

1970

c 206 Homes for the Aged and Rest Homes Act

Ontario

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CHAPTER 206

The Homes for the Aged and Rest Homes Act

I. In this Act,Interpre-
tation

- (a) "band", "council of the band" and "reserve" have the same meaning as in the *Indian Act* (Canada); R.S.C. 1952,
c. 149
- (b) "Director" means the Director of the Homes for the Aged Branch of the Department of Social and Family Services;
- (c) "home" means a home for the aged established and maintained under this Act or a rest home established and maintained under this Act;
- (d) "joint home" means a home of two or more municipalities or councils of bands, as the case may be;
- (e) "last revised assessment rolls as equalized" means last revised assessment rolls as revised and equalized by the Department of Municipal Affairs;
- (f) "Minister" means the Minister of Social and Family Services;
- (g) "municipality" means a county, city or separated town, but in a territorial district "municipality" means a city, town, village or township;
- (h) "private-home care" means care and maintenance provided in a private residence;
- (i) "provincial supervisor" means a regional welfare administrator or a welfare institutions supervisor or a field worker of the Department of Social and Family Services or any other employee of the Department who is designated by the Minister as a provincial supervisor;
- (j) "regulations" means the regulations made under this Act. R.S.O. 1960, c. 174, s. 1; 1966, c. 66, s. 2; 1968, c. 52, s. 1; 1968 69, c. 48, s. 1.

2.—(1) The Director shall exercise general supervision over the administration of this Act and the regulations and carry out such other duties as are assigned to him by this Act or the regulations. Director's
function

(2) Where the Director is absent or there is a vacancy in the office, the powers and duties of the Director shall be exercised and Absence,
etc.

performed by such employee of the Department of Social and Family Services as the Minister designates.

Delegation
of functions

(3) The Director, with the consent in writing of the Deputy Minister of Social and Family Services, may authorize any employee or class of employee of the Department of Social and Family Services to exercise and discharge any of the powers conferred or the duties imposed upon the Director under this Act or the regulations. 1968-69, c. 48, s. 2.

Homes for
the aged not
in districts,
establish-
ment, etc.

3.—(1) Except as otherwise provided in subsection 2 or in section 7, every municipality not in a territorial district shall establish and maintain a home for the aged. R.S.O. 1960, c. 174, s. 2 (1); 1966, c. 66, s. 3 (1).

Idem,
joint homes
for the
aged

(2) In lieu of establishing separate homes, the councils of two or more such municipalities may, with the approval in writing of the Minister, enter into an agreement to establish and maintain a joint home for the aged. R.S.O. 1960, c. 174, s. 2 (2); 1966, c. 66, s. 3 (2).

Idem,
rest homes

(3) Except as otherwise provided in subsection 4 or in section 7, any municipality not in a territorial district may, and any town, village or township that forms part of a county for municipal purposes may, with the prior approval of the council of the county, establish and maintain a rest home.

Idem,
joint rest
homes

(4) In lieu of establishing separate rest homes, the councils of two or more municipalities not in a territorial district or the councils of any two or more towns, villages or townships that form part of a county for municipal purposes may, with the approval in writing of the Minister, enter into an agreement to establish and maintain a joint rest home. 1966, c. 66, s. 3 (3).

Homes and
joint
homes in
territorial
districts

4. A municipality that has a population of more than 15,000 and that is located in a territorial district may, with the written approval of the Minister, establish and maintain a home, or the council of any such municipality and the councils of one or more other municipalities in the same territorial district may, with the approval in writing of the Minister, enter into an agreement to establish and maintain a joint home. R.S.O. 1960, c. 174, s. 3; 1968, c. 52, s. 2.

Homes and
joint homes,
establish-
ment by
Indian
bands

5. The council of the band may,

(a) establish and maintain a home; or

(b) enter into an agreement with the councils of one or more other bands to establish and maintain a joint home,

with the approval in writing of the Minister. 1968, c. 52, s. 3, *amended*.

6.—(1) When a by-law authorizing the establishment and maintenance of a home under a board of management has been passed by a majority of the municipalities in a territorial district, all of the municipalities in the district shall contribute to its establishment and maintenance.

Homes in districts; establishment, etc.

