

1970

c 106 The Prepaid Hospital and Medical Services Amendment Act, 1970

Ontario

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CHAPTER 106

**An Act to amend
The Prepaid Hospital and Medical
Services Act**

*Assented to November 13th, 1970
Session Prorogued November 13th, 1970*

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

1. Subsection 2 of section 5 of *The Prepaid Hospital and Medical Services Act*, as amended by subsection 2 of section 4 of *The Prepaid Hospital and Medical Services Amendment Act, 1968-69*, is further amended by adding thereto the following clause:

R.S.O. 1960,
c. 304, s. 5,
subs. 2,
amended

(ca) that the rates charged or to be charged to subscribers or members are not excessive, inadequate, unfairly discriminatory between risks or otherwise unreasonable.

2. Subsection 2 of section 6 of *The Prepaid Hospital and Medical Services Act*, as amended by section 5 of *The Prepaid Hospital and Medical Services Amendment Act, 1968-69*, is further amended by adding thereto the following clause:

R.S.O. 1960,
c. 304, s. 6,
subs. 2,
amended

(ba) that the rates charged or to be charged to subscribers or members are not excessive, inadequate, unfairly discriminatory between risks or otherwise unreasonable.

3. *The Prepaid Hospital and Medical Services Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 304,
amended

6a.—(1) An association shall file with the Superintendent any proposed change in rates at least thirty days prior to the effective date of the change, together with particulars as to how any such rate is made up, and shall furnish such other further information with respect thereto that the Superintendent may require.

Filing of
proposed
rate
change

Order of
prohibition

- (2) The Superintendent may, within thirty days of the filing with him of any notice of a proposed change in rates, by order prohibit the proposed change in rates if, in his opinion, such proposed change in rates would be excessive, inadequate, unfairly discriminatory between risks or otherwise unreasonable.

R.S.O. 1960,
c. 304, s. 8,
amended

4. Section 8 of *The Prepaid Hospital and Medical Services Act* is amended by adding thereto the following subsections:

Conditional
or limited
registration

- (2) Any registration, or renewal of registration, may be granted by the Superintendent subject to such limitations and conditions relating to the operations of the association that the Superintendent considers necessary to give effect to this Act or for the protection of persons, subscribers or members of any association in Ontario.

Application
of s. 64,
ss. 11-16

- (3) Where the registration of a registered association lapses or is suspended or cancelled and where the Superintendent considers it necessary for the protection of persons, subscribers or members, the Superintendent may designate the association as one to which this Act continues to apply and, until the designation is revoked, section 64 and sections 11 to 16 apply to such designated association in the same manner as to a registered association.

Winding up
R.S.O. 1960,
c. 71

- (4) The Superintendent may apply to the court under section 257 of *The Corporations Act* for an order winding up an association that has ceased issuing contracts to its members or subscribers and sections 256 to 284 of *The Corporations Act* apply thereto.

R.S.O. 1960,
c. 304, s. 15,
re-enacted

5. Section 15 of *The Prepaid Hospital and Medical Services Act* is repealed and the following substituted therefor:

Investments

15. A registered association may invest its funds in the same manner and subject to the same limitations as apply to a joint stock insurance company under *The Insurance Act*, and not otherwise.

R.S.O. 1960,
c. 190

R.S.O. 1960,
c. 304, s. 18,
amended

6. Section 18 of *The Prepaid Hospital and Medical Services Act* is amended by striking out "\$20" in the fourth line and inserting in lieu thereof "\$100", so that the section shall read as follows:

Offence to
carry on
business
unless
registered

18. Every association not registered under this Act that contracts to furnish hospital or medical service on a prepayment basis or makes payment therefor is

guilty of an offence and on summary conviction is liable to a fine of \$100 for each day during which the association carries on such business.

7. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

8. This Act may be cited as *The Prepaid Hospital and Medical Services Amendment Act, 1970*. ^{Short title}

