

1960

c 403 Trade Schools Regulation Act

Ontario

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Bibliographic Citation

Trade Schools Regulation Act, SO 1966, c 403

Repository Citation

Ontario (1960) "c 403 Trade Schools Regulation Act," *Ontario: Revised Statutes*: Vol. 1960: Iss. 4, Article 99.

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CHAPTER 403

The Trade Schools Regulation Act

1. In this Act,Interpre-
tation

- (a) "Minister" means the Minister of Education;
- (b) "trade" means the skill and knowledge requisite for or intended for use in the construction, building, repair or operation of aircraft, steam engines, boilers, internal combustion engines or machinery of any kind, and any other occupation, calling or vocation designated as a trade by the regulations;
- (c) "trade school" means any school or place wherein any trade is taught or purported to be taught, or wherein any course of study by correspondence of a trade is organized, promoted, carried on, taught or purported to be taught other than a university recognized by the Department of Education or a school or course of instruction maintained under any Act of the Legislature. R.S.O. 1950, c. 395, s. 1.

2. No person shall keep or operate a trade school unless he is registered pursuant to this Act. R.S.O. 1950, c. 395, s. 2.

Operation
of trade
school
without
registration
prohibited

3.—(1) Every person desirous of keeping or operating a trade school shall make application for registration or renewal of registration in writing to the Minister in accordance with the regulations.

Application
for regis-
tration of
trade schools
and renewals

(2) The Minister may require a certificate of a person authorized to inspect a trade school under section 7, certifying as to the safety of the operation and premises of the trade school. 1959, c. 101, s. 1.

Certificate
of safety

4. Every registration under this Act expires on the 31st day of December of the year in respect of which the registration is effected. R.S.O. 1950, c. 395, s. 4; 1959, c. 101, s. 2.

Expiration
and renewal
of regis-
tration

5. Upon the applicant for registration or for renewal of registration, as the case may be, complying with the requirements of the Minister and satisfying him that the trade school is provided with competent instructors and sufficient equipment for the teaching of any specified trade or trades, and is

Certificate
of regis-
tration

furnishing or is prepared to furnish proper instruction in such trade or trades, at reasonable rates, the Minister may cause the applicant to be registered as the keeper or operator of a trade school for the teaching of the specified trade or trades, and may issue a certificate of registration accordingly. R.S.O. 1950, c. 395, s. 5.

Refusal of registration

6. The Minister may refuse to grant a registration or renewal of registration where, in his opinion, the registration or renewal should not be granted. 1959, c. 101, s. 3.

Power to inspect trade schools

7. The Minister, or any person authorized by him in writing, may inspect any trade school at any time during which it is being kept or operated to determine the safety of the premises and the operation thereof, to observe the method of instruction given therein, and to inspect the business books and records, and all circulars, pamphlets and other material used for advertising the trade school and the instruction afforded therein, and any person who obstructs the Minister or authorized person in making any inspection or observation or who refuses or neglects to produce any business book or record upon demand is guilty of an offence and on summary conviction is liable to a fine of not more than \$100, and in default of payment, to imprisonment for a term of not more than two months. R.S.O. 1950, c. 395, s. 6; 1959, c. 101, s. 4.

Cancellation of registration

8. If, as the result of any inspection of any trade school, or upon being otherwise credibly informed, the Minister is satisfied that a trade school in respect of which registration has been made under this Act is insufficiently provided with the means of instruction or is not safe or that the charges made for the instruction given are unreasonable or that any regulation pursuant to this Act is not observed therein, he may cancel the registration, and thereupon the registration and the certificate thereof are void. R.S.O. 1950, c. 395, s. 7; 1959, c. 101, s. 5.