(2) When a by-law under subsection 1 is passed, a certified copy thereof shall be transmitted forthwith to the Minister.

Transmission of by-law

(3) Where a home or a joint home is established and maintained under section 4, the municipality or municipalities that establish and maintain it shall be deemed not to be within the territorial district for the purposes of this section and sections 23 to 26. R.S.O. 1960, c. 174, s. 4.

Where home established under s. 4

7. Notwithstanding sections 3, 4 and 6, the council of any municipality not having a home and not participating in a joint home may, with the approval in writing of the Minister, enter into an agreement with the council of a municipality having a home, the councils of the municipalities having a joint home, or the board of a home providing for admission thereto and maintenance therein of residents of the municipality. R.S.O. 1960, c. 174, s. 5.

Provision for admission to and care in existing home

8.—(1) The council of a municipality establishing and maintaining a home or the councils of the municipalities establishing and maintaining a joint home may appoint from among the members of the council or councils, as the case may be, a committee of management for the home or joint home. R.S.O. 1960, c. 174, s. 6 (1).

Committee of management, appointment

(2) A committee of management, in the case of a home, shall be composed of not fewer than three and not more than five members of the council of the municipality, and, in the case of a joint home, shall be composed of not more than three members of the council of each of the participating municipalities. R.S.O. 1960, c. 174, s. 6 (2), *amended*.

composition

(3) Where a home is established and maintained by a city having a board of control, the members of the committee of management shall be appointed on the recommendation of the board of control, and section 208 of *The Municipal Act* applies in respect of the home. 1961-62, c. 53, s. 1.

recommendation of board of control R.S.O. 1970, c. 284

(4) Notwithstanding subsections 1 and 2, where the establishment of a rest home has been approved by the county council, there shall be a committee of management for the rest home. 1966, c. 66, s. 4.

Rest home approved by county must have committee of management

9.—(1) The Lieutenant Governor in Council may appoint a board of management, which shall be a corporation, for a home established and maintained under section 5 or 6. R.S.O. 1960, c. 174, s. 7 (1); 1968, c. 52, s. 4 (1).

Board of management, appointment

- composition (2) A board of management shall consist of not more than seven persons residing in the territorial district or on the reserve or reserves as the case may be. R.S.O. 1960, c. 174, s. 7 (2); 1968, c. 52, s. 4 (2).
- powers (3) No site for the home shall be selected by the board without first obtaining the approval of the Minister. 1961-62, c. 53, s. 2.
- Idem (4) The home shall be vested in the board and it shall have charge thereof. R.S.O. 1960, c. 174, s. 7 (4).
- R.S.O. 1970, c. 89 does not apply (5) *The Corporations Act* does not apply to the board. 1968, c. 52, s. 4 (3).
- Trust agreements **10.** Where a municipality that establishes and maintains a home or joint home, or the board of management of a home established and maintained under section 5 or 6 enters into an agreement with a resident of the home to receive, hold and administer real or personal property of the resident in trust for certain purposes, the municipality or board may receive, hold and administer the property for the purposes of the agreement. 1961-62, c. 53, s. 3; 1968, c. 52, s. 5.
- Administrator appointment **11.**—(1) Subject to subsection 2, the council of a municipality that establishes and maintains a home or the councils of the municipalities that establish and maintain a joint home or the board of management of a home shall, with the approval of the Lieutenant Governor in Council, appoint an administrator for the home or joint home who has, in the opinion of the Minister, served satisfactorily as an administrator for a period of at least six months and has successfully completed a course of instruction that is approved by the Minister. 1960-61, c. 35, s. 1 (1), *part*; 1968, c. 52, s. 6 (1).
- Temporary appointment (2) The council of a municipality that establishes and maintains a home or the councils of the municipalities that establish and maintain a joint home or the board of management of a home may appoint a person to act temporarily as administrator of the home or joint home for a period not exceeding one year. 1960-61, c. 35, s. 1 (1), *part*; 1968, c. 52, s. 6 (2).
- Staff appointment (3) The council of a municipality that establishes and maintains a home, or the councils of the municipalities that establish and maintain a joint home or the board of management of a home may appoint such staff as the administrator requires for the carrying out of his duties. R.S.O. 1960, c. 174, s. 8 (2); 1968, c. 52, s. 6 (3).
- Medical care (4) The council of a municipality that establishes and maintains a home or the councils of the municipalities that establish and maintain a joint home or the board of management of a home shall, with the approval of the Minister, appoint a legally qualified medical practitioner as the physician for the home or

joint home who is responsible for the medical care and services provided to the residents thereof. 1960-61, c. 35, s. 1 (2).

