

1960

c 377 Soldiers' Aid Commission Act

Ontario

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Bibliographic Citation

Soldiers' Aid Commission Act, SO 1966, c 377

Repository Citation

Ontario (1960) "c 377 Soldiers' Aid Commission Act," *Ontario: Revised Statutes*: Vol. 1960: Iss. 4, Article 73.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1960/iss4/73>

CHAPTER 377

The Soldiers' Aid Commission Act

- 1.** The commission first established by order in council dated the 10th day of November, 1915, "to take care of and to find employment for members of the Canadian Expeditionary Force who return to Canada during the period of the War, and to assist, advise and co-operate with The Military Hospitals Commission, and with all Provincial or local committees or organizations to attain the aforesaid objects, and to do all things which may be incidental and ancillary to the foregoing", is continued as a body corporate and politic under the name of the "Soldiers' Aid Commission", herein called the "Commission". R.S.O. 1950, c. 367, s. 1. Soldiers' Aid Commission continued
- 2.** The Lieutenant Governor in Council may add such persons from time to time as members of the Commission as he deems advisable or may appoint a member in place of any member dying or retiring or becoming incapable of acting. R.S.C. 1950, c. 367, s. 2. Adding members to Commission
- 3.** The members of the Commission shall serve without remuneration, but may be paid their travelling expenses and other necessary disbursements as part of the expenses of the Commission, and the receiving of such expenses and disbursements by any member of the Commission does not render him ineligible as a member of the Assembly nor disqualify nor render him liable to any penalty for sitting and voting therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding. R.S.O. 1950, c. 367, s. 3. Services to be honorary
R.S.O. 1960, c. 208
- 4.** The Commission may establish or arrange for the establishment of branches of the Commission in the various municipalities in the Province and appoint a supervising commissioner and such officers, clerks, servants and agents as are deemed necessary and expedient for carrying out the work of the Commission, and the salaries, wages, fees or other remuneration payable to such officers, clerks, servants and agents, and all other costs, charges and expenses incurred by the Commission are payable out of the moneys that are appropriated from time to time by the Legislature for the purposes of the Commission. R.S.O. 1950, c. 367, s. 4. Branches, office staff

Execution
of documents

5. A conveyance, document or other instrument executed under the hand of the chairman and the supervising commissioner and the seal of the Commission shall be deemed sufficiently executed to bind the Commission for all purposes. R.S.O. 1950, c. 367, s. 5.

Powers of
Commission

6.—(1) Notwithstanding anything in the order in council of the 10th day of November, 1915, the Commission may exercise the like powers with respect to, and may grant the same assistance to members of Her Majesty's Imperial forces or the forces of any of the allies who, as reservists, and while resident in Canada, were called upon to serve in the Imperial forces or the forces of any of the allies, or who left Canada for the purpose of enlisting and did enlist in the Imperial forces or the forces of any of the allies to serve therein during World War I, as the Commission may grant to members of the Canadian Expeditionary Forces under the terms of the said order in council, and the like assistance may be granted to any person who, after enlistment in Canada for service in the said war, and before going overseas, was discharged on account of wounds, injury or disease incurred or contracted while on active service.

Extent of
powers of
Commission

(2) Notwithstanding anything in the order in council of the 10th day of November, 1915, the Commission has and may exercise the like powers and perform the like services with respect to any of the classes of persons mentioned in subsection 1 who returned to Ontario after the said war as it may with respect to those who returned during the war.

Powers of
Commission
extended

(3) Notwithstanding anything in the order in council of the 10th day of November, 1915, the Commission has and may exercise the like powers and may grant the same assistance to persons who served in the naval, military or air forces of Canada or the British Empire or any part or ally thereof in World War II as the Commission may grant to members of the Canadian Expeditionary Forces under the terms of the said order in council. R.S.O. 1950, c. 367, s. 6.

Real
property

7.—(1) The Commission may buy, sell, lease, hold or otherwise deal in real property for the purposes of the Commission.

