

1970

c 133 The Municipality of Metropolitan Toronto Amendment Act, 1970 (No. 2)

Ontario

© Queen's Printer for Ontario, 1970

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes

Bibliographic Citation

The Municipality of Metropolitan Toronto Amendment Act, 1970 (No. 2), SO 1970, c 133

Repository Citation

Ontario (1970) "c 133 The Municipality of Metropolitan Toronto Amendment Act, 1970 (No. 2)," *Ontario: Annual Statutes*: Vol. 1970, Article 135.

Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1970/iss1/135

CHAPTER 133

An Act to amend The Municipality of Metropolitan Toronto 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 1 of section 17 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1967* is amended by inserting after "280" in the second line "372, 373", so that the subsection shall read as follows:

R.S.O. 1960,
c. 260, s. 17,
subs. 1
(1967, c. 68,
s. 1),
amended

(1) Sections 192, 193, 195, 197, 198, 199, 244, 253, 275 to 280, 372, 373, paragraphs 61 and 62 of section 377 and section 406a of *The Municipal Act* apply *mutatis mutandis* to the Metropolitan Corporation.

Application
of R.S.O.
1960, c. 249

2. Section 24 of *The Municipality of Metropolitan Toronto Act*, as amended by section 5 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, section 3 of *The Municipality of Metropolitan Toronto Amendment Act, 1962-63*, section 2 of *The Municipality of Metropolitan Toronto Amendment Act, 1965* and section 7 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is further amended by adding thereto the following subsections:

R.S.O. 1960,
c. 260, s. 24,
amended

(4a) Where a pension plan of an area municipality or of a local board thereof or of the County of York or of the Toronto and York Roads Commission is amended to improve the pension benefits under the plan, the cost of such improvements in respect of an employee who on the day such pension plan is so amended is contributing under subsection 4 to the pension plan, shall, in respect of the service of the employee while employed by the Metropolitan Corporation or by a local board thereof, be determined by the actuary of the plan that is amended, after taking into consideration any excess of the assets of the pension plan over the actuarial liabilities of the plan immediately prior to

Improved
pension
benefits

the amendment, and the cost, except that portion, if any, that is payable by the employee, shall be payable by the Metropolitan Corporation or by a local board thereof over such period of time, subject to *The Pension Benefits Act, 1965*, as may be agreed upon by the municipalities or local boards affected.

1965, c. 96

Idem

(4b) Where the Metropolitan Corporation or a local board thereof does not accept the amount of the actuarial liability determined as provided for in subsection 4a or the period of time in which the cost mentioned in subsection 4a is payable, the municipalities or local boards affected shall appoint an actuary whose opinion on the matter shall be final and binding and, if such municipalities or local boards cannot agree on the appointment of an actuary, the Department shall appoint an actuary whose opinion on the matter shall be final and binding.

Transfer of
funds to
Metropolitan
Toronto
plan

(5a) An employee who has become a member of the pension plan of the Metropolitan Corporation or of a local board thereof in accordance with subsection 3 is entitled to elect a transfer of a sum of money to such pension plan from the pension plan of an area municipality or of a local board thereof or of the County of York or of the Toronto and York Roads Commission, in accordance with the provisions of subsection 5 of section 248c of *The Municipal Act*, whether or not such an employee is entitled to a refund from the pension plan of his contributions plus any interest thereon and, on the transfer of such a sum of money, the employee and his beneficiaries shall cease to have any rights under the pension plan of the area municipality or the local board thereof or of the County of York or of the Toronto and York Roads Commission.

R.S.O. 1960,
c. 249

Idem

(5b) Where an employee elects a transfer of a sum of money under subsection 5a, the sum of money shall be transferred on the termination of the service of the employee with the Metropolitan Corporation or a local board thereof or, at the option of the area municipality or of a local board thereof or of the County of York or of the Toronto and York Roads Commission, at an earlier date.

R.S.O. 1960,
c. 260,
s. 110,
subs. 6,
re-enacted

3.—(1) Subsection 6 of section 110 of *The Municipality of Metropolitan Toronto Act* is repealed and the following substituted therefor:

- (6) Notwithstanding subsection 4, where a member of the Metropolitan Council is appointed as a member of the Commission he shall not be appointed for a term of office extending beyond his term of office on the Council, and he shall cease to be a member of the Commission upon ceasing to be a member of the Metropolitan Council.

Term of office where member is member of Metropolitan Council

(2) Subsection 10 of the said section 110 is amended by striking out "Three" in the first line and inserting in lieu thereof "A majority of the", so that the subsection shall read as follows:

R.S.O. 1960, c. 260, s. 110, subs. 10, amended

- (10) A majority of the members of the Commission constitute a quorum.

Quorum

4.—(1) Subsection 22 of section 238 of *The Municipality of Metropolitan Toronto Act* is amended by striking out "Lieutenant Governor in Council" in the fourth line and in the seventh line and inserting in lieu thereof in each instance "Metropolitan Council", so that the subsection shall read as follows:

R.S.O. 1960, c. 260, s. 238, subs. 22, amended

- (22) When sinking fund debentures are issued, there shall be a sinking fund committee which shall be composed of the treasurer of the Metropolitan Corporation and two members appointed by the Metropolitan Council, and the two appointed members shall be paid, out of the current fund of the Metropolitan Corporation, such annual remuneration as the Metropolitan Council may determine.

Sinking fund committee

(2) Subsection 23 of the said section 238 is amended by striking out "Lieutenant Governor in Council" in the first line and inserting in lieu thereof "Metropolitan Council", so that the subsection shall read as follows:

R.S.O. 1960, c. 260, s. 238, subs. 23, amended

- (23) The Metropolitan Council may appoint an alternate member for each of the appointed members and any such alternate member has all the powers and duties of the member in the absence or inability to act of such member.

Alternate members

5. This Act comes into force on the day it receives Royal Assent.

Commencement

6. This Act may be cited as *The Municipality of Metropolitan Toronto Amendment Act, 1970 (No. 2)*.

Short title

