

1973

c 105 The Ministry of Natural Resources Amendment Act, 1973

Ontario

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CHAPTER 105

**An Act to amend
The Ministry of Natural Resources Act, 1972**

*Assented to October 30th, 1973
Session Prorogued March 5th, 1974*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Ministry of Natural Resources Act, 1972*, being ^{s. 1.} chapter 4, is repealed and the following substituted therefor: ^{re-enacted}

1. In this Act,

Interpre-
tation

(a) "Commissioner" means the Mining and Lands Commissioner;

(b) "deputy commissioner" means a deputy mining and lands commissioner;

(c) "Deputy Minister" means the Deputy Minister of Natural Resources;

(d) "Minister" means the Minister of Natural Resources;

(e) "Ministry" means the Ministry of Natural Resources.

- 2.—(1) Subsection 3 of section 5 of the said Act is amended by ^{s. 5 (3),} striking out "the Mining Commissioner under *The Mining* ^{amended} *Act*" in the second and third lines and inserting in lieu thereof "the Commissioner, a deputy commissioner".

- (2) Subsection 4 of the said section 5 is amended by ^{s. 5 (4),} inserting after "4" in the second line "of section 5". ^{amended}

3. The said Act is amended by adding thereto the following ^{s. 5a,} section: ^{enacted}

5a.—(1) The Lieutenant Governor in Council may appoint ^{Appoint-} an officer to be known as the Mining and Lands Commissioner ^{ments} and one or more officers to be known as deputy mining and lands commissioners.

Absence of
Commissioner

(2) In the absence of the Commissioner,

(a) where a deputy commissioner is appointed, he shall perform the duties and exercise the powers of the Commissioner; and

(b) where no deputy commissioner is appointed, the Minister may appoint in writing a person to exercise the powers of the Commissioner to make orders under section 95 of *The Mining Act*.

R.S.O. 1970,
c. 274

Vacancies

(3) In the case of a vacancy in the office of the Commissioner, the deputy commissioner who in point of time is senior in appointment to office shall act as the Commissioner until the vacancy is filled.

Powers, etc.,
of tribunal

(4) Where two or more deputy commissioners are appointed, the Commissioner and two of the deputy commissioners may hear any matter, application or appeal to the Commissioner as a tribunal of three and a hearing by the tribunal shall be deemed to be a hearing before the Commissioner and the decision of the majority shall be the decision of the tribunal.

Seal

(5) The Commissioner shall have a seal of office but no document executed by the Commissioner is invalid by reason of the failure to affix the seal thereto.

Regulations

(6) The Lieutenant Governor in Council may make regulations,

(a) establishing the rules of practice and procedure before the Commissioner or any tribunal provided for in subsection 4;

(b) assigning to the Commissioner authorities, powers and duties of the Minister.

Application
of Part VIII
R.S.O. 1970,
c. 274

(7) Part VIII of *The Mining Act* applies *mutatis mutandis* to the exercise of authorities, powers and duties assigned to the Commissioner under clause *b* of subsection 6.

References
to the
Mining
Commis-
sioner

4. Any reference to the Mining Commissioner in any Act, regulation, rule, letters patent, deed, lease, licence of occupation, licence, permit, contract, judgment or order shall be deemed to be a reference to the Mining and Lands Commissioner.

s. 15,
re-enacted

5. Section 15 of the said Act is repealed and the following substituted therefor:

15. A reference to the district forester or the district forester for the forest district or the district forester for the administrative district of the Ministry in any Act, regulation, rule, letters patent, deed, lease, licence of occupation, licence, permit, contract, judgment or order shall be deemed to be a reference to the district manager of the administrative district of the Ministry.

References
to district
manager

6. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.
7. This Act may be cited as *The Ministry of Natural Resources Amendment Act, 1973*.

Commence-
ment

Short title

