

1960

## c 164 General Welfare Assistance Act

Ontario

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## CHAPTER 164

**The General Welfare Assistance Act****1. In this Act,**Interpre-  
tation

- (a) "assistance" means a class of assistance that is provided under this Act for the general welfare of unemployed persons or unemployable persons;
- (b) "Director" means the Director of the General Welfare Assistance Branch of the Department of Public Welfare;
- (c) "Minister" means the Minister of Public Welfare;
- (d) "municipal welfare administrator" means a person appointed as such for the purposes of this Act;
- (e) "recipient of a governmental benefit" means a person,
- (i) who is a pensioner under the *Old Age Security Act* (Canada), or R.S.C. 1952,  
c. 200
  - (ii) who is a recipient under *The Blind Persons' Allowances Act*, *The Disabled Persons' Allowances Act*, or *The Old Age Assistance Act*, or R.S.O. 1960,  
cc. 35, 107,  
267
  - (iii) who is a beneficiary or recipient under *The Mothers' and Dependent Children's Allowances Act*, or R.S.O. 1960,  
c. 247
  - (iv) who is receiving a maintenance allowance under *The Rehabilitation Services Act*, R.S.O. 1960,  
c. 350
- and includes such other classes of persons as the regulations prescribe;
- (f) "regional welfare administrator" means a person employed as such by the Department of Public Welfare or designated as such by the Minister;
- (g) "regulations" means the regulations made under this Act;
- (h) "supplementary aid" means the assistance that may be paid to a recipient of a governmental benefit;
- (i) "unemployable person" means a person who is certified by a duly qualified medical practitioner as

being unable to engage in remunerative employment by reason of physical or mental disability;

- (j) "unemployed person" means a person who is able to engage in remunerative employment and who is not so engaged at the time he makes application for assistance. 1958, c. 33, s. 1; 1960, c. 42, s. 1.

Ontario-  
Canada  
agreements

**2.** The Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada or any agency thereof in respect of any or all of the following matters:

1956, c. 26  
(Can.)

1. Respecting the payment by Canada to the Province in accordance with the *Unemployment Assistance Act* (Canada) and its regulations of any portion of the aggregate of the cost to the Province and the cost to municipalities in the Province of providing assistance to the classes of persons and under the conditions specified in the agreement.

R.S.O. 1960,  
c. 183

2. Respecting the payment by Canada to the Province of contributions to the cost of providing assistance to Indians within the meaning of *The Indian Welfare Services Act* under the conditions specified in the agreement.
3. Respecting the payment by Canada to the Province of contributions to the cost of providing assistance and other things to immigrants to the Province under the conditions specified in the agreement.
4. Respecting the payment by Canada to the Province or by the Province to Canada of contributions to the cost of public works measures undertaken by the Province or by Canada to relieve unemployment in the Province or in any municipality in the Province. 1958, c. 33, s. 2.

Ontario-  
municipal  
agreements

**3.** The Minister, with the approval of the Lieutenant Governor in Council, may make agreements with any municipality and any municipality may make agreements with the Minister respecting the payment by the Province to the municipality or by the municipality to the Province of contributions to the cost of public works measures undertaken by the municipality or by the Province to relieve unemployment in the municipality. 1958, c. 33, s. 3.

Provincial  
adminis-  
tration

**4.—(1)** The Director shall exercise general supervision over the administration of this Act and the regulations and shall advise municipal welfare administrators, regional welfare administrators and others as to the manner in which their duties under this Act are to be performed.

(2) In territory without municipal organization, the regional welfare administrator shall receive applications for assistance and shall determine the eligibility of each applicant for assistance, and, where the applicant is eligible, shall determine the amount thereof and direct payment accordingly. 1958, c. 33, s. 4. <sup>Idem</sup>

5.—(1) The council of a city, town, village or township may appoint a municipal welfare administrator. 1958, c. 33, s. 5 (1); 1959, c. 41, s. 1. <sup>Local municipal administration</sup>

(2) The municipal welfare administrator shall receive applications for assistance and shall determine the eligibility of each applicant for assistance, and, where the applicant is eligible, shall determine the amount thereof and direct payment accordingly. <sup>Idem</sup>

(3) Instead of the local municipalities that are within a county for municipal purposes administering assistance independently of one another, the council of the county may, with the approval of the Minister, appoint a municipal welfare administrator to administer assistance in all such local municipalities, except that any such local municipality that has a population of more than 5,000 according to its last revised assessment roll may, by agreement with the county and with the approval of the Minister, appoint a municipal welfare administrator to administer assistance in that local municipality independently of the county. 1958, c. 33, s. 5 (2, 3). <sup>County administration</sup>

