement is true:

$$(A - B) \times 0.9 \leq C \times 0.33$$

where,

- A = the total amount of nitric oxide emission reduction credits that are retired in the year for the purpose of subsection 20 (4),
- B = the amount of nitric oxide emitted from the facility in the previous year because of reliability must run contracts as defined in the market rules or directions given by the IMO under the authority of the market rules,
- C = the total amount of nitric oxide emission allowances that are retired in the year for the purpose of subsection 20 (4).

(2) The owner of a facility may not retire an amount of sulphur dioxide emission reduction credits in a year for the purpose of subsection 21 (4) unless the following statement is true:

$$(A - B) \times 0.9 \leq C \times 0.10$$

where,

- A = the total amount of sulphur dioxide emission reduction credits that are retired in the year for the purpose of subsection 21 (4),
- B = the amount of sulphur dioxide emitted from the facility in the previous year because of reliability must run contracts as defined in the market rules or directions given by the IMO under the authority of the market rules,

C = the total amount of sulphur dioxide emission allowances that are retired in the year for the purpose of subsection 21 (4).

Limit on nitric oxide non-smog season credits

27. The owner of a facility may retire nitric oxide non-smog season emission reduction credits for a year for the purpose of subsection 20 (4) only if the following statement is true:

$$(A \div B) \leq (C \div D)$$

where,

- A = the amount of nitric oxide emitted from the facility in the smog season in the year,
- B = the amount of nitric oxide emitted from the facility in the year, other than nitric oxide emitted in the smog season,
- C = the total amount of nitric oxide smog season emission reduction credits retired by the owner for the year for the purpose of subsection 20 (4),
- D = the total amount of nitric oxide non-smog season emission reduction credits retired by the owner for the year for the purpose of subsection 20 (4).

MONITORING AND REPORTING

Nitric oxide monitoring and reporting

28. (1) This section applies to a generation facility for a year if,

- (a) nitric oxide emission allowances will be acquired by any person in respect of the facility on January 1 of the year under section 7, 8, 9, 10 or 11; or
- (b) section 20 can reasonably be expected to apply to the facility for the next year.

(2) The owner of a facility to which this section applies for a year shall ensure that emissions of nitric oxide from the facility are monitored during the year in accordance with,

- (a) a continuous emissions monitoring system installed and operated in accordance with the Ministry of the Environment publication entitled "Guideline for the Installation and Operation of Continuous Emission Monitoring Systems (CEMs) and their Use for Reporting under the Provisions of Regulation O. Reg. 127/01", dated April 2001, as amended from time to time; or
- (b) a method that, in the opinion of the Director, will provide estimates of nitric oxide emissions at least as accurate as the estimates that would be provided by a continuous emission monitoring system referred to in clause (a).

(3) Subsection (2) does not apply to a facility until the first day of the 18th month after the month in which this Regulation is filed if emissions of nitric oxide from the facility are monitored in accordance with,

- (a) a method set out in the emission verification and reporting order issued to Ontario Hydro by the Director under section 17 of the Act on June 15, 1990, as amended on June 1, 1996; or
- (b) a method that, in the opinion of the Director, will provide estimates of nitric oxide emissions at least as accurate as the estimates that would be provided by at least one method set out in the order referred to in clause (a).

(4) Subsection (2) does not apply to the Lakeview Generation Facility until May 1, 2005.

(5) The owner of a facility to which this section applies for a year shall, not later than March 31 in the following year, submit a report to the Director stating,

- (a) the amount of nitric oxide emitted from the facility in the smog season in the year;
- (b) the amount of nitric oxide emitted from the facility in the year, other than nitric oxide emitted during the smog season; and
- (c) the amount of nitric oxide emitted from the facility in the year because of reliability must run contracts as defined in the market rules or directions given by the IMO under the authority of the market rules.

Sulphur dioxide monitoring and reporting

29. (1) This section applies to a generation facility for a year if,

- (a) sulphur dioxide emission allowances will be acquired by any person in respect of the facility on January 1 of the year under section 13 or 14; or
- (b) section 21 can reasonably be expected to apply to the facility for the next year.

(2) The owner of a facility to which this section applies for a year shall ensure that emissions of sulphur dioxide from the facility are monitored during the year in accordance with,

- (a) a continuous emissions monitoring system installed and operated in accordance with the Ministry of the Environment publication entitled "Guideline for the Installation and Operation of Continuous Emission Monitoring Systems (CEMs) and their Use for Reporting under the Provisions of Regulation O. Reg. 127/01", dated April 2001, as amended from time to time; or
- (b) a method that, in the opinion of the Director, will provide estimates of sulphur dioxide emissions at least as accurate as the estimates that would be provided by a continuous emission monitoring system referred to in clause (a).

(3) Subsection (2) does not apply to the Lakeview Generation Facility until May 1, 2005 if emissions of sulphur dioxide from the facility are monitored in accordance with,

- (a) the continuous emissions measurement method set out in the emission verification and reporting order issued to Ontario Hydro by the Director under section 17 of the Act on June 15, 1990, as amended on June 1, 1996; or
- (b) a method that, in the opinion of the Director, will provide estimates of sulphur dioxide emissions at least as accurate as the estimates that would be provided by the method referred to in clause (a).

(4) Subsection (2) does not apply to a facility other than the Lakeview Generation Facility until the first day of the 18th month after the month in which this Regulation is filed if emissions of sulphur dioxide from the facility are monitored in accordance with,

- (a) a method set out in the emission verification and reporting order issued to Ontario Hydro by the Director under section 17 of the Act on June 15, 1990, as amended on June 1, 1996; or
- (b) a method that, in the opinion of the Director, will provide estimates of sulphur dioxide emissions at least as accurate as the estimates that would be provided by at least one method set out in the order referred to in clause (a).

(5) The owner of a facility to which this section applies for a year shall, not later than March 31 in the following year, submit a report to the Director stating,

- (a) the amount of sulphur dioxide emitted from the facility in the year; and
- (b) the amount of sulphur dioxide emitted from the facility in the year because of reliability must run contracts as defined in the market rules or directions given by the IMO under the authority of the market rules.

Report of electricity generated

30. Not later than March 31 in each year after 2004, each owner of a generation facility that had a name plate capacity of more than 25 megawatts at any time in the previous year shall submit a report to the Director stating,

- (a) the amount of electricity generated by the facility in the previous year; and
- (b) the amount of electricity generated by the facility in the previous year that was conveyed into the IMO-controlled grid or sold.

Records

31. A person who is required to submit a report to the Director under section 28, 29 or 30 shall ensure that the information and supporting documentation on which the report is based are kept for five years after the report is submitted.

MISCELLANEOUS

Voluntary retirement

32. The holder of emission allowances or emission reduction credits may retire the allowances or credits by giving written notice to the operator of the Registry and, on receipt of the notice, the operator shall amend the Registry to indicate that the retired allowances or credits no longer exist.

Cogeneration facilities

33. If a generation facility produces a useful product other than electricity, a reference in this Regulation to the amount of nitric oxide or sulphur dioxide emitted from the facility during a period of time shall be deemed to be a reference to the amount determined in accordance with the following formula:

$$(A \div B) \times C$$

where,

A = the amount of energy used by the facility to produce electricity during the period of time,

B = the total amount of energy used by the facility to produce electricity and other useful products during the period of time,

C = the total amount of nitric oxide or sulphur dioxide, as the case may be, emitted from the facility during the period of time.

Rounding of amounts

34. (1) For the purposes of this Regulation, the final result of any calculation made under this Regulation that is measured in tonnes or kilotonnes and that is not a whole number when expressed in tonnes shall be rounded down to the nearest tonne.

(2) For the purposes of this Regulation, any amount of nitric oxide or sulphur dioxide used in a calculation under this Regulation that is not a whole number when expressed in tonnes shall be rounded up to the nearest tonne.

Forms

35. An application or report to the Director under this Regulation must be in a form provided by or approved by the Director.

Commencement

36. This Regulation comes into force on December 31, 2001.

45/01

ONTARIO REGULATION 398/01

made under the

LAND REGISTRATION REFORM ACT

Made: November 22, 2000

Filed: October 24, 2001

Amending O. Reg. 16/99

(Automated System)

Note: Since the end of 2000, Ontario Regulation 16/99 has been amended by Ontario Regulations 20/01, 35/01, 51/01, 119/01, 177/01, 206/01 and 362/01. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. (1) The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by striking out the following item:

COLUMN 1	COLUMN 2
Peel (No. 43)	October 25, 2000

(2) The Table to subsection 3 (2) of the Regulation is amended by adding the following item:

COLUMN 1	COLUMN 2
Peel (No. 43)	October 24, 2001

ROBERT W. RUNCIMAN

Minister of Consumer and Commercial Relations

Dated on November 22, 2000.

45/01

ONTARIO REGULATION 399/01

made under the

PUBLIC SERVICE ACT

Made: September 24, 2001

Approved: October 24, 2001

Filed: October 25, 2001

Amending Reg. 977 of R.R.O. 1990

(General)

Note: Regulation 977 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. Clause 10 (4) (c) of Regulation 977 of the Revised Regulations of Ontario, 1990 is amended by striking out "*Workers' Compensation Act*" and substituting "*Workplace Safety and Insurance Act, 1997*".