Acquiring
lands for
cemetery
purposes

(2) The Commission may acquire lands by purchase or expropriation or otherwise for the purposes of a cemetery for the burial of persons belonging to any of the classes mentioned in section 6 and with respect to the cemetery possesses all the powers of an owner of a cemetery under *The Cemeteries Act*. R.S.O. 1950, c. 367, s. 7.

R.S.O. 1960,
c. 47

8.—(1) The Commission has and shall be deemed to have had since the date of its establishment, power to receive, administer and dispose of gifts, devises and bequests for the benefit of persons belonging to any of the classes mentioned in section 6, or for the benefit, as a class, of the wives, widows, children and dependent relatives of any such person belonging to any of the classes mentioned in section 6, and, without limiting the generality of the foregoing, shall be deemed to include the right to receive, hold, administer and dispose of lands so devised.

Commission authorized to receive and administer gifts, etc.

(2) Where by the will of any person dying before or after the passing of this Act, a devise or bequest is made to or for the benefit of any class of persons mentioned in section 6, or for any object within the powers of the Commission, or for any like purpose, and the will does not specify the particular person, society or institution that is to receive the devise or bequest, or if the devise or bequest is or may be held to be void for uncertainty as to the persons entitled to receive it, or as to the object to which it may be applied, then in any such case the Commission is the beneficiary and is entitled to receive, administer and dispose of the devise or bequest in such manner as the Commission deems expedient.

Where bequest would otherwise be void for uncertainty

(3) Subsection 2 applies and takes effect notwithstanding that by the terms of the will the executor or trustee thereunder is directed to distribute the devise or bequest in the discretion of the executor or trustee. R.S.O. 1950, c. 367, s. 8.

Application of subs. 2

9. The Commission has and shall be deemed to have had since the date of its establishment, power to grant assistance, financial or otherwise, to the widows of the classes mentioned in section 4 of *The Soldiers' Aid Commission Act, 1916*, who have remained unmarried or who have remarried and, in the opinion of the Commission, need help, and all such assistance, financial or otherwise, heretofore given by the Commission is declared to be legal and valid for all intents and purposes. R.S.O. 1950, c. 367, s. 9.

Aid to widows

1916, c. 3

10. With respect to the child of any person who served with Her Majesty's forces or the forces of any of the allies of Her Majesty in World War I, the Commission has and may exercise and perform all the rights, powers and duties of a children's aid society under *The Child Welfare Act*. R.S.O. 1950, c. 367, s. 10.

Powers of Commission as to children of soldiers

R.S.O. 1960, c. 53

11. The Commission may establish children's shelters or homes for children coming under its care by virtue of this Act and may apply any of the funds of the Commission for such purpose. R.S.O. 1950, c. 367, s. 11.

Establishing children's shelters

Agreement to accept custody of child

12. The Commission may enter into an agreement with any person who served with Her Majesty's forces or the forces of any of the allies of Her Majesty in World War I, or who was the wife or husband of a person so serving before the cessation of hostilities, whereby the Commission may accept the custody of any child or children of the applicant upon being satisfied that the circumstances of the applicant are such that the applicant is unable to properly maintain and care for the child or children. R.S.O. 1950, c. 367, s. 12.

Arrangements for technical instruction for incapacitated soldiers

13. The Commission acting as a central provincial committee and a branch sub-committee of The Military Hospitals Commission, may enter into arrangements with the Department of Education, or with any educational authority or institution, for providing instruction of any kind, including technical and industrial instruction for those of the classes of persons mentioned in section 6, who, as a result of wounds, disease or other injury sustained during the period of enlistment, are unable to pursue their former calling or occupation, and for such other training, instruction and assistance as the Commission deems advisable. R.S.O. 1950, c. 367, s. 13.

Further powers and duties may be conferred and imposed

14. The Lieutenant Governor in Council may confer such further powers and impose such further duties upon the Commission with respect to soldiers who returned to Ontario after World War I, with a view to securing their well-being, as is deemed advisable. R.S.O. 1950, c. 367, s. 14.
