

1950

## c 152 Fuel Supply Act

Ontario

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## CHAPTER 152

## The Fuel Supply Act

**1.** In this Act,Interpreta-  
tion.

- (a) "Controller" means the Fuel Controller, appointed under this Act, and includes any commission or other body to which the duties and powers of Fuel Controller may be assigned;
- (b) "Minister" means Minister of Mines;
- (c) "regulations" means regulations made by the Lieutenant-Governor in Council or by the Fuel Controller, with the approval of the Lieutenant-Governor in Council, under this Act, and includes an order of the Controller. R.S.O. 1937, c. 53, s. 1.

**2.** The Lieutenant-Governor in Council may appoint an officer, or may issue a commission to two or more persons for the purpose of exercising the powers and carrying out the objects hereinafter set forth, and in the case of the appointment of such officer, he may be designated as the Fuel Controller for Ontario, and in the case of the appointment of a commission, the commission may be designated as The Fuel Control Commission of Ontario. R.S.O. 1937, c. 53, s. 2.

**3.** The Lieutenant-Governor in Council may appoint or employ such expert and other assistance for the Controller as may be deemed necessary or expedient. R.S.O. 1937, c. 53, s. 3.

**4.** The salaries and expenses of the Controller and of his officers, clerks and servants, and the expenses payable for providing such assistance, and generally all costs, charges and expenses incurred and payable in respect of the carrying out of the provisions of this Act, shall be chargeable to and shall be paid out of such sums as may be provided by the Legislature for investigating the fuel question, and the purchase, manufacture and handling of wood fuel, and for the manufacture and handling of peat fuel. R.S.O. 1937, c. 53, s. 4.

Powers and  
duties of  
Controller.

5. The Controller, subject to the approval of the Lieutenant-Governor in Council, may,

- (a) investigate and report to the Minister upon any source of fuel supply and the practicability of securing wood, peat or other fuel for use by the inhabitants of Ontario, or any locality therein, and the most economical and expeditious mode of utilizing such fuel supply, and of getting out, preparing, transporting and distributing the same;
- (b) make orders from time to time regulating the quantity of fuel which may be used, held or stored by any person, and directing that any amount in excess of such quantity shall be taken over from such person upon such terms as the Minister may approve, and sold, distributed and otherwise disposed of;
- (c) provide penalties for the contravention of any order so made;
- (d) make orders fixing the price at which wood, peat or other fuel may be sold or disposed of, having regard to the cost of getting out, distributing and marketing the same;
- (e) conduct with, or direct for the Minister, experimental work upon any material which may be deemed to be capable of furnishing suitable fuel;
- (f) make regulations respecting the use of fuel, and restricting the same as to seasons and hours of use, and the mode in which the same may be used;
- (g) take such measures as the Minister may direct for the enforcement of any regulations made by the Fuel Controller of Canada, as to the use, transportation, distribution and sale of fuel, and to co-operate with and assist the Fuel Controller of Canada in that respect. R.S.O. 1937, c. 53, s. 5.

Powers of  
Minister.

6. The Minister, with the approval of the Lieutenant-Governor in Council, may,

- (a) purchase, lease or acquire, without the consent of the owner thereof, and enter upon, take and use such real and personal property as he may deem necessary for the purpose of acquiring peat lands or wood lands

for experimental purposes, or for the purpose of developing or cutting and getting out the wood, peat or other fuel;

- (b) purchase, erect, set up and operate all such buildings, machinery, plant, appliances and every other matter or thing which he may deem necessary for the purpose of preparing wood or peat or any other substance for fuel purposes;
  - (c) enter into contracts or agreements with the owner of any lands for the purpose of procuring a supply of wood or peat therefrom;
  - (d) enter into contracts and arrangements providing for the transportation, distribution, marketing and sale of the product of any works acquired by him, or of wood or peat fuel purchased or supplied under contract;
  - (e) arrange with the Government of Canada or the Fuel Controller of Canada for co-operation in or with any such operations or works and for sharing the cost of the same on such conditions and terms as may be agreed upon;
  - (f) take over, with or without the consent of the owner thereof, any existing works for the production of wood or peat and operate the same, and transport, distribute, market and sell the product thereof.
- R.S.O. 1937, c. 53, s. 6.

**7.** Whenever the Minister exercises any of the compulsory powers conferred by section 6, compensation shall be paid to the owner or any other person interested, and such compulsory powers may be exercised, and compensation shall be paid and determined in the manner provided by *The Public Works Act*, the provisions of which shall *mutatis mutandis* apply. R.S.O. 1937, c. 53, s. 7.

Compulsory powers to be exercisable under Public Works Act. Rev. Stat., c. 323.

**8.** The Lieutenant-Governor in Council may make regulations,

- (a) prescribing the duties of the Controller and conferring upon him such powers as may be deemed proper for carrying out the objects of this Act;
- (b) imposing penalties for the violation of any regulation or order made by the Controller or by the Lieutenant-Governor in Council;
- (c) fixing the salaries, scale of remuneration and expenses to be paid to officers and other persons employed under this Act;

- (d) granting to the Minister such powers, in addition to those expressly conferred by this Act, as may be deemed necessary in order to provide a sufficient supply of fuel to the inhabitants of Ontario or of any locality therein;
- (e) offering rewards for the discovery of new sources of fuel supply or of new methods in the treatment of any substance which may be used as fuel. R.S.O. 1937, c. 53, s. 8.

**Interpre-  
tation.**

**9.—(1)** In this section, “gas fuel” means natural gas and includes artificial gas, propane or butane used to supplement natural gas.

**Powers of  
Controller.**

- (2) Notwithstanding any other Act, the Controller may,
  - (a) regulate and control the quantity of gas fuel that may be held or distributed by any person;
  - (b) prohibit or regulate and control the use of gas fuel by any person;
  - (c) fix the price at which gas fuel may be sold or disposed of, except where the natural gas referee has such jurisdiction under *The Natural Gas Conservation Act*;
  - (d) require the construction, installation, erection or acquisition of any works, pipe lines, plant, machinery, equipment or appliances necessary for the production, transmission and distribution of gas fuel, and apportion and allocate the cost thereof;
  - (e) regulate and control the installation and removal of appliances using gas fuel and provide for the issue of permits authorizing the installation thereof;
  - (f) impose penalties on persons who fail to comply with any order, requirement or direction made or issued under this section.

**Rev. Stat.,  
c. 251.**

(3) Every order, requirement or direction made or issued under this section shall be deemed to be administrative and not of a legislative nature. 1948, c. 34, s. 1, *part*.

**Orders to  
be deemed  
administra-  
tive.**

**Non-applica-  
tion of Act.**

**10.** This Act shall not apply to electricity or to petroleum or petroleum products except as provided in section 9. 1948, c. 34, s. 1, *part*.