2. The definition of "continuous service" in subsection 56 (1) of the Regulation is amended by striking out "a leave of absence or break in service referred to in section 12 of the Act" in the portion after clause (c) and substituting "a leave of absence referred to in section 28.6 of the Act or in a predecessor to that section".

3. (1) Subsection 59 (1) of the Regulation is amended by striking out "Effective the 1st day of January, 1990" at the beginning.

(2) Clause 59 (1) (d) of the Regulation is revoked and the following substituted:

(d) 2½ days per month after 26 years of continuous service.

(3) Subsection 59 (3) of the Regulation is amended by striking out "As of the 1st day of January, 1991" at the beginning.

(4) Subsection 59 (4) of the Regulation is amended by striking out "As of the 1st day of January, 1990" at the beginning.

(5) Subsections 59 (6) and (7) of the Regulation are revoked.

(6) Clause 59 (9) (c) of the Regulation is amended by striking out "*Workers' Compensation Act*" and substituting "*Workplace Safety and Insurance Act, 1997*".

(7) Clause 59 (12) (a) of the Regulation is amended by striking out "*Workers' Compensation Act*" and substituting "*Workplace Safety and Insurance Act, 1997*".

(8) Clause (b) of the definition of "continuous service" in subsection 59 (24) of the Regulation is revoked and the following substituted:

(b) an employee's absence by reason of an injury or occupational disease for which an award is made under the *Workplace Safety and Insurance Act, 1997*;

4. Clause 60 (6) (a) of the Regulation is amended by striking out "*Public Service Pension Act*" and substituting "*Public Service Pension Plan*".

5. The heading preceding section 62 of the Regulation is revoked and the following substituted:

BENEFITS UNDER THE WORKPLACE SAFETY
AND INSURANCE ACT, 1997

6. (1) Subsection 62 (1) of the Regulation is amended by striking out "industrial disease for which a claim is made under the *Workers' Compensation Act*" and substituting "occupational disease for which a claim is made under the *Workplace Safety and Insurance Act, 1997*".

(2) Subsection 62 (2) of the Regulation is amended by striking out "industrial disease for which an award is made under the *Workers' Compensation Act*" and substituting "occupational disease for which an award is made under the *Workplace Safety and Insurance Act, 1997*".

(3) Subsection 62 (3) of the Regulation is amended by striking out,

(a) "As of the 1st day of January, 1989" at the beginning; and

(b) "industrial disease for which an award is made under the *Workers' Compensation Act*" and substituting "occupational disease for which an award is made under the *Workplace Safety and Insurance Act, 1997*".

(4) Subsection 62 (4) of the Regulation is amended by striking out "*Workers' Compensation Act*" and substituting "*Workplace Safety and Insurance Act, 1997*".

(5) Subsection 62 (6) of the Regulation is amended by striking out "industrial disease for which an award is made under the *Workers' Compensation Act*" and substituting "occupational disease for which an award is made under the *Workplace Safety and Insurance Act, 1997*".

7. (1) Subsection 64 (1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(1) An employee is entitled,

(2) Subsection 64 (1) of the Regulation is amended by striking out “on or after the 15th day of June, 1990” in the portion after clause (b).

(3) Subsection 64 (2) of the Regulation is amended by striking out “As of the 1st day of January, 1989” at the beginning.

(4) Subsection 64 (2.1) of the Regulation is amended by striking out “As of the 1st day of January, 1991” at the beginning.

(5) Subsection 64 (3) of the Regulation is amended by striking out “on or after the 15th day of June, 1990”.

8. (1) Subsection 65.1 (1) of the Regulation is amended by striking out,

(a) “in respect of the adoption of a child by the employee”; and

(b) “*Unemployment Insurance Act (Canada)*” and substituting “*Employment Insurance Act (Canada)*”.

(2) Clause 65.1 (2) (b) of the Regulation is amended by striking out “*Unemployment Insurance Act (Canada)*” wherever it appears and substituting in each case “*Employment Insurance Act (Canada)*”.

(3) Subsection 65.1 (3) of the Regulation is amended by striking out,

(a) “in respect of the adoption of a child by the employee”; and

(b) “*Unemployment Insurance Act (Canada)*” wherever it appears and substituting in each case “*Employment Insurance Act (Canada)*”.

(4) Subsection 65.1 (9) of the Regulation is amended by striking out “without accumulation of credits” and substituting “with accumulation of credits”.

9. Subclause 70 (8) (c) (ii) of the Regulation is revoked and the following substituted:

(ii) for contributions made by the Government of Ontario on behalf of the employee in respect of the Public Service Pension Plan, the *Canada Pension Plan*, the *Employment Insurance Act (Canada)* and group insurance plans.

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

SELF-FUNDED LEAVE

70.1 (1) The Secretary of Management Board of Cabinet shall plan and provide a self-funded leave plan for civil servants other than commissioned officers in the Ontario Provincial Police Force below the rank of deputy Commissioner.

(2) During a self-funded leave, a civil servant's group insurance benefits continue if the civil servant continues to pay his or her share of the premiums for the insurance during the leave.

11. (1) Subsections 75 (1), (2) and (3) of the Regulation are revoked and the following substituted:

(1) The Long Term Income Protection Plan shall provide the benefit described in subsection (3) or (3.1) to an employee who participates in the Plan and who is totally disabled, is under the care of or is receiving treatment from a legally qualified medical practitioner and is not, except for the purpose of rehabilitation, engaged in any occupation or employment for which he or she receives a wage or profit.

(2) The employee is entitled to receive the benefit beginning immediately after a qualifying period of six continuous months of total disability and continuing until the earliest of,

(a) termination of the total disability;

(b) death; or

(c) the end of the month in which the employee reaches 65 years of age.

(3) The amount of the annual benefit payable during a calendar year (the “payment year”) to an employee other than a commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner is calculated using the formula,

$$A - (B + C)$$

in which,

“A” is,

(a) for the first payment year in which the benefit is paid, 66⅔ per cent of the employee's regular salary immediately before the beginning of the qualifying period,

(b) for each subsequent payment year, the amount of “A” for the previous year, increased by the average annual increase, expressed as a percentage, in the Ontario Consumer Price Index as published by Statistics Canada in January of the payment year, to a maximum of 2 per cent,

“B” is the total amount of the other disability and retirement benefits, if any, payable for the year to the employee under any other plans to which the employee contributes, other than payments under the *Workplace Safety and Insurance Act, 1997* for an unrelated disability, and

“C” is 50 per cent of any rehabilitation earnings of the employee for the year.

(3.1) The amount of the annual benefit payable during a calendar year to a commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner is calculated using the formula,

$$D - (E + F)$$

in which,

“D” is 66⅔ per cent of the officer's regular salary immediately before the beginning of the qualifying period,

“E” is the total amount of the other disability and retirement benefits, if any, payable for the year to the officer under any other plans to which the officer contributes, other than payments under the *Workplace Safety and Insurance Act, 1997* for an unrelated disability, and

“F” is 50 per cent of any rehabilitation earnings of the officer for the year.

(2) Subsection 75 (6) of the Regulation is amended by striking out “Effective the 1st day of November, 1975” at the beginning.

(3) The definition of “total disability” in subsection 75 (7) of the Regulation is revoked and the following substituted:

“total disability” means,

(a) during the qualifying period and the first 24 months of the period in respect of which benefits may be paid, the continuous inability of the employee, as a result of sickness or injury, to perform the essential duties of the employee's normal occupation, and

(b) during the balance of the period in respect of which benefits may be paid, the inability of the employee, as the result of sickness or injury, to perform the essential duties of any gainful occupation for which the employee is reasonably fitted by education, training or experience,

and “totally disabled” has a corresponding meaning.

12. (1) Clause 77 (1) (a) of the Regulation is amended by striking out “within the meaning of Part VI of the *Health Disciplines Act*” and substituting “as defined in subsection 117 (1) of the *Drug and Pharmacies Regulation Act*”.

(2) Subclauses 77 (1) (b) (i) and (ii) of the Regulation are revoked and the following substituted:

- (i) \$170 more than the charge by the hospital for standard ward room hospital care, to every commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner, or
- (ii) \$75 more than the charge by the hospital for standard ward room hospital care, to every employee to whom subclause (i) does not apply;

(3) Subsections 77 (5), (6), (7) and (8) of the Regulation are revoked and the following substituted:

(5) The Supplementary Health and Hospital Insurance Plan shall provide the cost of vision care,

- (a) to a maximum of \$200 per person every 24 months, to every commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner;
- (b) to a maximum of \$200 every six months due to a change in prescription, for each child aged 12 years of age or less of a commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner; and
- (c) to a maximum of \$200 per person every 24 months, to every employee to whom clause (a) does not apply and who elects to participate in the Plan's additional coverage for vision care and hearing aids.

