

1937

## c 381 Charitable Institutions Act

Ontario

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## CHAPTER 381.

## The Charitable Institutions Act.

## 1. In this Act,—

- (a) "Charitable institution" shall mean and include a refuge, orphanage or infants' home to which provincial aid is granted; Interpretation.  
"Charitable institution."
- (b) "Department" shall mean the Department over which the Minister has charge; "Department."
- (c) "Inspector" shall mean an officer of the Department designated under this Act as an inspector; "Inspector."
- (d) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act; "Minister."
- (e) "Provincial aid" shall mean aid granted to a charitable institution out of moneys appropriated for the purpose by the Legislature; "Provincial aid."
- (f) "Regulations" shall mean any regulations made under this Act. 1931, c. 79, s. 2. "Regulations."

2. Nothing in this Act contained shall relate to or affect a hospital, private hospital or sanatorium under *The Public Hospitals Act*, *The Private Hospitals Act*, or *The Sanatoria for Consumptives Act*, or a house of refuge or a district house of refuge under *The Houses of Refuge Act* or *The District Houses of Refuge Act*. 1931, c. 79, s. 3. Act not to apply to certain institutions.  
Rev. Stat. cc. 390, 391, 395, 385, 386.

3.—(1) The several refuges, orphanages and infants' homes which under *The Hospitals and Charitable Institutions Act* received aid for the year 1930 from the Province shall for the purposes of this Act and the regulations be deemed to be charitable institutions approved under this Act. Institutions aided for 1930 approved.  
Rev. Stat., 1927, c. 359.

(2) No institution building or other premises or place shall hereafter be created, established or incorporated as a refuge, orphanage or infants' home until the same has been approved by the Lieutenant-Governor in Council as a charitable institution. Approval of new institutions.

(3) No institution building or other premises or place shall be operated or used as a refuge, orphanage or infants' home Operation of institutions to be approved.

unless and until the same is approved by the Lieutenant-Governor in Council as a charitable institution.

Suspension  
or revoca-  
tion of  
approval.

(4) Any approval given or deemed to have been given under this Act in respect to any charitable institution may be suspended by the Minister or revoked by the Lieutenant-Governor in Council. 1931, c. 79, s. 4.

Regulations.

4. The Lieutenant-Governor in Council upon the recommendation of the Minister may make such regulations in respect to charitable institutions as may be deemed necessary for,—

Creation,  
operation,  
etc.

(a) their creation, establishment, incorporation, operation, functions, objects and pursuits;

Inspection,  
manage-  
ment, etc.

(b) their inspection, control, government, management, conduct and administration;

Construc-  
tion, repair,  
etc.

(c) the construction, alteration, equipment, maintenance and repair of any buildings or premises owned, operated or used by charitable institutions;

Classifica-  
tion, etc.

(d) their classification, grades and standards;

Staffs, etc.

(e) their officers, staffs, servants, employees and agents and the powers and duties thereof;

Admission  
of, etc.,  
inmates.

(f) the admission, treatment, conduct, discipline and discharge of inmates of charitable institutions;

Rates, etc.,  
for inmates.

(g) the classification and lengths of stay of and rates and charges for inmates of charitable institutions;

Revenues  
and expendi-  
tures.

(h) the funds, revenues and expenditures of charitable institutions and the obtaining, procuring and application of such funds and revenues;

Accounting,  
etc.

(i) the records, books, accounting systems, audits, reports and returns to be made and kept by charitable institutions;

Provincial  
aid.

(j) the distribution, payment, withholding and restoration of and other matters affecting provincial aid; and

General.

(k) all other matters affecting charitable institutions. 1931, c. 79, s. 5.

Powers  
of Depart-  
ment.

5. It shall be the duty of the Department and it shall have power to administer and enforce the provisions of this Act and the regulations, and the Department may, from time to time, declare any or all of the regulations to be in force with respect to all charitable institutions or any specified charitable

institution or institutions or class or classes thereof and for such time or times as the Department may deem expedient. 1931, c. 79, s. 6.

**6.** The Minister with the approval of the Lieutenant-Governor in Council may designate one or more officers of the Department to be inspectors for the purposes of this Act and the regulations, and the powers and duties of such inspectors shall be as prescribed by the regulations. 1931, c. 79, s. 7.

**7.** Every charitable institution shall have power to carry on its undertaking, objects and pursuits as may be authorized by law or by general or special Act under which it was created, established, incorporated or is empowered so to do, but where any such law of Ontario or any such general or special Act conflicts with the provisions of this Act or the regulations the provisions of this Act and the regulations shall prevail. 1931, c. 79, s. 8.

**8.** No by-law, rule or regulation of any charitable institution receiving provincial aid shall have force or effect until the same is approved by the Lieutenant-Governor in Council. 1931, c. 79, s. 9.

**9.—(1)** Subject to the provisions of this Act and of the regulations provincial aid shall be distributed and may be paid out of any moneys appropriated for such purpose by the Legislature, to any charitable institution on the list of institutions entitled to receive provincial aid, as follows,—

- (a) for every indigent person an inmate of a refuge, ten cents per day for each day's actual maintenance of such inmate during the preceding calendar year;
- (b) for every infant or child an inmate of an orphanage or infants' home, if such infant or child is an orphan or neglected or abandoned or the infant or child of an indigent person, five cents per day for each day's actual maintenance of such inmate during the preceding calendar year, and if any such inmate is an infant under one year of age and is being nursed by its mother in such institution, ten cents per day for each day's actual maintenance of such inmate;
- (c) for every adult, friendless and indigent female person an inmate of any such refuge, orphanage or infants' home, ten cents per day for each day's actual maintenance of such inmate during the preceding calendar year.

Computing  
provincial  
aid.

(2) In calculating the amount of provincial aid the day of departure of an inmate of a charitable institution shall not be counted. 1931, c. 79, s. 10.

No aid  
for self-  
sustaining  
institutions.

**10.** No provincial aid shall be granted to a charitable institution for any year in which the revenues thereof are equal to or exceed the expenditures for operation and maintenance of the institution, unless the Lieutenant-Governor in Council otherwise directs. 1931, c. 79, s. 11.

Withdrawal  
of aid.

**11.** No provincial aid shall be granted to any charitable institution the approval of which has been revoked or suspended or to any such institution which does not comply with the provisions of this Act and the regulations. 1931, c. 79, s. 12.

Restoration  
of aid.

**12.** When from any cause provincial aid to any charitable institution has not been granted or the grant thereof has been withheld or withdrawn, the Lieutenant-Governor in Council may upon the recommendation of the Minister direct that such aid be granted or restored in whole or in part, but not until the approval of such charitable institution has been received or until compliance with the provisions of this Act and the regulations is made, as the case may be. 1931, c. 79, s. 13.

Penalty.

**13.** Any person who contravenes or is a party to the contravention, directly or indirectly, of any provision of this Act or the regulations shall incur a penalty of not less than \$5 and not exceeding \$500, recoverable under *The Summary Convictions Act*. 1931, c. 79, s. 14.

Rev. Stat.,  
c. 136.

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