

1970

c 145 Emergency Measures Act

Ontario

© Queen's Printer for Ontario, 1970

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

Bibliographic Citation

Emergency Measures Act, RSO 1970, c 145

Repository Citation

Ontario (1970) "c 145 Emergency Measures Act," *Ontario: Revised Statutes*: Vol. 1970: Iss. 2, Article 19.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1970/iss2/19>

CHAPTER 145

The Emergency Measures Act

1. In this Act,

(a) "Director" means the Director of the Emergency Measures Branch of the Department of Justice;

Interpre-
tation

(b) "emergency" means,

(i) a real or apprehended war, invasion or insurrection proclaimed to exist under the *War Measures Act* (Canada), or

R.S.C. 1952,
c. 288

(ii) a natural emergency declared to exist under section 3;

(c) "Minister" means the Minister of Justice and Attorney General. 1962-63, c. 41, s. 1; 1965, c. 36, s. 1, *amended*.

2. There shall be a branch of the Department of Justice to be known as the Emergency Measures Branch which shall consist of the Director and such other officers and employees as are deemed necessary. 1965, c. 36, s. 2, *amended*.

Emergency
Measures
Branch

3. The Minister may declare a natural emergency to exist during the time, not exceeding ninety days, and in the part of Ontario that he designates. 1962-63, c. 41, s. 3, *amended*.

Declaration
of natural
emergency

4.—(1) It is the responsibility of,

(a) each Minister of the Crown presiding over a department of government; and

Plans of
provincial
govern-
mental
bodies

(b) each board, commission or other branch of government designated by the Lieutenant Governor in Council,

to formulate a plan to provide for the continued functioning of the necessary services of the department or branch of government in the event of an emergency.

(2) Each county together with the local municipalities within the county that do not form part of the county for municipal purposes shall formulate a plan to provide for the continued functioning of municipal government and the necessary services of the municipalities in the event of an emergency. 1962-63, c. 41, s. 4 (1, 2).

Municipal
plans

- Exception (3) Notwithstanding subsection 2, The Regional Municipality of York and The Municipality of Metropolitan Toronto shall formulate separate plans. 1962-63, c. 41, s. 4 (3), *amended*.
- Plans of municipalities (4) Every municipality in a territorial district shall formulate a plan to provide for the continued functioning of municipal government and the necessary services of the municipality or municipalities in the event of an emergency. 1962-63, c. 41, s. 4 (4).
- Duties of Director **5.**—(1) Every plan shall be prepared under the supervision and guidance of the Director. 1962-63, c. 41, s. 5 (1); 1965, c. 36, s. 3.
- Approval by Minister (2) Every plan and every amendment to a plan is subject to the approval of the Minister, and, before approving a plan or amendment, the Minister may make such alterations as he considers necessary for the purpose of uniformity or of co-ordinating the plan with other authorities or plans. 1962-63, c. 41, s. 5 (2), *amended*.
- Regulations **6.** The Minister may make such regulations as he considers necessary for the purposes of this Act. 1962-63, c. 41, s. 6, *amended*.
- Interpretation **7.**—(1) In this section,
 (a) “emergency area” means the area in which an emergency exists;
 (b) “minister” means a member of the Executive Council;
 (c) “Prime Minister” means the President of the Executive Council.
- Delegation of powers and duties (2) The powers and duties under any Act of any official, board, commission or other branch of the Government of Ontario may be delegated by an approved plan to any official, board, commission or branch of the government of a municipality for the purposes of the operation of the plan.
- Emergency powers (3) Where an emergency exists in an emergency area that includes all or part of two or more municipalities that have separate plans, the exercise by a municipality in the emergency area of its powers and duties under this or any other Act for the purposes of the operation of a plan is subject to the direction and control of the Prime Minister or a minister designated by him, where he considers it necessary, and, without restricting the generality of the foregoing, the Prime Minister or minister designated by him may direct and control the administration, facilities and equipment of each municipality in the emergency area for the purposes of,

- (a) maintaining, clearing and controlling the use of roads, streets and other public ways;
- (b) generating, transmitting and distributing electric power and controlling the use and allocation of equipment for the purpose;
- (c) obtaining and distributing accommodation, food and clothing and providing other welfare services;
- (d) notwithstanding section 9 of *The Energy Act*, generating, transmitting and distributing gas and controlling the use and allocation of equipment for the purpose; R.S.O. 1970,
c. 148
- (e) providing or maintaining water supplies and sewage disposal;
- (f) the enforcement of law;
- (g) the fighting or prevention of fire; and
- (h) the health, safety and welfare of the inhabitants of the emergency area,

and the powers and duties of the municipality, upon the direction of the Prime Minister or minister designated by him, may be exercised for the benefit of any part of the emergency area notwithstanding that it is outside the boundary of the municipality.

(4) Where an emergency exists in Ontario or any part thereof, the Prime Minister or a minister designated by him may require any municipality in Ontario to provide such assistance as is considered necessary to the emergency area or any part thereof, and may authorize the payment of the cost of such assistance out of the Consolidated Revenue Fund. Assistance

(5) Where an emergency exists, the approved plans applying to the emergency area shall operate according to their provisions, notwithstanding the provisions of any other Act. 1965, c. 36, s. 4. Plans to
govern

8.—(1) The Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada in respect of the payment by Canada to Ontario of any part of the cost to Ontario and to municipalities in Ontario of planning or preparing for an emergency or of executing emergency plans. Agreements
for
contribution
toward cost

(2) The Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of any other province for the provision of any service, equipment or material in an emergency. 1962-63, c. 41, s. 7. Agreements
for services,
equipment
and material