(6) The Supplementary Health and Hospital Insurance Plan shall provide the cost of the purchase and repair of a hearing aid (other than the replacement of a battery),

- (a) to a maximum of \$300 per person every five years, to every commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner; and
- (b) to a lifetime maximum of \$200 per person, to every employee to whom clause (a) does not apply and who elects to participate in the Plan's additional coverage for vision care and hearing aids.

(7) The additional coverage described in subsections (5) and (6) is subject to the following deductible amount, other than for commissioned officers in the Ontario Provincial Police Force below the rank of deputy Commissioner:

- 1. \$10 for each calendar year for an employee with single coverage.
- 2. \$10 per person for each calendar year to a maximum of \$20 for an employee with family coverage.

(8) For the additional coverage described in subsections (5) and (6), the employer shall pay,

- (a) 100 per cent of the premiums for each commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner;
- (b) 60 per cent of the premiums for each participating full-time employee to whom clause (a) does not apply; and
- (c) 60 per cent of the percentage of monthly premiums that apply in clause (2) (b) for each participating part-time employee to whom clause (a) does not apply.

(4) The definitions of “optometrist” and “physician” in subsection 77 (9) of the Regulation are revoked and the following substituted:

“optometrist” means a member of the College of Optometrists of Ontario;

“physician” means a member of the College of Physicians and Surgeons of Ontario;

13. Subsections 78 (1), (2) and (3) of the Regulation are revoked and the following substituted:

(1) The Dental Insurance Plan shall reimburse every employee who elects to participate in the Plan for the following expenses and the reimbursement is in the following amount:

- 1. Eighty-five per cent of the cost of basic dental services, endodontic services, periodontic services and repair or maintenance services for existing dentures or bridges specified by the Plan, but not to exceed 85 per cent of the fees set out in the Ontario Dental Association schedule of fees for general practitioners in effect when the expense is incurred.
- 2. Fifty per cent of the cost of new dentures specified by the Plan, to a maximum of 50 per cent of the fees set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred. However, \$3,000 per person is the maximum reimbursement under this paragraph in respect of an employee, the employee's spouse or same-sex partner and each dependent child of the employee.
- 3. Fifty per cent of the cost of orthodontic services specified by the Plan and provided to unmarried dependent children of the employee who are more than six years old and less than 19 years old, to a maximum of 50 per cent of the fees set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred. However, \$3,000 is the maximum reimbursement under this paragraph in respect of each dependent child of the employee.
- 4. Fifty per cent of the cost of crowns, bridgework and other major restorative services specified by the Plan, to a maximum of 50 per cent of the fees set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred. However, \$2,000 per person per year is the maximum reimbursement under this paragraph in respect of an employee, the employee's spouse or same-sex partner and each dependent child of the employee.

(2) Despite subsection (1), the Dental Insurance Plan shall reimburse every commissioned officer in the Ontario Provincial Police Force below the rank of deputy Commissioner for the following expenses and the reimbursement is in the following amount:

- 1. Ninety per cent of the cost of basic dental services, endodontic services, periodontic services and repair or maintenance services for existing dentures or bridges specified by the Plan, but not to exceed 90 per cent of the fees set out in the Ontario Dental Association schedule of fees for general practitioners in effect when the expense is incurred.
- 2. Sixty per cent of the cost of new dentures and major restorative and orthodontic services specified by the Plan, to a maximum of 60 per cent of the fees set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred. However, \$2,000 per year is the maximum reimbursement under this paragraph in respect of an employee, the employee's spouse or same-sex partner and each dependent child of the employee.

14. Clause 80 (b) of the Regulation is revoked and the following substituted:

- (b) retirement under section 17 of the *Public Service Act*;

- (b.1) total and permanent disability that entitles him or her to a pension or payment under the Public Service Pension Plan; or

15. Subclause 81 (a) (ii) of the Regulation is revoked and the following substituted:

- (ii) retirement under section 17 of the *Public Service Act*,
(ii.1) total and permanent disability that entitles him or her to a pension or payment under the Public Service Pension Plan, or

16. Subclause 83 (1) (a) (ii) of the Regulation is revoked and the following substituted:

- (ii) retirement under section 17 of the *Public Service Act*,
(ii.1) total and permanent disability that entitles him or her to a pension or payment under the Public Service Pension Plan, or

CIVIL SERVICE COMMISSION

KATHRYN BOUEY
Chair

MORAG MCLEAN
Secretary

Dated on September 24, 2001.

45/01

ONTARIO REGULATION 400/01

made under the

JUSTICES OF THE PEACE ACT

Made: October 24, 2001

Filed: October 25, 2001

Amending O. Reg. 247/94

(Salaries and Benefits of Justices of the Peace —
Regions Designated under Section 22 of the Act)

Note: Since the end of 2000, Ontario Regulation 247/94 has been amended by Ontario Regulation 92/01. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 20, 2001.

1. Ontario Regulation 247/94 is amended by adding the following heading before section 1:

APPLICATION AND INTERPRETATION

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

1.1 (1) In this Regulation,

“accumulated attendance credits” means,

- (a) in the case of a justice of the peace appointed before January 1, 1976, the attendance credits standing to his or her credit immediately before January 1, 1976, and

- (b) in the case of a justice of the peace who was formerly within a unit of civil servants established for collective bargaining in accordance with an Act, the attendance credits standing to his or her credit immediately before his or her appointment as a justice of the peace;

“accumulated credits” includes compensation option credits, accumulated attendance credits and accumulated vacation credits;

“continuous service” means, with respect to a justice of the peace, the period of his or her unbroken service as a justice of the peace during which he or she,

- (a) receives his or her regular salary,
(b) is absent on leave without pay for a period that does not exceed thirty days, or
(c) is absent on pregnancy leave or parental leave,

and, if the justice of the peace was a civil servant before his or her appointment, it includes any period of unbroken service in the public service immediately before the appointment other than a leave of absence referred to in section 28.6 of the *Public Service Act* or in a predecessor to that section;

“eligible part-time justice of the peace” means a justice of the peace whose assigned hours of work per week is at least 40 per cent of the number of hours per week normally assigned to a full-time justice of the peace;

“group insurance plans” means the insurance plans referred to in subsection 23 (1);

“Long Term Income Protection Plan” means the Long Term Income Protection Plan described in section 27.

(2) A full-time justice of the peace is one whose assigned hours of work per week is at least 36.25 hours.

1.2 The following provisions do not apply to part-time justices of the peace other than eligible part-time justices of the peace:

1. Section 10 (holidays).
2. Section 11 (vacation).
3. Section 12 (compensation option credits).
4. Sections 13 to 16 (sickness and disability).
5. Sections 17 to 22 (special and compassionate leaves).
6. Sections 23 to 30 (group insurance plans).
7. Sections 34 to 37 (termination payments).

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

SALARIES

2. For service on and after April 1, 2001, the annual salary of a full-time justice of the peace is the salary set out in Column 2 of the Table to this section opposite the office held by the justice of the peace set out in Column 1.

COLUMN 1	COLUMN 2
OFFICE	SALARY
Regional senior justice of the peace for a region	\$83,804
Senior advisory justice of the peace	\$83,804
Senior justice of the peace/administrator of the Native justice of the peace program	\$83,804
Presiding justice of the peace	\$78,694
Non-presiding justice of the peace	\$57,232

4. (1) Subsection 3 (1) of the Regulation is amended by striking out “set out in subsection 2 (2)” and substituting “for the position as set out in the Table to section 2”.

(2) Subsection 3 (2) of the Regulation is amended by striking out “set out in subsection 2 (3) and substituting “for the position as set out in the Table to section 2”.

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

(3) Despite subsection (2), the minimum annual salary of a part-time justice of the peace who is designated as a non-presiding justice of the peace is \$3,028 for service on and after April 1, 2001.

5. Section 4 of the Regulation is amended by,

(a) striking out “Despite subsections 2 (3) and 3 (2)” and substituting “Despite section 2 and subsection 3 (2)”; and

(b) striking out “under subsection 2 (3) or 3 (2)” and substituting “under section 2 or subsection 3 (2)”.

6. (1) Subsection 5 (2) of the Regulation is amended by striking out “set out in subsection 2 (2)” and substituting “for a presiding justice of the peace as set out in the Table to section 2”.

(2) Subsection 5 (3) of the Regulation is amended by striking out “set out in subsection 2 (3)” and substituting “for a non-presiding justice of the peace as set out in the Table to section 2”.

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

EXPENSE ALLOWANCES

JUDICIAL ATTIRE

7. (1) A set of judicial attire shall be issued to each justice of the peace who is appointed on or after January 1, 2001 when he or she is appointed.

(2) A set of judicial attire shall be issued to each justice of the peace who holds office on or after January 1, 2001 seven years after he or she is appointed and every seven years thereafter, while he or she continues to hold office.

(3) A set of judicial attire consists of a gown, a sash, two waistcoats, two pairs of striped trousers or skirts, six long-sleeved court shirts or court blouses and six tabs.

