

1960

c 350 Rehabilitation Services Act

Ontario

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Bibliographic Citation

Rehabilitation Services Act, SO 1966, c 350

Repository Citation

Ontario (1960) "c 350 Rehabilitation Services Act," *Ontario: Revised Statutes*: Vol. 1960: Iss. 4, Article 46.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1960/iss4/46>

CHAPTER 350

The Rehabilitation Services Act

1. In this Act,

Interpre-
tation

- (a) "approved organization" means any organization designated as such by the Lieutenant Governor in Council under this Act;
- (b) "Director" means the Director of Rehabilitation Services of the Department of Public Welfare;
- (c) "handicapped person" means a person with a physical or mental impairment that substantially prevents him from engaging in remunerative employment;
- (d) "local authority" means a field worker or regional welfare administrator employed by the Department of Public Welfare, an employee of the Department of Public Welfare designated by the Minister, or a person appointed by the council of a municipality with the approval of the Minister as a municipal welfare administrator;
- (e) "Minister" means the Minister of Public Welfare;
- (f) "rehabilitation services" means any measures that may enable a handicapped person to engage in remunerative employment;
- (g) "regulations" means the regulations made under this Act. 1955, c. 71, s. 1; 1958, c. 95, s. 1 (1, 2).

2. The Lieutenant Governor in Council may designate any organization as an approved organization to provide rehabilitation services to handicapped persons under this Act. 1955, c. 71, s. 2.

Designation
of approved
organiza-
tions

3. The Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada or with any approved organization for the purpose of providing rehabilitation services to handicapped persons. 1955, c. 71, s. 3.

Implement-
ing agree-
ments
authorized

4.—(1) Any handicapped person,

- (a) who has resided in Ontario for one year immediately preceding the date of the application;

Application
for rehabili-
tation
services

(b) who is not in receipt of a pension, allowance, or other benefit from the Government of Canada in respect of war services, other than a dependant who is receiving, or is included in, a pension, allowance or other benefit under the *Pension Act* (Canada); and

R.S.C. 1952,
c. 207

(c) who is not in receipt of compensation under *The Workmen's Compensation Act*, other than a person who,

R.S.O. 1960,
c. 437

(i) is a handicapped person for reasons not attributable to, or incurred as a result of, the accident or industrial disease for which he is receiving compensation, or

(ii) is a dependant of the person receiving compensation,

may apply for rehabilitation services to a local authority or to a representative of an approved organization.

Interpre-
tation

(2) In clause *b* of subsection 1, "dependant" means,

(a) a child; or

(b) a parent, or a person in place of a parent, or a brother or sister, who is in a dependent condition,

within the meaning of the *Pension Act* (Canada).

Idem

(3) In clause *c* of subsection 1, "accident", "dependant" and "industrial disease" have the same meaning as in *The Workmen's Compensation Act*. 1955, c. 71, s. 4.

Duties of
Director

5. It is the duty of the Director,

(a) to receive applications for rehabilitation services;

(b) to determine the eligibility of each applicant for rehabilitation services,

and where the applicant is eligible,

(c) to review the recommendations of the local authority or the representative of the approved organization with respect to the provision of rehabilitation services;

(d) to take such measures as may be necessary to ensure that the rehabilitation services recommended are provided in accordance with this Act or any agreement made under this Act, if in his opinion the applicant may benefit from such services;

(e) to authorize the provision of the rehabilitation services; and

- (f) to determine the amounts to be paid to the applicant or on his behalf and to direct payment accordingly. 1955, c. 71, s. 5.

6. Where the Director is absent or there is a vacancy in the office, his powers and duties shall be exercised and performed by such civil servant as the Minister designates. 1955, c. 71, s. 6. ^{Acting Director}

7.—(1) Where rehabilitation services are authorized, there may be paid to the handicapped person, or on his behalf, such amounts in such manner and at such times as are prescribed by the regulations. ^{Payments}

(2) The amounts to be paid to or on behalf of handicapped persons and the expenses of the administration of this Act and the regulations are payable out of the moneys appropriated therefor by the Legislature. 1955, c. 71, s. 7, *amended*. ^{Expenses of Act}

8. The Lieutenant Governor in Council may make regulations, ^{Regulations}

- (a) governing the manner of making application for rehabilitation services;
- (b) adding further qualifications to those specified in this Act for applicants for rehabilitation services;
- (c) establishing an advisory committee of three or more persons to advise the Minister respecting the development and provision of rehabilitation services;
- (d) establishing an advisory board of one or more persons to assist the Director;
- (e) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before rehabilitation services are authorized;
- (f) prescribing the kinds of rehabilitation services that may be authorized;
- (g) prescribing the powers and duties of local authorities, field workers and representatives of approved organizations;
- (h) providing for the suspension and cancellation of rehabilitation services;
- (i) providing for the making of investigations respecting handicapped persons who have been recommended for rehabilitation services or for whom rehabilitation services have been authorized;

- (j) prescribing the amounts to be paid to or on behalf of handicapped persons for whom rehabilitation services are authorized and the manner and times of payment;
 - (k) prescribing additional duties of the Director;
 - (l) prescribing the records that shall be kept under this Act;
 - (m) prescribing forms and providing for their use;
 - (n) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1955, c. 71, s. 8.
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