

1960

c 35 Blind Persons* Allowances Act

Ontario

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CHAPTER 35

The Blind Persons' Allowances Act

1. In this Act,

Interpretation

- (a) "allowance" means a blind person's allowance provided under this Act and the regulations to the persons and under the conditions specified in any agreement made under section 2;
- (b) "Director" means the Director of the Welfare Allowances Branch of the Department of Public Welfare;
- (c) "investigator" means an investigator within the meaning of *The Old Age Assistance Act*;
- (d) "local authority" means a local authority within the meaning of *The Old Age Assistance Act*;
- (e) "Minister" means the Minister of Public Welfare;
- (f) "recipient" means a person to whom an allowance is granted;
- (g) "regulations" means the regulations made under this Act. 1951 (2nd Sess.), c. 1, s. 1; 1957, c. 4, s. 1; 1958, c. 6, s. 1.

R.S.O. 1960,
c. 267

2.—(1) The Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada to provide for payment by Canada to Ontario in accordance with the *Blind Persons Act* (Canada) and the regulations made under it of any portion of amounts of allowances paid by Ontario pursuant to this Act and the regulations.

Agreements with Canada authorized
R.S.C. 1952,
c. 17

(2) Allowances may be paid in accordance with any agreement made under subsection 1. 1957, c. 4, s. 2.

Payment authorized

3. It is the duty of the Director,

Director, duties

- (a) to receive applications for allowances; and

(b) to determine the eligibility of each applicant for an allowance and, where the applicant is eligible, to determine the amount thereof and to direct payment accordingly. 1951 (2nd Sess.), c. 1, s. 3 (1).

Allowances
exempt from
taxation

4.—(1) An allowance is exempt from provincial and municipal taxes.

Allowances
not
assignable

(2) An allowance is not subject to alienation or transfer by the recipient.

Allowances
not subject
to seizure,
etc.

(3) An allowance is not subject to attachment or seizure in satisfaction of any claim against the recipient. 1951 (2nd Sess.), c. 1, s. 4.

Voting
rights

5. The receipt of an allowance does not by itself constitute a disqualification of the recipient from voting at any provincial or municipal election. 1951 (2nd Sess.), c. 1, s. 5.

When an
allowance
may be paid
to a trustee

6.—(1) In the case of a recipient,

(a) for whom a committee or trustee is acting; or

(b) who, in the opinion of the Director, is using or is likely to use the allowance otherwise than for his own benefit, or is incapacitated or is incapable of handling his affairs,

the Director may appoint a person to act for the recipient and the allowance may be paid for the benefit of the recipient to the committee or trustee mentioned in clause *a* or to the person appointed under clause *b*.

Compensa-
tion

(2) A person acting for a recipient under subsection 1 is not entitled to any fee or other compensation or reward or to any reimbursement for any costs or expenses incurred by him. 1955, c. 5, s. 2.

Refusal of
Canada to
contribute

7. Where an allowance has been paid and the Government of Canada,

(a) refuses to pay any amount in respect thereof; or

(b) rules that overpayments have been made to the recipient,

the Lieutenant Governor in Council may direct that all payments which at that time have been made shall be deemed to be expenses incurred in the administration of this Act. 1951 (2nd Sess.), c. 1, s. 7.

8. If for any reason the Government of Canada ceases to make the contributions provided for under the *Blind Persons Act* (Canada) or fails to carry out the agreement made under the authority of this Act, all allowances under this Act shall thereafter cease and no further payment of allowances shall be made. 1951 (2nd Sess.), c. 1, s. 8.

When pay-
ment of
allowances
to cease
R.S.C. 1952,
c. 17

9. Allowances and the expenses of the administration of this Act and the regulations are payable out of the moneys appropriated therefor by the Legislature. 1951 (2nd Sess.), c. 1, s. 9 (1).

Funds for
purposes
of Act

10.—(1) No person shall knowingly obtain or receive an allowance that he is not entitled to obtain or receive under this Act and the regulations.

Offences

(2) No person shall knowingly aid or abet another person to obtain or receive an allowance that such other person is not entitled to obtain or receive under this Act and the regulations.

Idem

(3) Every person who contravenes subsection 1 or 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$50 or to imprisonment for a term of not more than three months, or to both. 1951 (2nd Sess.), c. 1, s. 10.

Idem

11. The Lieutenant Governor in Council may make regulations,

Regulations

- (a) governing the manner of making application for an allowance;
- (b) providing for the suspension and cancellation of allowances;
- (c) providing for the whole or part of the cost of providing medical and dental services to recipients or any class or group thereof;
- (d) prescribing the powers and duties of investigators;
- (e) prescribing the powers and duties of local authorities;
- (f) providing for the making of investigations respecting persons to whom allowances may be paid or by whom or on whose behalf application has been made for an allowance or who are in receipt of an allowance;

- (g) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before an allowance is paid;
 - (h) fixing the intervals at which and the manner in which allowances are to be paid;
 - (i) prescribing forms and providing for their use;
 - (j) respecting any matter necessary or advisable to carry out effectively the purposes of this Act 1951 (2nd Sess.), c. 1, s. 11; 1957, c. 4, s. 3, *amended*
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