

1970

## c 110 The Public Works Amendment Act, 1970

Ontario

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## CHAPTER 110

## An Act to amend The Public Works Act

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

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

**1.** Section 4 of *The Public Works Act* is repealed and the following substituted therefor: R.S.O. 1960,  
c. 338, s. 4,  
re-enacted

4.—(1) Such officers, clerks and servants may be appointed under *The Public Service Act, 1961-62* as are required from time to time for the proper conduct of the business of the Department. Staff  
1961-62,  
c. 121

(2) The Lieutenant Governor in Council may, by order, appoint the Queen's Printer and Publisher for Ontario who shall then be an officer of the Department and who shall exercise such printing and publishing functions for the government as are assigned to the Queen's Printer and Publisher by law or as may be assigned to him by the Minister. Queen's  
Printer  
and  
Publisher

**2.** Subsections 1, 2 and 3 of section 5 of *The Public Works Act* are repealed and the following substituted therefor: R.S.O. 1960,  
c. 338, s. 5,  
subs. 1, 2,  
re-enacted;  
subs. 3,  
repealed

(1) Before the Minister, for and in the name of the Crown, enters into a contract in respect of the construction, renovation or repair of a public work, he shall invite tenders therefor except, Tenders for  
public works

(a) in cases of emergency where in the opinion of the Minister delay would be damaging; or

(b) where the estimated cost of the work is less than \$10,000,

and the Minister shall report all cases referred to in clause *a* to the Legislature annually.

(2) The Minister may require and take security by way of bond with or without collateral security or by way of deposit of money for the due performance of any contract entered into under this Act. Security for  
performance

R.S.O. 1960,  
c. 338, s. 8,  
re-enacted

3. Section 8 of *The Public Works Act* is repealed and the following substituted therefor:

Power to  
contract

8.—(1) For the purpose of carrying out this Act, the Minister, for and in the name of the Crown, may enter into any contract or agreement that he considers advisable and shall have the power to acquire by purchase, lease or otherwise, or dispose of, where no longer required for the purposes of the government, by sale, lease or otherwise, property real or personal, including any interest or title therein.

Disposal of  
real  
property

(2) Any disposal by the Minister of real property or any grant or lease of, or of an interest in, real property is subject to the approval of the Lieutenant Governor in Council.

R.S.O. 1960,  
c. 338, ss. 17,  
18, 19,  
re-enacted  
ss. 20-36,  
repealed

4. Sections 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of *The Public Works Act* are repealed and the following substituted therefor:

Functions of  
Department

17. Subject to an express provision in any other Act, it is the responsibility of the Department to,

- (a) acquire, lease and dispose of public works;
- (b) design, construct, renovate, service, maintain, repair, furnish, equip, manage and administer all premises, buildings and structures that are public works;
- (c) determine the public buildings and appurtenant premises, or parts thereof, that are open to the public and manage and administer such buildings, premises or part including, without limiting the generality of the foregoing,
  - (i) regulating vehicular and pedestrian traffic,
  - (ii) setting apart any such buildings, premises or part for a limited use, and
  - (iii) fixing and collecting fees for parking in any area set apart for the purpose;
- (d) develop and manage common services for increasing the efficiency and economy of departments and agencies of the government;

(e)

- (e) purchase services and materiel for the government;
- (f) govern the acquisition of materiel by the government including the establishment of specifications and standards, the cataloguing of approved materiel and the maintenance, storage and disposal of materiel;
- (g) provide such other services as the Lieutenant Governor in Council assigns.

18. Where, under this or any other Act, power or <sup>Delegation of authority</sup> authority is granted to or vested in the Minister, other than the power to expropriate, he may in writing, subject to the approval of the Lieutenant Governor in Council, delegate that power or authority to the Deputy Minister, or to any officer or officers of the Department, subject to such limitations, restrictions, conditions and requirements as the Minister may set out in the delegation.

19. The Lieutenant Governor in Council may make <sup>Regulations</sup> regulations,

- (a) establishing a central purchasing and supply board and any necessary ancillary advisory committees, to perform such duties as are assigned to them by the Minister;
- (b) prescribing fees for the use of property belonging to or controlled by the government, including plans, specifications, facilities and equipment;
- (c) for the preservation and management of any public building.

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

**6.** This Act may be cited as *The Public Works Amendment* <sup>Short title</sup> Act, 1970.