12.—(1) A building shall not be acquired, erected or altered for use as a home or joint home until the site and plans therefor have been approved by the Minister. Site and plans, etc., to be approved

(2) There shall be no change in site and no sale or disposal of any part thereof and no alteration to or in any building or to the grounds of the home or joint home without the approval of the Minister. R.S.O. 1960, c. 174, s. 9. Idem

13.—(1) The council of a municipality having a home, the councils of the municipalities participating in a joint home or the board of management of a home may enter into an agreement with the council of any municipality for connecting the home or joint home with the sewerage system of such municipality. Agreement for connecting sewerage system

(2) The council of a municipality having a home, the councils of the municipalities participating in a joint home or the board of management of a home may enter into an agreement with The Hydro-Electric Power Commission of Ontario or with the council of any municipality or person owning or operating a waterworks system, or works for the production and supply of electricity for light, heat or power, for the supply of water for domestic purposes and for fire protection or of electricity for light, heat or power purposes at the home or joint home. Agreement for supplying electric power or water

(3) For the purpose of connecting such home or joint home with any such system or works, any lands or highways may be entered upon, passed over or dug up, sewers constructed, pipes laid down, poles or wires put in place and all work done in or upon such lands and highways as may be necessary, due compensation being made to the owners thereof as provided by *The Municipal Act*. R.S.O. 1960, c. 174, s. 10. Power to carry necessary works over intervening lands
R.S.O. 1970, c. 284

14. Subject to the approval of the Ontario Municipal Board and without the assent of the electors, a municipality may issue debentures for raising such sums as may be necessary for the purchase of a site or for the erection of buildings for a home or joint home, or for the purchase of land to be used in connection therewith, or for any addition to or improvement of such buildings, or for the purpose of any system or works authorized by section 13. R.S.O. 1960, c. 174, s. 11. Debentures

15. The council of a municipality having a home, the councils of the municipalities participating in a joint home or the board of management of a home shall provide such equipment and materials as will enable the residents of the home or joint home to engage in handicrafts and other such occupations. R.S.O. 1960, c. 174, s. 12 (1). Equipment, etc., for handicrafts

Who may
be admitted
and
maintained

16.—(1) Any person,

- (a) who is over the age of sixty years and incapable of supporting himself or unable to care properly for himself;
- (b) who is over the age of sixty years and mentally incompetent and who requires care, supervision and control for his protection, but who is not suitable to be in a psychiatric facility under *The Mental Health Act*;
- (c) who is over the age of sixty years and who requires bed care and general personal nursing services, but does not require care in a hospital; or
- (d) who is under the age of sixty years and who because of special circumstances cannot be cared for adequately elsewhere, if his admission is approved by the Minister,

R.S.O. 1970,
c. 269

may be admitted to and maintained in a home for the aged or joint home for the aged by the committee of management or the board of management, as the case may be, upon receipt of,

- (e) an authorization in the prescribed form signed by the head of the council of a city, town, village, township or band or, in a county in which the county council has designated the warden to sign such authorization, by the warden or, in a city having a population of not fewer than 100,000, by such member of the council as the mayor has designated or, where the person resides in unorganized territory, by a regional welfare administrator of the Department of Social and Family Services or any other employee of the Department of Social and Family Services designated by the Minister for the purpose;
- (f) an application in the prescribed form signed by the applicant;
- (g) a consent to inspect assets in the prescribed form signed by the applicant;
- (h) a statement of particulars in the prescribed form signed by the welfare officer of the municipality or band or by a regional welfare administrator of the Department of Social and Family Services or any other employee of the Department of Social and Family Services designated by the Minister for the purpose; and
- (i) a statement in the prescribed form certifying that the applicant is eligible for admission to the home or joint home under clause *a*, *b*, *c* or *d* and signed by the physician of the home or joint home. 1960-61, c. 35, s. 2; 1966, c. 66, s. 5 (1); 1968, c. 52, s. 8, *amended*.