TRAVEL ALLOWANCE

8. (1) A justice of the peace is entitled to claim and to be reimbursed for the following expenses actually incurred by him or her on or after January 1, 2001 in the course of his or her duties and approved as reasonable by the Associate Chief Justice Co-ordinator of Justices of the Peace:

1. Mileage expenses for travel in his or her own private automobile to or from a location other than his or her regular location, at the rate of 30 cents per kilometre travelled in southern Ontario and 30.5 cents per kilometre travelled in northern Ontario.

(2) For the purpose of paragraph 1 of subsection (1), northern Ontario is comprised of,

- (a) all of The District Municipality of Muskoka;
- (b) everything lying north of the line consisting of Healey Lake (Municipal) Road from Healey Lake easterly to its junction with Highway 612; and
- (c) everything lying north of the line consisting of Highway 60 easterly to its junction with Highway 62 at Killaloe Station and Highway 62 to Pembroke.

TAX-FREE ALLOWANCE

9. (1) A justice of the peace is entitled to be reimbursed for expenses actually incurred by him or her on or after January 1, 2001 and approved as reasonable by the Associate Chief Justice Co-ordinator of Justices of the Peace that are incidental to the fit and proper execution of the office of the justice of the peace, including,

- (a) the necessary purchase and maintenance of luggage for transporting documents and judicial attire;
- (b) the purchase of books and other publications related to judicial duties, other than books and publications that are available at his or her regular location; and
- (c) membership in recognized associations contributing to professional development.

(2) A justice of the peace is not entitled to be reimbursed under subsection (1) for more than \$500 in respect of the 12-month period beginning on April 1 in each year.

(3) A justice of the peace is not entitled to be reimbursed under subsection (1) for more than \$125 in respect of the three-month period beginning on January 1, 2001.

(4) If the expenses of a justice of the peace in a period described in subsection (2) exceed the amount that he or she is entitled to be reimbursed in respect of the period, he or she is entitled to claim the excess as an expense in respect of the following 12-month period, subject to the maximum established by that subsection for that 12-month period.

(5) If a justice of the peace does not hold the office in respect of which he or she is entitled to be reimbursed for expenses under subsection (1) during all of the 12-month period that begins on April 1 in a year, the maximum amount under subsection (2) shall be reduced by one-twelfth of the amount mentioned in subsection (2) for each full month that the justice of the peace does not hold that office during the period.

(6) Subsections (4) and (5) apply with necessary modifications with respect to the expenses of a justice of the peace in a period described in subsection (3).

(7) Property for which a justice of the peace is reimbursed under this section is the property of the Crown in right of Ontario and must be delivered to the Crown when the justice of the peace ceases to hold office, if the property is in serviceable condition at that time.

HOLIDAYS, VACATIONS AND CREDITS

HOLIDAYS

10. (1) Every year, a full-time justice of the peace is entitled to a holiday on New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, the first Monday in August, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any special holiday proclaimed by the Governor General or the Lieutenant Governor.

(2) Every year, an eligible part-time justice of the peace is entitled to a holiday on each of the days specified in subsection (1) that falls on a regularly scheduled working day.

(3) A special holiday that falls during a vacation leave of absence shall be computed as part of the leave of absence, but no other holidays shall be computed as part of the leave of absence.

(4) When a holiday specified in subsection (1) falls on a Saturday or Sunday, or when any two of them fall on a successive Saturday and Sunday, the following Monday is a holiday and, in addition, when Christmas day falls on a Saturday or Sunday, the following Tuesday is a holiday.

(5) A justice of the peace who is required to work on a holiday is entitled to a compensating day as a holiday.

VACATION

11. (1) A full-time justice of the peace is entitled to accumulate vacation credits in each year at the rate of,

- (a) 1 1/4 days per month during the first eight years of continuous service;
- (b) 1 2/3 days per month after eight years of continuous service;
- (c) 2 1/12 days per month after 15 years of continuous service; and
- (d) 2 1/2 days per month after 26 years of continuous service.

(2) An eligible part-time justice of the peace is entitled to accumulate a pro-rated portion of the vacation credits shown in subsection (1) based on the ratio that his or her regularly scheduled hours of work bear to full-time work.

(3) A justice of the peace is entitled to accumulate vacation credits in respect of a month or part thereof in which he or she is at work or on leave of absence with pay.

(4) Despite subsections (1) and (2), a justice of the peace is not entitled to accumulate vacation credits,

- (a) in respect of a whole month in which he or she is on leave of absence without pay;
- (b) in respect of a whole month in which he or she receives benefits under the Long Term Income Protection Plan; and
- (c) if he or she receives benefits under an award made under the *Workplace Safety and Insurance Act, 1997*, in respect of a whole month after the first six months in which he or she receives those benefits unless he or she is receiving payment for accumulated credits during the whole month.

(5) A justice of the peace shall be credited with his or her vacation credits for a year on the day in the year when he or she is first appointed and on January 1 in each year thereafter.

(6) A justice of the peace may accumulate vacation credits to a maximum of twice his or her annual credits but his or her vacation credits shall be reduced to a maximum of one year's credits not later than December 31 in each year.

(7) If a justice of the peace is prevented from taking a vacation as a result of either an injury for which an award is granted under the *Workplace Safety and Insurance Act, 1997* or a total disability or an extraordinary requirement of the Crown, and if his or her vacation credits in respect of that vacation are forfeited under subsection (6), the Associate Chief Justice Co-ordinator of Justices of the Peace shall give the justice of the peace, at his or her request, a leave of absence with pay to replace the forfeited vacation days.

(8) A justice of the peace who has completed six months of continuous service may, with the approval of the Associate Chief Justice Co-ordinator of Justices of the Peace, take vacation to the extent of his or her vacation entitlement and his or her accumulated vacation credits are reduced by the amount of vacation taken.

(9) When a justice of the peace completes 25 years of continuous service, the following shall be added to his or her accumulated vacation on that occasion only:

- 1. For a full-time justice of the peace, five days vacation.
- 2. For an eligible part-time justice of the peace, that portion of five days vacation equal to the portion his or her regularly scheduled hours of work bear to full-time work.

(10) A justice of the peace who completes 25 years of continuous service on or before the last day of the month in which he or she reaches 69 years of age is entitled, after the end of that month, to,

- (a) five days of pre-retirement leave with pay, if the justice of the peace is a full-time justice of the peace; or
- (b) that portion of five days pre-retirement leave with pay equal to the portion that his or her regularly scheduled hours of work bear to full-time work if the justice of the peace is an eligible part-time justice of the peace.

(11) If a justice of the peace ceases to hold office before completing six months of continuous service, he or she is entitled to vacation pay at the rate of 4 per cent of his or her earnings during the period in which he or she held office.

(12) A justice of the peace who has completed six or more months of continuous service shall be paid, in an amount computed at the rate of his or her last regular salary, for any unused vacation standing to the credit of the justice of the peace at the date he or she ceases to be a justice of the peace.

(13) A justice of the peace who has completed six or more months of continuous service is entitled, upon his or her request, to be paid, in an amount computed at the rate of his or her last regular salary, for any unused vacation standing to the credit of the justice of the peace at the date on which he or she qualifies for payments under the Long Term Income Protection Plan.

(14) When a justice of the peace ceases to hold office, there shall be deducted from his or her accumulated vacation credits an amount, in respect of the whole months remaining in the year after the person ceases to hold office, that is computed at the rate set out in subsection (1) in the case of a full-time justice of the peace and at the rate set out in subsection (2) in the case of an eligible part-time justice of the peace.

(15) Vacation taken in excess of the vacation credits to which a justice of the peace is entitled on the date he or she ceases to hold office is deducted from the amount paid to the justice of the peace under sections 31 to 38 and from any salary to which he or she may be entitled.

(16) In this section,

“continuous service” includes,

- (a) a leave of absence granted to the justice of the peace under section 13,
- (b) his or her absence by reason of an injury or occupational disease for which an award is made under the *Workplace Safety and Insurance Act, 1997*,
- (c) an absence for which benefits are received by the justice of the peace under the Long Term Income Protection Plan,
- (d) a leave of absence without pay granted to the justice of the peace for a period that exceeds 30 days, or
- (e) his or her period of full-time service under the *Legislative Assembly Act* that is immediately before his or her appointment as a justice of the peace under the *Justices of the Peace Act* or as a public servant under the *Public Service Act*, and without any intervening break in service, including service as an employee of the caucus of a political party or of a member of the Assembly, if his or her salary is paid out of the money appropriated for use of the caucus or member under the *Legislative Assembly Act*.

COMPENSATION OPTION CREDITS

12. (1) A justice of the peace is entitled to accumulate compensation option credits in each year for the portion of the year during which he or she holds that office.

