



1950

c 268 Parole Act

Ontario

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CHAPTER 268

The Parole Act

1. In this Act,Interpre-
tation.

- (a) "Board" means Board of Parole;
- (b) "parole officer" includes the chief parole officer;
- (c) "prisoner" means,
- (i) a person convicted of an offence against a statute of Ontario or against a municipal by-law and sentenced to an indeterminate sentence, and
 - (ii) a prisoner referred to in section 43 of the *Prisons and Reformatories Act* (Canada) and sentenced to an indeterminate sentence; R.S.C. 1927, c. 163.
- (d) "regulations" means regulations made under this Act;
- (e) "secretary" means secretary of the Board. 1946, c. 69, s. 1.

2. The Board of Parole heretofore constituted is continued and shall be composed of not more than six persons appointed by the Lieutenant-Governor in Council. 1946, c. 69, s. 2. Board of Parole established.

3.—(1) The Lieutenant-Governor in Council may designate one of the members of the Board to be chairman thereof. Chairman.

(2) Three members of the Board shall be a quorum. 1946, c. 69, s. 3. Quorum.

4. The Lieutenant-Governor in Council may appoint a secretary of the Board, a chief parole officer and such parole officers as he may deem necessary. 1946, c. 69, s. 4. Appointment of secretary, chief parole officer and assistants.

5.—(1) The chairman of the Board, the secretary and the parole officers may be paid such salary as may be determined by the Lieutenant-Governor in Council. Salaries of chairman, secretary and parole officers.

(2) The members of the Board, other than the chairman, shall serve without salary but the Lieutenant-Governor in Council may fix a per diem allowance to be payable to the Allowances for Board members.

members for their attendance at the meetings of the Board or for other attendances in connection with the transaction of any business of the Board.

Travelling and living expenses.

(3) The chairman and members of the Board, the secretary and the parole officers shall be entitled to reasonable and necessary travelling and living expenses while absent from home on the business of the Board as certified by the chairman of the Board.

Payment out of appropriations.

(4) All such salaries, remuneration, allowances, travelling and living expenses and all other expenses of the Board shall be paid out of such moneys as may be appropriated by the Legislature for the general purposes of the Board. 1946, c. 69, s. 5.

Release of prisoners on parole.

6. Subject to the regulations, the Board may order the release on parole of any prisoner,

(a) in the case of a prisoner referred to in subclause i of clause *c* of section 1, upon such conditions as the Board may deem proper; and

(b) in the case of a prisoner referred to in subclause ii of clause *c* of section 1, upon conditions approved by the Minister of Justice under section 43 of the *Prisons and Reformatories Act* (Canada). 1946, c. 69, s. 6.

R.S.C. 1927, c. 163.

Re-taking prisoners on breach of conditions of parole.

7. In the case of prisoners referred to in subclause i of clause *c* of section 1, the Board may provide that a prisoner who fails to observe the conditions of his parole may be taken into custody by a parole officer or by any person appointed for such purpose, and may be returned to the prison or other place from which he was paroled. 1946, c. 69, s. 7.

Assistance to prisoners.

8. It shall be the duty of the Board to assist prisoners on parole in securing employment with trustworthy persons and in this manner to ensure as far as possible the success of the parole system. 1946, c. 69, s. 8.

Returns.

9. It shall be the duty of every public officer or other person having information or having access to any information bearing upon the fitness of a prisoner to be paroled, to make such return in writing to the Board as may be required by the regulations. 1946, c. 69, s. 9.

Annual report of Board.

10. The Board shall in each year, on or before the 30th day of June, make a report in writing to the Lieutenant-Governor

in Council of the history and proceedings of the Board during the twelve-month period ending on the 31st day of March of such year. 1946, c. 69, s. 10.

11. Nothing in this Act shall be construed as affecting or ^{Pardoning} impairing or as intending or purporting to affect or impair the ^{powers not} powers of the Governor-General of Canada or the Lieutenant-Governor of Ontario to grant a reprieve, pardon, or commutation of sentence in any case. 1946, c. 69, s. 11.

12.—(1) Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations, ^{Regulations.}

- (a) defining the duties, powers and responsibilities of the Board, the chief parole officer, parole officers and the secretary of the Board;
- (b) defining the conditions under which a prisoner may be paroled;
- (c) prescribing the powers of the Board in dealing with a prisoner on parole who fails to comply with the terms upon which he has been paroled;
- (d) prescribing the form of returns to be made by public officers and other persons containing information as to the antecedents of any prisoner;
- (e) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) Such of the regulations as are approved by the Minister of Justice (Canada) shall have force and effect as to prisoners referred to in section 43 of the *Prisons and Reformatories Act* (Canada). 1946, c. 69, s. 12. ^{Approval by Minister of Justice. R.S.C. 1927, c. 163.}