(2) Any person,

- (a) who is twenty-one or more years of age and who in the opinion of two legally qualified medical practitioners, one of whom is the physician of the home, is in need of long-term maintenance and supervision as prescribed by the regulations; or
- (b) who is under the age of twenty-one years and is eligible under clause *a*, if his admission is approved by the Minister,

Idem,
rest homes

may be admitted to and maintained in a rest home or joint rest home by the committee of management or the board of management, as the case may be, upon receipt of,

- (c) an authorization mentioned in clause *e* of subsection 1;
- (d) an application mentioned in clause *f* of subsection 1;
- (e) a consent mentioned in clause *g* of subsection 1;
- (f) a statement mentioned in clause *h* of subsection 1; and
- (g) a statement in the prescribed form certifying that he is eligible for admission to a rest home or joint rest home under clause *a* or *b* and signed by the physicians referred to in clause *a*. 1966, c. 66, s. 5 (2).

17. Where in the opinion of the physician of a rest home or joint rest home a resident of the home ceases to be eligible to be maintained therein or where it is in the interest of the welfare of such resident, the resident may be discharged from the home. 1966, c. 66, s. 6.

Discharge
of residents
of rest
homes

18.—(1) A provincial judge may, by writing under his hand, commit any person who is over sixty years of age and who is unable to care properly for himself to a home or joint home, and where a person is so committed, the provincial judge shall determine the municipality or reserve in which the person is resident and ensure that the statement mentioned in clause *i* of subsection 1 of section 16 has been completed. R.S.O. 1960, c. 174, s. 14 (1); 1968, c. 52, s. 9, *amended*.

Committal
by provincial
judge

(2) If, in his opinion, it is in the interest of the welfare of the person, any provincial judge may, by writing under his hand, rescind any order made under subsection 1. R.S.O. 1960, c. 174, s. 14 (2), *amended*.

Committal
order may
be
rescinded

19.—(1) Upon the recommendation of the administrator, any resident of a home or joint home or any person admissible to a home or joint home may, in lieu of being maintained in the home or joint home, be placed in private-home care. R.S.O. 1960, c. 174, s. 15 (1); 1968, c. 52, s. 10; 1968-69, c. 48, s. 3 (1).

Private-
home care

Province
to share
cost

(2) Where a person is placed in private-home care, the Treasurer of Ontario shall pay monthly out of the moneys appropriated therefor by the Legislature to the municipality or to the treasurer of the home or joint home, as the case may be, an amount comprising the percentage of the cost thereof prescribed in the regulations, to be computed in the manner prescribed by the regulations. R.S.O. 1960, c. 174, s. 15 (2); 1968-69, c. 48, s. 3 (2).

Person
may be
transferred

(3) A person placed in private-home care may be transferred to the home or joint home at any time. R.S.O. 1960, c. 174, s. 15 (3); 1968-69, c. 48, s. 3 (3).

Person
considered
a resident
of the home

(4) A person placed in private-home care shall for all other purposes be deemed to be a resident of the home or joint home and section 16 applies *mutatis mutandis* to the placing of a person in private-home care. R.S.O. 1960, c. 174, s. 15 (4); 1960-61, c. 35, s. 3; 1968-69, c. 48, s. 3 (4).

In cities
without
homes

(5) The council of a city not having a home and not participating in a joint home may appoint one or more persons to administer this section for the city until such time as it has a home or participates in a joint home. R.S.O. 1960, c. 174, s. 15 (5).

Inspection
of records

20. Every home and its books and records shall be open at all reasonable times to inspection by a provincial supervisor. 1968-69, c. 48, s. 4.

Affidavits

21. A public welfare administrator or public welfare commissioner of a county, city, separated town, town, village, township or band, or any of his assistants authorized by the municipal council or the council of the band, as the case may be, and a regional welfare administrator of the Department of Social and Family Services and any other employee of the Department of Social and Family Services designated by the Minister under this Act has power to take affidavits and statutory declarations for the purpose of this Act in the same manner and to the same extent as a commissioner for taking affidavits in Ontario. R.S.O. 1960, c. 174, s. 17; 1960-61, c. 35, s. 4; 1968, c. 52, s. 12.