- (2) The compensation option credits accumulate at the rate of,

- (a) 5/12 of one credit per month in the year for a full-time justice of the peace; and
 - (b) that portion of 5/12 of one credit per month in the year that is equal to the portion that his or her regularly scheduled hours of work bear to full-time work, for an eligible part-time justice of the peace.
- (3) The compensation option credits that a justice of the peace is entitled to accumulate in a year are credited to him or her on January 1 in the year or on the day in the year when he or she first becomes a justice of the peace, whichever is later.
- (4) There shall be deducted from the compensation option credits credited to a justice of the peace in a year, to a maximum of the credits credited to him or her in the year, credits at the rate set out in clause (2) (a) or (b), as the case requires, for,
- (a) each whole month in the year throughout which the justice of the peace is on leave of absence without pay;
 - (b) each whole month in the year throughout which the justice of the peace receives benefits under the Long Term Income Protection Plan;
 - (c) each whole month in the year throughout which the justice of the peace receives benefits under an award made under the *Workplace Safety and Insurance Act, 1997*, if that month is after the first six months for which the justice of the peace received benefits under that award, and if he or she is not receiving payment for accumulated attendance credits or accumulated vacation credits in that month;
 - (d) each whole month in the year after the month in which the justice of the peace ceases to hold office;
 - (e) each whole month in the year throughout which the justice of the peace is on leave of absence with pay under subsection 37 (3) or (6), and for the month in the year, if less than a whole month, in which the leave of absence with pay ends; and
 - (f) any month wholly comprised of consecutive periods of less than a month for which credit would be deducted under clauses (a) to (e) if the periods were whole months.
- (5) With the approval of the Associate Chief Justice Co-ordinator of Justices of the Peace, a justice of the peace may take leave of absence with pay in respect of some or all of his or her accumulated compensation option credits at the rate of one day of leave of absence with pay for each compensation option credit to which he or she is entitled, and his or her accumulated compensation option credits are reduced by the leave of absence with pay taken.
- (6) If, after making any deduction required by subsection (4) or (5), the accumulated compensation option credits of a justice of the peace at the end of a year exceed 20, the excess is deducted from his or her accumulated compensation option credits before compensation option credits for the next year are credited to him or her.
- (7) Each day or part thereof by which a leave of absence with pay taken by a justice of the peace under subsection (5) exceeds his or her accumulated compensation option credits after making any deduction required by subsection (4) or (6) is deducted from his or her vacation credits, and he or she shall repay the salary paid to him or her for any day or part thereof of the leave of absence with pay that cannot be so deducted.
- (8) Any amount to be repaid under subsection (7) may be deducted from any payment the justice of the peace is entitled to receive from the Crown in respect of salary or termination payments or otherwise.
- (9) A justice of the peace is not entitled to be paid for any accumulated compensation option credits to which he or she remains entitled when he or she ceases to be a justice of the peace or when he or she

commences a leave of absence with pay under subsection 37 (3) or (6).

SICKNESS AND DISABILITY

SHORT TERM SICKNESS PLAN

13. (1) In each year, a full-time justice of the peace who is unable to attend to his or her duties due to sickness or injury is entitled to a leave of absence,

- (a) with regular salary for six working days; and
- (b) with 75 per cent of regular salary for an additional 124 working days.

(2) An eligible part-time justice of the peace who is unable to attend to his or her duties due to sickness or injury is entitled, in each year, to leave of absence,

- (a) with regular salary for that portion of six working days equal to the portion his or her regularly scheduled hours of work bear to full-time work; and
- (b) with 75 per cent of regular salary for that portion of an additional 124 working days equal to the portion his or her regularly scheduled hours of work bear to full-time work.

(3) A justice of the peace is not entitled to a leave of absence with pay under this section until he or she completes, in the case of a full-time justice of the peace, 20 consecutive working days, and in the case of an eligible part-time justice of the peace, all of his or her regularly scheduled hours within a period of four consecutive weeks.

(4) A justice of the peace who is on leave of absence with pay under this section that commences on a regularly scheduled working day in one year and continues to include a regularly scheduled working day in the next following year is not entitled to leave of absence with pay for a greater number of working days than are permitted under subsection (1) or (2), as the case may be, in the two years until the justice of the peace has again completed the service requirement described in subsection (3).

(5) A justice of the peace who was on leave of absence with pay under this section for the number of days in a year permitted under subsection (1) or (2), as the case may be, is not entitled to leave of absence with pay under this section in the year next following until the justice of the peace has again completed the service requirement described in subsection (3).

(6) The pay of a justice of the peace under this section is subject to,

- (a) all deductions for the group insurance plans and under the Public Service Pension Plan that would otherwise be made from the pay; and
- (b) all contributions that would otherwise be made by the Crown in respect of the pay.

(7) The deductions and contributions referred to in subsection (6) are made as if the justice of the peace were receiving his or her regular salary.

USE OF ACCUMULATED CREDITS

14. (1) A justice of the peace who is on leave of absence and receiving pay under clause 13 (1) (b) or (2) (b) is entitled, at his or her option, to have his or her accumulated credits reduced for each day to which clause 13 (1) (b) or (2) (b) applies and to receive regular salary for each such day.

(2) A justice of the peace who is absent due to sickness or injury beyond the total number of days leave of absence with pay provided for in section 13 shall have his or her accumulated attendance credits

reduced by the number of days of such absence and he or she is entitled to leave of absence with pay on each such day.

(3) Subsection (2) does not apply to a justice of the peace who qualifies for and elects to receive benefits under the Long Term Income Protection Plan instead of using his or her accumulated attendance credits.

BENEFITS UNDER THE WORKPLACE SAFETY AND INSURANCE ACT, 1997

15. (1) If a justice of the peace is absent by reason of an injury or occupational disease for which a claim is made under the *Workplace Safety and Insurance Act, 1997*, his or her salary shall continue to be paid for a period not exceeding 30 working days; and, if the claim is rejected any salary paid in excess of that to which he or she is entitled under sections 13 and 14 is an amount owing by the justice of the peace to the Crown.

(2) If a justice of the peace is absent by reason of an injury or occupational disease for which an award is made under the *Workplace Safety and Insurance Act, 1997*, his or her salary shall continue to be paid for a period not exceeding three consecutive months, or a total of 65 regularly scheduled working days where such absences are intermittent, following the date of the first absence because of the injury or disease.

(3) The regular salary of a justice of the peace to whom an award is made under the *Workplace Safety and Insurance Act, 1997* that is less than his or her regular salary but that applies for a period beyond that set out in subsection (2) may be paid after the period set out in subsection (2) if the justice of the peace has accumulated credits.

(4) For any payment made under subsection (3), the difference between his or her regular salary paid after the period set out in subsection (2) and the compensation awarded shall be converted to its equivalent time and deducted from his or her accumulated credits.

(5) If a justice of the peace is absent by reason of an injury or occupational disease for which an award is made under the *Workplace Safety and Insurance Act, 1997*, the Crown shall continue to pay the premiums otherwise payable by the Crown for the group insurance plans.

MEDICAL EXAMINATION

16. (1) After seven consecutive calendar days absence caused by sickness or injury, a justice of the peace is not entitled to leave with pay unless a certificate of a legally qualified medical practitioner (or of such other person as may be approved by the Associate Chief Justice Co-ordinator of Justices of the Peace) is forwarded to the Associate Chief Justice Co-ordinator of Justices of the Peace, certifying that the justice of the peace is unable to attend to official duties.

(2) Despite subsection (1), the Chief Justice or the Associate Chief Justice Co-ordinator of Justices of the Peace may require a justice of the peace to submit the certificate required by subsection (1) for any period of absence.

(3) If, for reasons of health, a justice of the peace is frequently absent or unable to perform his or her duties, the Associate Chief Justice Co-ordinator of Justices of the Peace may require him or her to submit to a medical examination at the expense of the Crown.

SPECIAL AND COMPASSIONATE LEAVES

BEREAVEMENT LEAVE

17. (1) A justice of the peace is entitled,

- (a) in the case of a full-time justice of the peace, to not more than three working days leave of absence with pay; and
- (b) in the case of an eligible part-time justice of the peace, to not more than three consecutive days leave of absence with pay,

in the event of the death of his or her spouse, same-sex partner, parent, mother-in-law, father-in-law, child, stepchild, daughter-in-law, son-in-law, sister, brother, sister-in-law, brother-in-law, grandparent, grandchild, ward or guardian.

(2) A justice of the peace who would otherwise have been at work is entitled to one day leave of absence with pay in the event of the death of his or her aunt, uncle, niece or nephew.

(3) If the funeral service for a person on whose death a justice of the peace is entitled to a leave of absence under subsections (1) and (2) is held at a location more than 800 kilometres from his or her residence, the justice of the peace is entitled to two additional days leave of absence without pay immediately following the leave of absence taken by the justice of the peace under those subsections.

PREGNANCY AND PARENTAL LEAVES

18. (1) A justice of the peace who is pregnant is entitled to a leave of absence beginning not earlier than 17 weeks before the expected birth date.

(2) At least two weeks before the leave is to begin, the justice of the peace shall give the Associate Chief Justice Co-ordinator of Justices of the Peace written notice of the date the leave is to begin and a certificate from a legally qualified medical practitioner stating the expected birth date.

(3) Subsection (2) does not apply to a justice of the peace who stops working because of complications caused by her pregnancy or because of a birth, still-birth or miscarriage that occurs earlier than the date she was expected to give birth.

