

1960

c 267 Old Age Assistance Act

Ontario

© Queen's Printer for Ontario, 1960

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

Bibliographic Citation

Old Age Assistance Act, SO 1966, c 267

Repository Citation

Ontario (1960) "c 267 Old Age Assistance Act," *Ontario: Revised Statutes*: Vol. 1960: Iss. 3, Article 45.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1960/iss3/45>

CHAPTER 267

The Old Age Assistance Act

1. In this Act,

Interpretation

- (a) "assistance" means old age assistance 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 a person designated as such under the regulations and includes a field worker of the Department of Public Welfare;
- (d) "local authority" means a field worker, regional welfare administrator of the Department of Public Welfare or any other employee of the Department of Public Welfare the Minister designates under this Act;
- (e) "Minister" means the Minister of Public Welfare;
- (f) "recipient" means a person to whom assistance is granted;
- (g) "regulations" means the regulations made under this Act. 1951 (2nd. Sess.), c. 2, s. 1; 1957, c. 83, s. 1; 1958, c. 69, s. 1.

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 *Old Age Assistance Act* (Canada) and the regulations made under it and with any additional conditions of eligibility prescribed in the regulations made under this Act of any portion of amounts of assistance paid by Ontario pursuant to this Act and the regulations. 1957, c. 83, s. 2, *part*; 1958, c. 69, s. 2.

Agreements with Canada authorized

R.S.C. 1952, c. 199

(2) Assistance may be paid in accordance with any agreement made under subsection 1. 1957, c. 83, s. 2, *part*.

Payment authorized

3.—(1) Where the Director is absent or there is a vacancy in the office, the powers and duties of the Director shall be exercised and performed by such civil servant as the Minister may designate.

Acting Director

Director,
duties

- (2) It is the duty of the Director,
- (a) to receive applications for assistance;
 - (b) to determine the eligibility of each applicant for assistance, and where the applicant is eligible, to determine the amount thereof and to direct payment accordingly. 1951 (2nd Sess.), c. 2, s. 3 (2, 3).

Assistance
exempt from
taxation

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

Assistance
not assign-
able

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

Assistance
not subject
to seizure

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

Voting
rights

5. The receipt of assistance does not by itself constitute a disqualification of the recipient from voting at any provincial or municipal election. 1951 (2nd Sess.), c. 2, 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 assistance 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 assistance 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. 51, s. 2.

Refusal of
Canada to
contribute

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

- (a) refuses to pay any amount in respect thereof;
- (b) rules that overpayments have been made to the recipient,

the Lieutenant Governor in Council may direct that all payments that at that time have been made shall be deemed

to be expenses incurred in the administration of this Act. 1951 (2nd Sess.), c. 2, s. 7.

8. If for any reason the Government of Canada ceases to make the contributions provided for under *The Old Age Assistance Act* (Canada) or fails to carry out the agreement made under the authority of this Act, all assistance under this Act shall thereafter cease and no further payments of assistance shall be made. 1951 (2nd Sess.), c. 2, s. 8.

When payment of assistance to cease
R.S.C. 1952, c. 199

9. Every local authority is, in the performance of his duties, a commissioner for taking affidavits within the meaning of *The Commissioners for taking Affidavits Act*. 1951 (2nd Sess.), c. 2, s. 9 (2).

Local authorities commissioners under
R.S.O. 1960, c. 59

10. Assistance 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. 2, s. 10 (1).

Funds for purposes of Act

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

Offences and penalties

(2) No person shall knowingly aid or abet another person to obtain or receive assistance 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 fine and imprisonment. 1951 (2nd Sess.), c. 2, s. 11.

Idem

12. The Lieutenant Governor in Council may make regulations,

Regulations

- (a) governing the manner of making application for assistance;
- (b) prescribing conditions of eligibility for assistance that may be included in an agreement made under section 2;
- (c) providing for the suspension and cancellation of assistance;
- (d) providing for the whole or part of the cost of providing medical and dental services to recipients or any class or group thereof;

- (e) providing for the designation of persons as investigators and prescribing their powers and duties;
 - (f) prescribing the powers and duties of local authorities;
 - (g) providing for the making of investigations respecting persons to whom assistance may be paid or by whom or on whose behalf application has been made for assistance or who are in receipt of assistance;
 - (h) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before assistance is paid;
 - (i) fixing the intervals at which and the manner in which assistance is to be paid;
 - (j) prescribing forms and providing for their use;
 - (k) respecting any matter necessary or advisable to carry out effectively the purposes of this Act. 1951 (2nd Sess.), c. 2, s. 12; 1957, c. 83, s. 4; 1958, c. 69, s. 4.
-