Responsi-
bility for
payment

22.—(1) A resident of a home or joint home is responsible for the payment of the cost of his maintenance, and the cost shall be paid or recovered only out of that portion of his income and assets that is available therefor as determined under the regulations. 1961-62, c. 53, s. 4.

Recovery of
maintenance
costs

(2) A municipality having a home or participating in a joint home or having an agreement under section 7 or the board of a home may recover in a court of competent jurisdiction from a person who was or is a resident of the home or joint home or, in the event of his death, from his estate, all or any part of the cost of his maintenance that has not been paid under subsection 1. R.S.O. 1960, c. 174, s. 18 (2).

23.—(1) The cost of maintaining a home established under section 6 shall be defrayed in each year by the municipalities in the territorial district in proportion to the amounts of their assessments according to their assessment rolls as revised and equalized in the immediately preceding year. R.S.O. 1960, c. 174, s. 19 (1); 1960-61, c. 35, s. 5 (1).

Maintenance
of homes in
districts

(2) For the purposes of this Act, the Department of Municipal Affairs shall in each year revise and equalize the assessment rolls of the municipalities in each territorial district. R.S.O. 1960, c. 174, s. 19 (2); 1960-61, c. 35, s. 5 (2).

Assessment
to be
revised and
equalized

(3) The board of management of a home established under section 6 shall in each year apportion the amount that it estimates will be required to defray its expenditures for that year among the municipalities in the district, and shall on or before the 25th day of February notify the clerk of each such municipality of the amount to be provided by that municipality. R.S.O. 1960, c. 174, s. 19 (3); 1968, c. 52, s. 13.

Estimates
and apportion-
ment

(4) In preparing the estimates, the board may provide for a reserve for working funds, but the amount of the reserve in a year shall not exceed 15 per cent of the total estimates of the board for the year. 1960-61, c. 35, s. 5 (3).

Operating
reserve

(5) Each such municipality shall include the amount required to be provided by it under this section in its estimates for the then current year and shall levy and collect the amount in like manner as taxes and pay the amount to the board of management on demand. R.S.O. 1960, c. 174, s. 19 (4).

Levy and
collection

(6) Where in any year the last revised assessment rolls of the municipalities in the district are not equalized by the Department of Municipal Affairs under subsection 2 before the 10th day of February, the board of management may apportion the amount that it estimates to be required in proportion to the amounts of their assessments most recently equalized, and in that case shall reapportion the amount and make the necessary adjustments after the equalization is completed. R.S.O. 1960, c. 174, s. 19 (5); 1960-61, c. 35, s. 5 (4).

Where
assessments
not
equalized
in time

(7) Where in any year the last revised assessment rolls of the municipalities in a district are revised and equalized and have been appealed, the board of management may apportion the amount that it estimates to be required in proportion to the amounts of their assessment as revised and equalized, and in that case shall reapportion the amount and make the necessary adjustments in accordance with the decision of the Ontario Municipal Board or the judgment of a court. R.S.O. 1960, c. 174, s. 19 (6).

Where
equalized
assessment
appealed

Power of district homes to borrow for current expenditures

(8) Subject to subsection 9, the board of management of a home established under section 6 may borrow from time to time by way of a promissory note such sums as the board considers necessary to meet the current expenditures of the board until the current revenue is received.

Maximum borrowings

(9) The amount that may be borrowed at any one time for the purpose mentioned in subsection 8 together with the total of any similar borrowings that have not been repaid shall not exceed 25 per cent of the estimated current revenue of the board for the year.

Idem

(10) Until the estimates of the board for the current year under this section have been determined, the limitation upon borrowing prescribed in subsection 9 shall be temporarily calculated upon 25 per cent of the estimates for the board determined for the next preceding year. 1968-69, c. 48, s. 5.

Capital cost of homes in districts

24.—(1) The cost of establishing a new home under section 6 in a district or of an addition to or extension of a home established under that section shall be defrayed by the municipalities in the district in proportion to the amounts of their assessments according to their last revised assessment rolls as equalized.

Provincial subsidy

(2) To assist in defraying the cost of establishing such new home or the addition to or extension of such existing home, the Lieutenant Governor in Council may direct payment out of the moneys appropriated therefor by the Legislature of such amount as he determines in accordance with the regulations and based upon the proportion of such cost that is allocated to the unorganized parts of the territorial district in which the home is established.