(4) A justice of the peace to whom subsection (3) applies shall, within two weeks of stopping work, give the Associate Chief Justice Co-ordinator of Justices of the Peace,

- (a) written notice of the date the pregnancy leave began or is to begin; and
- (b) a certificate from a legally qualified medical practitioner,
 - (i) in the case of a justice of the peace who stops working because of complications caused by her pregnancy, stating that she is unable to perform her duties because of complications caused by her pregnancy and stating the expected birth date, or
 - (ii) in any other case, stating the date of the birth, still-birth or miscarriage and the date the justice of the peace was expected to give birth.

(5) The pregnancy leave of a justice of the peace ends,

- (a) in the case of a justice of the peace who is entitled to take parental leave, 17 weeks after the pregnancy leave began;
- (b) in the case of a justice of the peace who is not entitled to take parental leave, on the later of the date that is 17 weeks after the pregnancy leave began and the date that is six weeks after the birth, still-birth or miscarriage; or
- (c) on a date earlier than the date provided for in clause (a) or (b), if the justice of the peace gives the Associate Chief Justice Co-ordinator of Justices of the Peace at least four weeks written notice of the earlier date.

(6) The first 17 weeks of pregnancy leave shall be with pay and any additional pregnancy leave shall be without pay.

(7) A justice of the peace who has given notice to begin pregnancy leave may change the notice,

- (a) to an earlier date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least two weeks before the earlier date; or

(b) to a later date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least two weeks before the date leave was to begin under the previous notice.

(8) A justice of the peace who has given notice to end pregnancy leave may change the notice,

(a) to an earlier date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least four weeks before the earlier date; or

(b) to a later date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least four weeks before the date leave was to end under the previous notice.

(9) This section also applies to a justice of the peace who, on or after January 1, 2001, is on a leave of absence under section 65 (pregnancy leave) of Regulation 977 of the Revised Regulations of Ontario, 1990 (General) made under the *Public Service Act*.

19. (1) In this section,

“parent” includes a person with whom a child is placed for adoption and a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as his or her own.

(2) A justice of the peace who is the parent of a child is entitled to a leave of absence following,

(a) the birth of the child, if it occurs on or after January 1, 2001; or

(b) the coming of the child into the custody, care and control of a parent for the first time, if it occurs on or after January 1, 2001.

(3) Parental leave shall begin not later than 35 weeks after the date the child is born or comes into the custody, care and control of a parent for the first time.

(4) The parental leave of a justice of the peace who takes pregnancy leave shall begin when the pregnancy leave ends unless the child has not yet come into the custody, care and control of a parent for the first time.

(5) A justice of the peace who takes parental leave shall give the Associate Chief Justice Co-ordinator of Justices of the Peace at least two weeks written notice of the date the leave is to begin.

(6) Subsection (5) does not apply in the case of a justice of the peace who stops working because the child comes into the custody, care and control of a parent sooner than expected.

(7) The parental leave of a justice of the peace to whom subsection (6) applies begins on the day he or she stops working and, within two weeks of stopping work, he or she shall give the Associate Chief Justice Co-ordinator of Justices of the Peace written notice that the justice of the peace wishes to take parental leave.

(8) The parental leave of a justice of the peace ends,

(a) 26 weeks after it begins; or

(b) on a date earlier than the date provided for in clause (a), if the justice of the peace gives the Associate Chief Justice Co-ordinator of Justices of the Peace at least four weeks written notice of the earlier date.

(9) The first ten days of parental leave shall be with pay and the remainder shall be without pay.

(10) A justice of the peace who has given notice to begin parental leave may change the notice,

(a) to an earlier date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least two weeks before the earlier date; or

(b) to a later date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least two weeks before the date leave was to begin under the previous notice.

(11) A justice of the peace who has given notice to end parental leave may change the notice,

(a) to an earlier date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least four weeks before the earlier date; or

(b) to a later date, by giving the Associate Chief Justice Co-ordinator of Justices of the Peace written notice at least four weeks before the date leave was to end under the previous notice.

CANADIAN FORCES RESERVE TRAINING LEAVE

20. In each year, the Associate Chief Justice Co-ordinator of Justices of the Peace may give a justice of the peace a leave of absence with pay of not more than one week and a leave of absence without pay of not more than one week for the purpose of Canadian Forces Reserve training.

DISCRETIONARY LEAVE

21. (1) The Associate Chief Justice Co-ordinator of Justices of the Peace may give a justice of the peace a leave of absence with pay of not more than three days in a year upon special or compassionate grounds.

(2) A further leave of absence with pay may be given for special or compassionate purposes to a justice of the peace for a period of,

(a) not more than six months with the approval of the Associate Chief Justice Co-ordinator of Justices of the Peace; and

(b) over six months upon the recommendation of the Chief Justice and with the approval of the Lieutenant Governor in Council.

(3) A leave of absence without pay and without accumulation of credits may be given to a justice of the peace by the Associate Chief Justice Co-ordinator of Justices of the Peace.

(4) A justice of the peace shall not absent himself or herself from duty on a leave of absence provided for in this section unless he or she has previously obtained the authorization required by this section.

(5) An application for leave of absence under this section must be in writing and must set out the reasons for the leave of absence.

22. (1) In this section,

“leave of absence” means a leave of absence for the purpose of undertaking employment under the auspices of the Government of Canada or a public agency or in the private sector.

(2) The Associate Chief Justice Co-ordinator of Justices of the Peace may give a justice of the peace a leave of absence with pay for a period of not more than two years and, if the leave is less than two years, may extend it from time to time to a maximum of two years.

(3) The Associate Chief Justice Co-ordinator of Justices of the Peace, with the approval of the Chief Justice, may give a justice of the peace a leave of absence with pay for a period of not more than five years and, if the leave is less than five years, the Associate Chief Justice Co-ordinator of Justices of the Peace, with the approval of the Chief Justice, may extend it from time to time to a maximum of five years.

(4) If a leave of absence was originally given under subsection (2), the Associate Chief Justice Co-ordinator of Justices of the Peace, with the approval of the Chief Justice, may extend it from time to time to a maximum of five years.

(5) The Associate Chief Justice Co-ordinator of Justices of the Peace may give a justice of the peace a leave of absence without pay and without accumulation of credits for a period of not more than two years and, if the leave is less than two years, may extend it from time to time to a maximum of two years.

(6) The Associate Chief Justice Co-ordinator of Justices of the Peace, with the approval of the Chief Justice, may give a justice of the peace a leave of absence without pay and without accumulation of credits for a period of not more than five years and, if the original leave is less than five years, the Associate Chief Justice Co-ordinator of Justices of the Peace, with the approval of the Chief Justice, may extend it from time to time to a maximum of five years.

(7) If a leave of absence is originally given under subsection (5), the Associate Chief Justice Co-ordinator of Justices of the Peace, with the approval of the Chief Justice, may extend the leave of absence from time to time to a maximum of five years.

(8) If a justice of the peace is given a leave of absence with pay,

- (a) he or she is entitled to the same sick leave benefits and vacation credits to which he or she would be entitled if he or she had not taken the leave of absence;
- (b) he or she is required to submit regular personal attendance reports; and
- (c) the agency responsible for paying the salary of the justice of the peace shall reimburse the Minister of Finance,
 - (i) for the salary of the justice of the peace, and
 - (ii) for contributions made by the Government of Ontario on behalf of the justice of the peace in respect of the Public Service Pension Plan, the *Canada Pension Plan* and group insurance plans.

(9) If a justice of the peace takes a leave of absence without pay and without accumulation of credits, he or she may continue to participate in the group insurance plans in which the justice of the peace would have participated if he or she had not taken the leave of absence, but only if the justice of the peace pays the full premiums for the coverage under the plans.

GROUP INSURANCE PLANS

23. (1) The Crown may enter into agreements with insurance underwriters for the purpose of providing justices of the peace the following group insurance coverages:

- 1. A Basic Life Insurance Plan.
- 2. A Supplementary Life Insurance Plan.
- 3. A Dependents' Life Insurance Plan.
- 4. A Long Term Income Protection Plan.
- 5. A Supplementary Health and Hospital Insurance Plan.
- 6. A Dental Insurance Plan.

(2) The group insurance coverage referred to in subsection (1) shall not be provided for a justice of the peace during a leave of absence without pay except to the extent that the justice of the peace arranges to pay the amount of the full premium for any of the coverages that the justice of the peace chooses to have continued during the leave and pays the amount at least one week before the first of each month of the leave of absence.

(3) Within a reasonable time after a justice of the peace is given a leave of absence, the Crown shall inform the justice of the peace that group insurance coverages during the leave of absence will continue only in accordance with subsection (2).

(4) Except as stated in this section and sections 24 to 30, the benefits provided to justices of the peace under the group insurance coverages shall be those set out in the agreements made with the insurance underwriters.

(5) The benefits provided for full-time justices of the peace under each group insurance coverage must continue until a full-time justice of the peace reaches 70 years of age or ceases to be a justice of the peace, whichever occurs first.

(6) Each group insurance coverage must provide the same benefits to full-time justices of the peace who are between 65 and 70 years of age as it provides to full-time justices of the peace who are less than 65 years of age.

