

1980

## c 211 Hunter Damage Compensation Act

Ontario

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CHAPTER 211

Hunter Damage Compensation Act

1. In this Act,

Interpretation

- (a) "live stock" means cattle, goats, horses, sheep, swine or poultry;
- (b) "Minister" means the Minister of Agriculture and Food;
- (c) "regulations" means the regulations made under this Act. R.S.O. 1970, c. 215, s. 1.

2.—(1) The Lieutenant Governor in Council may appoint persons to act as valuers for the purposes of this Act. R.S.O. 1970, c. 215, s. 2.

Appointment of valuers

(2) Every agricultural representative and assistant agricultural representative is *ex officio* a valuer for the purposes of this Act. 1973, c. 111, s. 1.

Representatives *ex officio* valuers

3.—(1) Where death of or injury to live stock, or damage to such classes of property as are designated in the regulations, is occasioned by a hunter, the person who would have a cause of action against the hunter in respect of such death, injury or damage may make an application for compensation to the Minister in the manner prescribed in the regulations. R.S.O. 1970, c. 215, s. 3 (1).

Application for compensation

(2) Subject to subsections (3) and (4), the Minister may, in respect of an application made under subsection (1), pay to the applicant such amount as the Minister considers reasonable, but not exceeding the market value of the live stock or other property at the time of the death, injury or damage in respect of which payment is made.

Payment of compensation

(3) Where an applicant receives an amount under a contract of insurance by reason of the death of or injury to live stock or damage to property for which compensation is payable under this Act, for the purpose of calculating the amount of compensation the market value of the live stock or other property shall be deemed to be reduced by that amount.

Reduction in market value by reason of insurance

Amount of  
payment  
limited

(4) No payment shall be made under subsection (2) of an amount in excess of the maximum amount prescribed in the regulations for the live stock or other property. 1979, c. 54, s. 1.

Minister  
subrogated  
to rights of  
applicant

(5) Where an amount has been paid under subsection (2), the Minister is subrogated to the rights of the person to whom such amount has been paid and the Minister may maintain an action in his name or in the name of such person against any other person or persons responsible for the death, injury or damage in respect of which such amount has been paid. R.S.O. 1970, c. 215, s. 3 (5).

Paid out of  
Consolidated  
Revenue  
Fund

4. The moneys required for the purposes of this Act shall be paid out of such moneys as are appropriated therefor by the Legislature. R.S.O. 1970, c. 215, s. 4.

Regulations

5. The Lieutenant Governor in Council may make regulations,

- (a) designating classes of persons to whom this Act shall not apply;
- (b) designating classes of property to which section 3 applies;
- (c) prescribing the manner of making an application for compensation;
- (d) prescribing the conditions under which an application for compensation may be made;
- (e) prescribing the conditions under which compensation may be paid;
- (f) prescribing maximum amounts for live stock and other property for the purposes of subsection 3 (4);
- (g) prescribing forms and providing for their use;
- (h) prescribing the duties of valuers;
- (i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1970, c. 215, s. 5; 1979, c. 54, s. 2.