

1980

c 276 Ministry of Culture and Recreation Act

Ontario

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CHAPTER 276

Ministry of Culture and Recreation Act

1. In this Act,

Interpretation

- (a) "Deputy Minister" means the Deputy Minister of Culture and Recreation;
- (b) "Minister" means the Minister of Culture and Recreation;
- (c) "Ministry" means the Ministry of Culture and Recreation. 1974, c. 120, s. 1.

2. The ministry of the public service known as the Ministry of Culture and Recreation is continued. 1974, c. 120, s. 2.

Ministry continued

3. The Minister shall preside over and have charge of the Ministry. 1974, c. 120, s. 3.

Minister to have charge

4. The Minister is responsible for the administration of this Act and any Acts that are assigned to him by the Legislature or by the Lieutenant Governor in Council. 1974, c. 120, s. 4.

Duties of Minister of Culture and Recreation

5.—(1) The Lieutenant Governor in Council shall appoint a Deputy Minister of Culture and Recreation who shall be the deputy head of the Ministry.

Deputy Minister of Culture and Recreation

(2) Such officers and employees as are required from time to time for the proper conduct of the business of the Ministry may be appointed under the *Public Service Act*.

Staff

R.S.O. 1980, c. 418

(3) No action or other proceeding for damages shall be instituted against the Deputy Minister or any officer or employee of the Ministry or anyone acting under his authority for any act done in good faith in the execution or intended execution of his duty or for any alleged neglect or default in the execution in good faith of his duty.

Protection from personal liability

(4) Subsection (3) does not, by reason of subsections 5 (2) and (4) of the *Proceedings Against the Crown Act*, relieve the Crown of liability in respect of a tort committed by a person mentioned in

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subsection (3) to which it would otherwise be subject and the Crown is liable under that Act for any such tort in a like manner as if subsection (3) had not been enacted. 1974, c. 120, s. 5.

Function of
Ministry

6.—(1) It is the function of the Ministry to advance and encourage responsible citizenship through the process of cultural and recreational development, including,

- (a) preserving and maintaining the cultural heritage of residents of Ontario with full recognition of their diverse traditions and backgrounds;
- (b) promoting access to the benefits of citizenship and of active involvement in the cultural and recreational life of the Province; and
- (c) stimulating the development of new forms of cultural expression and promoting the concept of individual and community excellence.

Idem

(2) In addition to the functions of the Ministry mentioned in subsection (1), the Minister shall perform such functions and duties as are assigned to him from time to time by the Lieutenant Governor in Council. 1974, c. 120, s. 6.

Seal

7.—(1) The Lieutenant Governor in Council may authorize a seal for the Ministry.

Idem

(2) The seal may be reproduced by engraving, lithographing, printing or other method of mechanical reproduction and when so reproduced has the same effect as if manually affixed. 1974, c. 120, s. 7.

Delegation
of powers
and duties

8. Where, under this or any other Act, a power or duty is granted to or vested in the Minister, he may in writing, subject to the approval of the Lieutenant Governor in Council, delegate that power or duty to the Deputy Minister, or to any officer or officers of the Ministry, subject to such limitations, restrictions, conditions and requirements as the Minister may set out in his delegation. 1974, c. 120, s. 8.

Citizenship
functions
of Minister

9. The Minister shall, on his own initiative and through co-operation with the ministers having charge of the ministries of the public service of Ontario, with the ministers having charge of the departments of the public service of Canada, with municipal councils, with school boards and boards of education, with other organizations and otherwise, in the cause of human betterment, advance and encourage the concept and ideal of full and equal citizenship among the residents of Ontario in order that all may exercise effectively

the rights, powers and privileges and fulfil the obligations, duties and liabilities of citizens of Canada within the Province of Ontario. 1975, c. 18, s. 1, *part.*

10. The Lieutenant Governor in Council may make regulations, Regulations,
community
programs,
etc.

- (a) providing for programs with respect to adult education, culture, recreation, camping and physical education;
- (b) governing the granting of municipal recreation directors' interim and permanent certificates and arena managers' certificates;
- (c) authorizing,
 - (i) the council of a municipality or the council of the band to appoint a recreation committee with the approval of the Minister, or the councils of two or more municipalities or the councils of two or more bands or the council of one or more municipalities and bands to appoint a joint recreation committee with the approval of the Minister,
 - (ii) recreation committees or joint recreation committees to appoint directors, assistants and secretaries,
 - (iii) joint recreation committees or recreation committees in municipalities or on reserves to appoint area recreation committees and area recreation directors,
 - (iv) two or more municipalities or bands to enter into agreements,
 - (v) where territory without municipal organization is within the jurisdiction of one board, the board to appoint, with the approval of the Minister, one or more recreation committees for such territory without municipal organization, and
 - (vi) where territory without municipal organization is within the jurisdiction of two boards, such boards or a board and the council of

one or more bands to appoint, with the approval of the Minister, a joint recreation committee for such territory without municipal organization as may be agreed upon by the two boards or a board and the council of one or more bands, as the case may be,

for the purposes of programs of recreation, and adult education and, for the purposes of this clause, "band", "council of the band", and "reserve" have the same meaning as in the *Indian Act* (Canada) and "board" means a board as defined in the *Education Act*;