Apportionment

(3) The board of management shall apportion the amount that it estimates will be required to establish the new home or the addition to or extension of the existing home among the municipalities in the district and shall notify the clerk of each such municipality of the amount to be provided by that municipality.

Raising of funds

(4) Each such municipality shall, within ninety days after receipt of the notice, determine the method it will use in raising the amount required to be provided by it, and shall take such steps as are necessary to carry the determination into effect and shall raise the amount and pay it over to the board of management of the home. R.S.O. 1960, c. 174, s. 20.

Alternative method of raising funds

25.—(1) The Ontario Municipal Board, upon the application of the council or one or more of the municipalities in the territorial district, may by order,

- (a) authorize one of the municipalities in the district to raise the whole amount required by the issue of its debentures; or

- (b) authorize two or more of the municipalities in the district to raise the whole amount required by the issue of their debentures in such amounts as the Ontario Municipal Board orders,

and thereupon the municipality or municipalities shall raise the whole amount required by the issue of debentures and shall pay the proceeds to the board of management of the home, and in such case subsection 4 of section 24 does not apply.

(2) Where debentures are issued to provide the whole amount required as provided in subsection 1, the board of management shall in each year during the currency of the debentures apportion the amount that will be required in that year to pay the amounts of principal and interest on the debentures among the municipalities in the district in proportion to the amounts of their assessments according to their last revised assessment rolls as equalized, and shall include the amount to be provided by each such municipality as a separate item in its estimates submitted to the clerk of the municipality under subsection 2 of section 23, and in such case subsections 3 and 5 of that section apply.

Apportionment of carrying charges

(3) The board of management shall in each year distribute the moneys received under subsection 2 to the municipality that issued the debentures or, where two or more municipalities issued the debentures, to such municipalities in the same proportion as the amount raised by each such municipality bore to the total amount raised. R.S.O. 1960, c. 174, s. 21.

Distribution of carrying charges

26.—(1) Where before the 1st day of April, 1954, a new home under section 6 was established or an addition to or an extension of an existing home under that section was made, the board of management, upon the request expressed by resolutions of a majority of the councils of the municipalities in the territorial district, shall apply to the Ontario Municipal Board for an order providing that subsections 2 and 3 shall apply in respect of the cost incurred in respect of the new home or the addition or extension.

Capital cost of homes established or altered before April 1, 1954

(2) Where the Ontario Municipal Board makes an order under subsection 1,

Idem

- (a) the board of management shall determine the annual amount that would have been required to pay the annual amounts of principal and interest if debentures, payable in annual instalments with interest at 5 per cent per annum for a term of twenty years, had been issued by one municipality to finance the cost of the establishment and erection of the new home or the addition to or extension of the existing home; and

- (b) the board of management shall in each year during the remainder of the term of twenty years apportion the annual amount so determined among the municipalities in the district in proportion to the amounts of their assessments according to their last revised assessment rolls as equalized, and shall include the amount to be provided by each such municipality as a separate item in its estimates submitted to the clerk of the municipality under subsection 2 of section 23, and in such case subsections 3 and 5 of that section apply.

Distribution

- (3) The board of management shall in each year distribute the moneys received to the municipalities in the district that contributed to the cost of the new home or the addition or extension in the proportion that the contribution of each such municipality to the cost bore to the total of the contributions of all such municipalities to the cost. R.S.O. 1960, c. 174, s. 22.

Provincial
subsidy on
capital
expenditures

- 27.**—(1) When the Minister grants his approval under section 12 to the acquisition, erection or alteration of a building for use as a home or joint home, or to an alteration to or in any building or to the grounds of the home or joint home or when the home or joint home incurs such other capital expenditures as are prescribed in the regulations, the Lieutenant Governor in Council may direct payment out of moneys appropriated therefor by the Legislature of an amount to be computed in accordance with the regulations not exceeding 50 per cent of the cost thereof to the treasurer of the home or joint home. R.S.O. 1960, c. 174, s. 23 (1).

Idem

- (2) Where a home is established and maintained under section 6, in addition to the amount payable under subsection 1, the Lieutenant Governor in Council may direct payment of the proportion that is allocated by the regulations to the unorganized parts of the territorial district of the capital expenditure in respect of which a payment has not been made under subsection 2 of section 24. 1961-62, c. 53, s. 5.