(7) Each group insurance coverage must be provided on and after January 1, 2001.

24. (1) The Basic Life Insurance Plan must provide life insurance coverage equal to 100 per cent of the annual salary of every justice of the peace, and such coverage is not less than \$10,000 for a full-time justice of the peace and \$5,000 for an eligible part-time justice of the peace.

(2) The Crown shall pay the premium for Basic Life Insurance Plan coverage.

25. (1) The Supplementary Life Insurance Plan must provide additional group life insurance coverage equal to the annual salary, twice the annual salary or three times the annual salary, at the choice of the justice of the peace, for those justices of the peace who choose to participate in the Plan.

(2) A justice of the peace who participates in the Supplementary Life Insurance Plan shall pay the premium for his or her insurance coverage in the Plan.

26. (1) The Dependents' Life Insurance Plan must provide, in respect of each justice of the peace who chooses to participate in the Plan, life insurance coverage of,

- (a) \$1,000 for the spouse or same-sex partner of the justice of the peace and \$500 for each child of the justice of the peace; or
- (b) \$2,000 for the spouse or same-sex partner of the justice of the peace and \$1,000 for each child of the justice of the peace,

whichever coverage the justice of the peace chooses.

(2) In subsection (1),

“child” means,

- (a) an unmarried child who is less than 21 years of age,
- (b) a child who is at least 21 years of age but not yet 25 years of age and who is in full time attendance at an educational institution or on vacation from one, or
- (c) a child who is at least 21 years of age and who is mentally or physically infirm and is dependent on the justice of the peace.

(3) A justice of the peace who participates in the Dependents' Life Insurance Plan shall pay the premiums for the insurance coverage provided to the justice of the peace in the Plan.

27. (1) The Long Term Income Protection Plan must provide the benefit described in subsection (3) to a justice of the peace who participates in the Plan and who is totally disabled, is under the care of or is receiving treatment from a legally qualified medical practitioner and is not, except for the purpose of rehabilitation, engaged in any

occupation or employment for which he or she receives a wage or profit.

(2) The justice of the peace is entitled to receive the benefit beginning immediately after a qualifying period of six continuous months of total disability and continuing until the earliest of,

- (a) termination of the total disability;
- (b) death; or
- (c) the end of the month in which the justice of the peace reaches 70 years of age, in the case of a full-time justice of the peace, or 65 years of age, in the case of a part-time justice of the peace.

(3) The amount of the annual benefit during a calendar year (the "payment year") is the amount calculated using the formula,

$$A - (B + C)$$

in which,

"A" is,

- (a) for the first payment year in which the benefit is paid, 66½ per cent of the justice of the peace's regular salary immediately before the beginning of the qualifying period, and
- (b) for each subsequent payment year, the amount of "A" for the previous year, increased by the average annual increase, expressed as a percentage, in the Ontario Consumer Price Index as published by Statistics Canada in January of the payment year, to a maximum of 2 per cent,

"B" is the total amount of the other disability and retirement benefits, if any, payable for the year to the justice of the peace under any other plans to which the justice of the peace contributes, other than payments under the *Workplace Safety and Insurance Act, 1997* for an unrelated disability, and

"C" is 50 per cent of any rehabilitation earnings of the justice of the peace for the year.

(4) Every justice of the peace who is appointed to office on or after March 1, 1971 shall participate in the Long Term Income Protection Plan.

(5) A justice of the peace who was appointed to office before March 1, 1971,

- (a) where the justice of the peace was participating in the Long Term Income Protection Plan on December 19, 1975, is entitled to continue to participate in the Plan or to cease participating in the Plan; or
- (b) where the justice of the peace was not participating in the Plan on December 19, 1975 is, upon producing evidence of medical eligibility satisfactory to the insurer under the Plan, entitled to participate in the Plan, and is thereafter entitled to cease participating in the Plan.

(6) The Crown shall pay 85 per cent of the premium costs for every justice of the peace who participates in the Long Term Income Protection Plan and the justice of the peace shall pay the balance of the premium costs through payroll deduction.

(7) In this section,

"rehabilitation earnings" means earnings for service following directly after a period of total disability during which the justice of the peace is not fully recovered from the disability;

"total disability" means,

- (a) during the qualifying period and the first 24 months of the period in respect of which benefits may be paid, the continuous

inability of the justice of the peace, as a result of sickness or injury, to perform the essential duties of the justice of the peace's normal occupation, and

- (b) during the balance of the period in respect of which benefits may be paid, the inability of the justice of the peace, as the result of sickness or injury, to perform the essential duties of any gainful occupation for which the justice of the peace is reasonably fitted by education, training or experience,

and "totally disabled" has a corresponding meaning.

28. If the Crown is paying all or part of the premiums for a justice of the peace for the group insurance plans and the justice of the peace receives benefits under the Long Term Income Protection Plan, the Crown shall continue the premium payments for the period in respect of which the justice of the peace is receiving the benefits.

29. (1) The Supplementary Health and Hospital Insurance Plan must provide to every justice of the peace who joins the Plan,

- (a) reimbursement for 90 per cent of the cost of drugs and medicine dispensed by a legally qualified medical practitioner or by a pharmacist as defined in subsection 117 (1) of the *Drug and Pharmacies Regulation Act* on the written prescription of a legally qualified medical practitioner;
- (b) reimbursement for charges for semi-private room hospital care made by a hospital within the meaning of the *Public Hospitals Act* or by a hospital that is licensed or approved by the governing body in the jurisdiction in which the hospital is located; and
- (c) such other health and hospital expenses as result from treatment and services recommended or approved by a legally qualified medical practitioner as may be provided by the Plan.

(2) The Crown shall pay,

- (a) the premiums for every full-time justice of the peace who joins the Supplementary Health and Hospital Insurance Plan; and
- (b) 40, 50, 60, 70 or 80 per cent of the premiums for every eligible part-time justice of the peace who joins the Supplementary Health and Hospital Insurance Plan, whichever percentage is closest to the relation that his or her regularly scheduled hours of work bear to full-time work, and the justice of the peace shall pay the balance of the premium through payroll deduction.

(3) A justice of the peace may elect to participate in the Supplementary Health and Hospital Insurance Plan,

- (a) on appointment;
- (b) in December of any year, for coverage commencing on the following January 1, if the justice of the peace has satisfied the waiting period of the Plan and the justice of the peace,
 - (i) did not join the Plan on appointment, or
 - (ii) previously opted out of the Plan; or
- (c) on providing evidence that similar coverage available to the justice of the peace under the plan of another person has been terminated, for coverage commencing on the 1st day of the month coinciding with or following the presentation of the evidence.

(4) A justice of the peace may elect in December of any year to opt out of the Supplementary Health and Hospital Insurance Plan and coverage shall cease at the end of that month.

(5) The Supplementary Health and Hospital Insurance Plan must provide the cost of vision care to a maximum of \$200 per person every 24 months to every justice of the peace who elects to participate in the Plan's additional coverage for vision care and hearing aids.

(6) The Supplementary Health and Hospital Insurance Plan must provide the cost of the purchase and repair of a hearing aid (other than the replacement of a battery) to a lifetime maximum of \$200 per person to every justice of the peace who elects to participate in the Plan's additional coverage for vision care and hearing aids.

(7) The additional coverage described in subsections (5) and (6) is subject to the following deductible amount:

1. \$10 for each calendar year for a justice of the peace with single coverage.
2. \$10 per person for each calendar year to a maximum of \$20 for a justice of the peace with family coverage.

(8) For the additional coverage described in subsections (5) and (6), the employer shall pay,

- (a) 60 per cent of the premiums for each participating full-time justice of the peace; and
- (b) 60 per cent of the applicable monthly premiums under clause (2) (b) for each participating part-time justice of the peace.

(9) In this section,

"vision care" means eyeglasses, frames and lenses for eyeglasses and contact lenses prescribed by a physician who is a member of the College of Physicians and Surgeons of Ontario or an optometrist who is a member of the College of Optometrists of Ontario, and includes the fitting of such eyeglasses, frames, lenses and contact lenses, but does not include eyeglasses for cosmetic purposes or sunglasses.

30. (1) The Dental Insurance Plan must reimburse every justice of the peace who elects to participate in the Plan for the following expenses and the reimbursement is in the following amount:

1. Eighty-five per cent of the cost of basic dental services, endodontic services, periodontic services and repair or maintenance services for existing dentures or bridges specified by the Plan, but not to exceed 85 per cent of the fees set out in the Ontario Dental Association schedule of fees for general practitioners in effect when the expense is incurred.
2. Fifty per cent of the cost of new dentures specified by the Plan, to a maximum of 50 per cent of the fees set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred. However, \$3,000 per person is the maximum reimbursement under this paragraph in respect of a justice of the peace, the justice of the peace's spouse or same-sex partner and each dependent child of the justice of the peace.
3. Fifty per cent of the cost of orthodontic services specified by the Plan and provided to unmarried dependent children of the justice of the peace who are more than six years old and less than 19 years old, to a maximum of 50 per cent of the fees set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred. However, \$3,000 is the maximum reimbursement under this paragraph in respect of each dependent child of the justice of the peace.
4. Fifty per cent of the cost of crowns, bridgework and other major restorative services specified by the Plan, to a maximum of 50 per cent of the fees set out in the Ontario Dental Association schedule of fees in effect when the expense is incurred. However, \$2,000 per person per year is the maximum reimbursement under this paragraph in respect of a justice of the peace, the justice of the peace's spouse or same-sex partner and each dependent child of the justice of the peace.