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- (d) prescribing the composition of recreation committees, joint recreation committees and area recreation committees, and fixing the number or maximum number of members thereof, for the purpose of programs of recreation;
- (e) prescribing definitions of joint recreation program, joint recreation committee, municipal recreation program, municipal recreation services, municipal recreation director, assistant municipal recreation director, recreation program, and recreation committee;
- (f) prescribing a definition of "approved maintenance and operating costs" for the purpose of legislative grants for programs of recreation, and requiring that "approved maintenance and operating costs" be subject to the approval of the Minister;
- (g) providing for the apportionment and distribution of moneys appropriated or raised by the Legislature for,
 - (i) programs of adult education, culture, recreation, camping and physical education, and
 - (ii) leadership training camps;
- (h) prescribing the conditions governing the payment of grants for programs of adult education, culture, recreation, camping or physical education under the authority of the Minister, and providing for the approval of the Minister in any condition;
- (i) authorizing the Minister to determine the number of assistants and area community programs in

respect of which grants may be paid for programs of recreation;

- (j) authorizing the payment, with the approval of the Minister, of special grants for programs of recreation, and fixing the amounts thereof.

11.—(1) The Minister may establish, maintain and conduct camps for leadership training. Leadership training camps

(2) The cost of the establishment, maintenance and conduct of leadership training camps shall be payable out of the moneys appropriated therefor by the Legislature. 1975, c. 18, s. 1, *part.* Expenses

12. The Lieutenant Governor in Council or the Minister may, out of moneys appropriated therefor by the Legislature, direct payment from time to time of grants and contributions for consultation, research and evaluation services with respect to programs involving culture and recreation including community development services and for the provision, encouragement and development of community development programs and programs involving culture and recreation. 1975, c. 18, s. 1, *part.* Grants re programs of culture and recreation

13. The Minister may enter into agreements with organizations, municipalities or other persons or corporations respecting the provision of programs involving culture and recreation including community development programs and facilities and personnel relating thereto upon such terms and conditions as may be agreed, and he may direct, out of moneys appropriated by the Legislature, the payment of such expenditures as are necessary for such purposes. 1975, c. 18, s. 1, *part.* Agreements for the provision of programs

14.—(1) The Minister may determine the amount of any capital expenditure of the Art Gallery of Ontario or The Royal Ontario Museum that may be financed through The Ontario Universities Capital Aid Corporation, and debentures may be purchased from the Art Gallery of Ontario or The Royal Ontario Museum by the Corporation only on the recommendation of the Minister. 1974, c. 79, s. 1; 1975, c. 18, s. 2 (1). Capital expenditures financed through The Ontario Universities Capital Aid Corporation

(2) The Minister may determine the amount of any capital expenditure of a municipality, including a district, metropolitan or regional municipality, for public library purposes that may be financed through The Ontario Universities Capital Aid Corporation, and debentures issued for public library purposes may be Public libraries

purchased from such a municipality by the Corporation only on the recommendation of the Minister. 1973, c. 86, s. 1; 1975, c. 18, s. 2 (2).

Agreements

15. The Minister, with the approval of the Lieutenant Governor in Council, may, on behalf of the Government of Ontario, make agreements with the Crown in right of Canada respecting,

- (a) any matter for the administration of which the Minister is responsible; and
- (b) the payment by Canada to Ontario of any portion of any expenditures made before or after this Act comes into force by Ontario or by any municipality under any Act of Ontario. 1975, c. 18, s. 1, *part.*

Interpre-
tation

16.—(1) In this section, “Indian” means a person who is registered as an Indian or entitled to be registered as an Indian under the *Indian Act* (Canada).

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Advisory
committee

(2) The Lieutenant Governor in Council may appoint an advisory committee composed of such number of persons as are considered appropriate to advise the Minister on all matters under this Act and to make recommendations to him from time to time respecting any other matter that may encourage Indians in the development of their independence and promote their integration with the rest of the community. 1975, c. 18, s. 1, *part.*

Advisory
committees

17. Subject to the approval of the Lieutenant Governor in Council, the Minister may establish advisory committees to the Minister and sub-committees thereto, appoint chairmen and members of such committees and sub-committees, fix the terms of reference of such committees and sub-committees and fix the remuneration and expenses of the chairmen and members of such committees and sub-committees. 1974, c. 120, s. 9.

Annual
report

18. The Minister after the close of each year shall submit to the Lieutenant Governor in Council an annual report upon the affairs of the Ministry and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. 1974, c. 120, s. 10.

Moneys
required by
Ministry

19. The expenditures of the Ministry shall be paid out of the moneys appropriated therefor by the Legislature. 1974, c. 120, s. 11, *revised.*