When
payable

- (3) Payments under subsection 1 in respect of a new building or the alteration of a building by an addition or extension may be made either when the building or alteration is completed and ready for occupancy or from time to time during the construction thereof in the manner prescribed by the regulations. R.S.O. 1960, c. 174, s. 23 (2).

What to be
included and
excluded
in com-
puting cost

- (4) In computing the amount of the cost of the new building, or the alteration of a building by an addition or extension for the purposes of subsection 1, the cost of equipment and furnishings may be included, but the cost of any land in excess of eight acres and the cost of any barns or other similar out-buildings shall not be included. R.S.O. 1960, c. 174, s. 23 (3); 1960-61, c. 35, s. 6.

28. There shall be paid monthly out of the moneys appropriated therefor by the Legislature to the treasurer of every home and joint home an amount equal to the percentage prescribed in the regulations of any operating or maintenance cost of the home or joint home computed in the manner prescribed in the regulations. R.S.O. 1960, c. 174, s. 24.

Provincial
subsidy on
operating
costs

29. There shall be paid monthly out of the moneys appropriated therefor by the Legislature to the treasurer of every home and joint home an amount per day computed in the manner prescribed in the regulations as the cost of maintenance for each person in the home or joint home whose residence before admission to the home or joint home was in territory without municipal organization. R.S.O. 1960, c. 174, s. 25.

Provincial
subsidy for
residents of
unorganized
territory

30.—(1) The Lieutenant Governor in Council may make Regulations regulations,

- (a) prescribing the location, site, size, design and construction of buildings to be acquired, erected or altered for use as homes or joint homes and the facilities and equipment to be provided therein;
- (b) governing the qualifications of administrators and members of staffs of homes and joint homes and prescribing their powers and duties;
- (c) prescribing the classes of persons who are in need of long-term maintenance and supervision in rest homes;
- (d) prescribing additional duties of the Director;
- (e) prescribing rules governing homes and joint homes, the residents therein and the staffs thereof;
- (f) prescribing the records that shall be kept under this Act and the returns that shall be made to the Minister;
- (g) designating the medical services that shall be provided for residents of homes and joint homes;
- (h) governing the determination of the portion of the income and assets of a resident of a home or joint home that is available for the purpose of paying the cost of his maintenance;
- (i) prescribing the percentage of any operating or maintenance cost of homes and joint homes that will be paid by Ontario under section 28,
- (j) prescribing the manner of computing the operating and maintenance costs of homes and joint homes for the purposes of section 28;
- (k) prescribing the manner of computing the proportion of costs in respect of homes established and maintained under section 6 that shall be allocated to the unorgan-

Regulations

- ized parts of territorial districts for the purposes of sections 24 and 27;
- (l) prescribing capital expenditures and the manner of computing the amount of grants for the purposes of subsection 1 of section 27 and the method, time and manner of payment under subsection 3 of section 27;
 - (m) providing for the admission to homes and joint homes of residents of unorganized territory and prescribing the manner of computing the cost of maintenance of such persons in such homes;
 - (n) prescribing the conditions that shall be maintained in private residences in which persons may be placed for private-home care;
 - (o) providing for the inspection of private residences in which persons may be placed for private-home care;
 - (p) prescribing the percentage of any cost of maintenance of persons placed in private-home care to be paid by Ontario and the method, time and manner of payment;
 - (q) prescribing the manner of computing the cost of maintenance of persons placed in private-home care for the purposes of section 19;
 - (r) fixing the term of office of the members of boards of management of homes established under section 5 or 6 and requiring the chairmanship of boards of management to change hands at prescribed intervals;
 - (s) prescribing forms and providing for their use;
 - (t) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 174, s. 26 (1); 1961-62, c. 53, s. 6; 1966, c. 66, s. 7; 1968, c. 52, s. 14; 1968-69, c. 48, s. 6, *amended*.

Division of
territorial
districts

(2) The Lieutenant Governor in Council may divide any territorial district into two parts for the purposes of this Act, in which event each of such parts shall be deemed to constitute a territorial district for the purposes of this Act. R.S.O. 1960, c. 174, s. 26 (2).