(2) The Crown shall pay,

- (a) the premiums for every full-time justice of the peace who joins the Dental Insurance Plan; and

(b) 40, 50, 60, 70 or 80 per cent of the premiums of the Dental Insurance Plan for every eligible part-time justice of the peace who joins the Plan, whichever percentage is closest to the relation that his or her regularly scheduled hours of work bear to full-time work and the justice of the peace shall pay the balance of the premium through payroll deduction.

(3) A justice of the peace may elect to participate in the Dental Insurance Plan,

- (a) on appointment;
- (b) in December of any year for coverage commencing on the following January 1, if the justice of the peace has satisfied the waiting period of the Plan and the justice of the peace,
 - (i) did not join the Plan on appointment, or
 - (ii) previously opted out of the Plan; or
- (c) on providing evidence that similar coverage available to the justice of the peace under the plan of another person has been terminated, for coverage commencing on the 1st day of the month coinciding with or next following the presentation of the evidence.

(4) A justice of the peace may elect in December of any year to opt out of the Dental Insurance Plan and coverage ceases at the end of that month.

TERMINATION PAYMENTS

31. A full-time justice of the peace who was appointed before January 1, 1970 and who ceases to be a justice of the peace is entitled to be paid an amount in respect of remaining accumulated attendance credits in an amount computed by multiplying half of the number of days of remaining accumulated attendance credits at the date of ceasing to be a justice of the peace by his or her annual salary at the date of ceasing to be a justice of the peace and dividing the product by 261.

32. (1) Despite section 31, a full-time justice of the peace who was appointed on or after October 1, 1965 and before January 1, 1970 is entitled to receive the amount described in subsection (2) for continuous service up to and including December 31, 1975 if he or she ceases to be a justice of the peace because of,

- (a) death;
- (b) retirement under section 6 of the Act; or
- (c) total and permanent disability that entitles him or her to a pension or payment under the Public Service Pension Plan.

(2) In the circumstances described in subsection (1), the full-time justice of the peace is entitled to receive one of the following amounts:

1. Severance pay equal to one-half week of salary for each year of continuous service before January 1, 1970 and one week of salary for each year of continuous service from and including January 1, 1970.
2. The amount in respect of his or her accumulated attendance credits computed in accordance with section 31.

33. (1) A full-time justice of the peace who is appointed on or after January 1, 1970 is entitled to the severance pay described in this section for each year of continuous service up to and including December 31, 1975.

(2) A full-time justice of the peace is entitled to receive an amount equal to one week of salary for each year of service if he or she has completed one year of continuous service and ceases to be a justice of the peace because of,

- (a) death;

- (b) retirement under section 6 of the Act; or
- (c) total and permanent disability that entitles him or her to a pension or payment under the Public Service Pension Plan.

(3) A full-time justice of the peace is entitled to receive an amount equal to one week of salary for each year of service if he or she has completed five years of continuous service and ceases to be a justice of the peace for any reason other than,

- (a) removal from office under clause 8 (2) (b) of the Act; or
- (b) abandonment of position.

34. (1) A justice of the peace, is entitled to receive severance pay for continuous service on or after January 1, 1976,

- (a) if he or she has completed a minimum of one year of continuous service and who ceases to be a justice of the peace because of,
 - (i) death,
 - (ii) retirement under section 6 of the Act, or
 - (iii) total and permanent disability that entitles him or her to a pension or payment under the Public Service Pension Plan; or
- (b) if he or she has completed a minimum of five years of continuous service and ceases to be a justice of the peace for any reason other than,
 - (i) removal from office under clause 8 (2) (b) of the Act, or
 - (ii) abandonment of position.

(2) The amount of severance pay to which the justice of the peace is entitled under subsection (1) is the amount equal to,

- (a) one week of salary for each year of continuous service as a full-time justice of the peace from and after that date; and
- (b) that portion of a week's salary that is equal to the portion his or her regularly scheduled hours of work bear to full-time work, for each year of continuous service as an eligible part-time justice of the peace.

(3) For the purpose of clause (2) (b),

"week's salary" means the salary the justice of the peace would receive if the justice of the peace were a full-time justice of the peace.

(4) Despite the definition of "continuous service" in section 1.1, for the purpose of this section, his or her period of continuous service under the *Legislative Assembly Act* immediately prior to his or her appointment as a justice of the peace under the Act or as a public servant under the *Public Service Act* shall be taken into account in computing the minimum period of continuous service mentioned in clause (1) (b) and in computing the severance pay mentioned in subsection (1), but the severance pay to which the justice of the peace is entitled under that subsection shall be reduced by an amount equal to the amount, if any, of the severance pay received by the justice of the peace in respect of the termination of his or her service under the *Legislative Assembly Act* for any period of such service that is also taken into account in computing his or her severance pay under subsection (1).

(5) In subsection (4),

"service under the *Legislative Assembly Act*" includes continuous service for at least one year as an employee of the caucus of a political party or of a member of the Assembly where his or her salary is paid out of money appropriated for the use of the caucus or member under the *Legislative Assembly Act*.

35. Despite section 34, where in the opinion of the Chief Justice special circumstances exist, a payment may be made by way of termination allowance, with the approval of the Lieutenant Governor in Council, to a justice of the peace when he or she ceases to be a justice of the peace.

36. (1) The total of the amount paid to a justice of the peace in respect of accumulated attendance credits and the severance pay of the justice of the peace shall not exceed one-half of the annual salary of the justice of the peace,

- (a) at the date when he or she ceases to be a justice of the peace; or
- (b) in the case of a justice of the peace receiving benefits under the Long Term Income Protection Plan, at the date when the justice of the peace received his or her last salary prior to receiving benefits under the Plan.

(2) The calculation of severance pay of a justice of the peace is based on the salary of the justice of the peace,

- (a) at the date when he or she ceases to be a justice of the peace; or
- (b) in the case of a justice of the peace receiving benefits under the Long Term Income Protection Plan, at the date when the justice of the peace received his or her last salary prior to receiving benefits under the Plan.

(3) If a computation for severance pay involves part of a year, the computation in respect of that part shall be made on a monthly basis, and,

- (a) any part of a month that is less than 15 days is disregarded; and
- (b) any part of a month that is 15 or more days shall be deemed to be a month.

(4) For the purposes of this section, the salary of a part-time justice of the peace shall be determined as if he or she were a full-time justice of the peace.

37. (1) A justice of the peace is entitled to receive only one termination payment for a given period of continuous service.

(2) A justice of the peace whose total period of service is interrupted by a hiatus in service may, at his or her option, repay to the Minister of Finance any termination payment received as a result of that absence, and thereby restore termination pay entitlements for the period of continuous service for which the payment had been made.

(3) A justice of the peace who intends to cease to be a justice of the peace and who would, upon doing so, be entitled to a termination payment under section 33, 34, 35 or 36 may elect, in lieu of the payment provided for in those sections, to take a leave of absence with pay of not more than the lesser of,

- (a) the length of time determined under those sections for computing the termination payment to which the justice of the peace would be entitled; and
- (b) the length of time between the commencement of the leave of absence with pay and the end of the month in which the justice of the peace will attain 70 years of age.

(4) The period of service of a justice of the peace who has elected under subsection (3) to take a leave of absence with pay continues until the end of the leave of absence.

(5) Subject to subsection (6), his or her entitlement to a termination payment under section 31, 32, 33 or 34 shall be reduced to reflect the time taken by the justice of the peace under subsection (3) as a leave of absence with pay.

(6) If a justice of the peace has been given a leave of absence with pay under section 21,

- (a) because he or she intends to cease to be a justice of the peace and has elected to take a leave of absence with pay under subsection (3); and
- (b) for a period of time equal to the leave of absence with pay taken by the justice of the peace under subsection (3),

his or her entitlement to a termination payment under section 31, 32, 33 or 34 is reduced to reflect one-half of the time taken by the justice of the peace under subsection (3) as a leave of absence with pay; and, one-half of each day of the total number of days of leave granted under section 21 and of leave taken under subsection (3) is allocated to each of the leaves of absence.

- (7) Subsections (3) to (6) apply despite section 31, 32, 33 or 34.

DEATH PAYMENT

38. (1) When a full-time justice of the peace who has served for more than six months dies, there shall be paid to his or her personal representative or if there is no personal representative to such person as the Chief Justice determines, the sum of one-twelfth of his or her annual salary.

(2) Any severance pay to which a full-time justice of the peace is entitled under this Regulation is reduced by an amount equal to any entitlement under subsection (1).

45/01

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