Offences

9.—(1) Every person who,

- (a) keeps or operates a trade school at a time when he is not registered pursuant to this Act as the keeper or operator of that trade school; or
- (b) keeps or operates a trade school for the purpose of giving instruction in a trade not specified in his certificate of registration; or
- (c) enters into any contract for the furnishing of instruction in a trade other than the contract set out in the application for registration, or a contract that has been approved by the Minister; or

- (d) whether acting as the owner or operator of a trade school or as an agent or representative thereof, or otherwise, sells or offers to sell instruction or a course of instruction in any trade, unless such instruction or course of instruction is a course of instruction specified in the certificate of registration of a trade school registered under this Act, and unless in the case of a sale, such sale is evidenced by a contract in a form approved by the Minister; or
- (e) is knowingly responsible for the contravention of any of the provisions of this Act or the regulations,

is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000 for a first offence and not more than \$2,000 for a second or subsequent offence and in case of either a first, second or subsequent offence, either in default of payment of any fine imposed or in addition to any such fine, to imprisonment for a term of not more than six months.

(2) Subsection 1 shall be deemed to apply *mutatis mutandis*, ^{Increase in fines} to any company save that the fines may be increased in the discretion of the magistrate to not more than \$25,000. R.S.O. 1950, c. 395, s. 8.

10. No person who is not registered as the keeper or operator of a trade school under this Act is capable of maintaining an action or other proceeding ^{Court proceedings} in any court in Ontario in respect of any contract made in whole or in part within Ontario or against any person domiciled in Ontario in the course of or in connection with business carried on by any trade school. R.S.O. 1950, c. 395, s. 9.

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

- (a) prescribing the security to be provided by the keeper or operator of any trade school for the due performance of his contracts;
- (b) respecting applications for registration and renewals of registration;
- (c) prescribing the accommodation and equipment required by trade schools and the means of instruction to be used;
- (d) requiring the approval of the Minister for courses of study, requirements for admission, qualifications of teachers, methods of instruction, and premises and equipment used, in connection with a trade school;

- (e) prescribing the minimum number of hours of instruction in any trade that shall constitute a course of instruction in that trade;
- (f) prescribing the maximum fees that shall be paid or received for a course of instruction in any trade;
- (g) prescribing the terms and conditions upon which money paid for or on account of instruction in any trade school shall be either retained by the payee or be repayable to the payer;
- (h) prohibiting the use of any advertising relating to any trade school that may tend to mislead, and requiring the discontinuance of any specified advertisement or means of advertisement by the keeper or operator of any trade school;
- (i) regulating the selling or offering for sale of any course of instruction offered by a trade school;
- (j) prescribing the amount that may be asked, charged or received from the public for any article produced entirely or in part in any trade school, or for the material used by or for the services of any employee or student of the trade school;
- (k) limiting the number or amount of articles, goods or commodities produced in any trade school so that it may not compete unfairly with the production of similar articles, goods or commodities in any factory or shop;
- (l) fixing the times during which the public may obtain service in any trade school;
- (m) designating any occupation, calling or vocation as a trade within the meaning of this Act;
- (n) exempting any trade or trade school from the operation of this Act and the regulations;
- (o) fixing the fees that shall be payable on applications for registration or renewal of registration under this Act;
- (p) providing, in the case of any specified trade school, that no certificate or other document as to the competency of any person shall be issued by that trade school unless that person has submitted himself to such examination and by such persons as may be prescribed by the regulations, and prescribing fees for such examination and certificate;

- (g) providing for the making of annual returns and the furnishing of information to the Minister by the keepers and operators of trade schools;
- (r) prescribing forms and providing for their use;
- (s) generally, as to the conduct, operation and management of trade schools, and the nature of any examinations for certificates of competency, the manner, times, and places of holding such examinations, and the persons who shall sit as examiners. R.S.O. 1950, c. 395, s. 10; 1959, c. 101, s. 6.

12. No trade school for a trade that is designated under Schedule A of *The Apprenticeship Act* shall be registered under this Act without the consent of the Minister of Labour. 1959, c. 101, s. 7.

Trades
under
R.S.O. 1960,
c. 17

13. For the purpose of carrying out the provisions of this Act, the Lieutenant Governor in Council may appoint such officers as may be considered necessary or expedient. 1950, c. 395, s. 12.

Appoint-
ment of
staff