6. The Director, every municipal welfare administrator, every regional welfare administrator and every relief investigator is, in the performance of his duties under this Act, a commissioner for taking affidavits within the meaning of *The Commissioners for taking Affidavits Act*. 1958, c. 33, s. 6. <sup>Power to take affidavits</sup> <sup>R.S.O. 1960, c. 59</sup>

7.—(1) The Province shall provide assistance to the persons who reside in territory without municipal organization and who are eligible for such assistance. <sup>Duty to provide assistance, provincial</sup>

(2) A municipality shall provide assistance to the persons who reside in the municipality and who are eligible for such assistance. 1958, c. 33, s. 7. <sup>municipal</sup>

8. A municipality or the Province may provide assistance by way of supplementary aid to or on behalf of recipients of governmental benefits. 1958, c. 33, s. 8; 1960, c. 42, s. 2. <sup>Supplementary aid</sup>

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

(a) prescribing classes of assistance and the items to be

included in any such class and the manner of computing the amount thereof;

- (b) prescribing classes of persons who are eligible for assistance and fixing standards of eligibility;
- (c) defining residence for the purposes of establishing eligibility for assistance, liability to pay assistance, a right to a contribution to the cost of assistance or a right to reimbursement of the whole or any part of the cost of assistance, or for any other purposes of this Act and prescribing the circumstances in which any such definition is applicable;
- (d) supplementing the liabilities mentioned in section 7 by prescribing circumstances under which there is liability to pay assistance, a right to a contribution or a right to reimbursement and providing for the same and prescribing the maximum amounts or percentages thereof;
- (e) providing for the recovery by the Province from a municipality of any amounts of assistance paid by the Province for which the municipality is liable or for the recovery by the Province or a municipality from a recipient of assistance or from his estate of amounts of assistance paid by the Province or municipality, and prescribing the circumstances and manner in which any such recovery may be made;
- (f) adding to the classes of persons who are recipients of governmental benefits; 1958, c. 33, s. 9, cls. (a-f).
- (g) providing for the payment of supplementary aid to recipients of governmental benefits, prescribing the circumstances under which and by whom it is payable, and providing for contributions to or reimbursement of amounts expended therefor and prescribing the maximum amounts or percentages thereof; 1958, c. 33, s. 9, cl. (g); 1960, c. 42, s. 3.
- (h) prescribing the amounts of money that may be paid by the Province in respect of the burial of indigent persons who were residing in territory without municipal organization;
- (i) governing the manner of making application for assistance;
- (j) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before assistance is paid;

- (k) prescribing the times and manner of payment of assistance;
- (l) prescribing additional powers and duties of the Director, regional welfare administrators and municipal welfare administrators;
- (m) prescribing the records to be kept and the claims and returns to be made to the Minister by municipalities and prescribing the times within which and the manner in which such claims or returns shall be made;
- (n) providing for the whole or part of the cost of providing medical and dental services to recipients of assistance and their dependants or any class thereof;
- (o) defining expressions for the purposes of the regulations;
- (p) prescribing forms and providing for their use;
- (q) respecting any matter deemed necessary or advisable to carry out the intent and purpose of this Act. 1958, c. 33, s. 9, cls. (h-q).

10.—(1) In this section,

Interpretation

- (a) "band", "council of a band", "Indian", "member of a band" and "reserve" have the same meaning as in the *Indian Act* (Canada);
- (b) "welfare administrator for a band" means a person appointed as such for the purposes of this Act.

R.S.C. 1952,  
c. 149

(2) The council of a band that is approved for the purposes of this Act may, with the approval of the Minister, appoint a member of the band as the welfare administrator for the band.

Appointment of welfare administrators for Indian bands

(3) The provisions of this Act that apply to a municipal welfare administrator apply *mutatis mutandis* to the welfare administrator for a band.

Provisions applicable

(4) The council of a band that is approved for the purposes of this Act shall provide assistance to the members thereof who reside on the reserve of the band and who are eligible for assistance, and may provide assistance to other persons who reside on the reserve and who are eligible for assistance if the council of the band approves the provision of assistance to such persons. 1959, c. 41, s. 2, *part*.

Duty to provide assistance

(5) The council of a band that is approved for the purposes of this Act may provide assistance by way of supplementary aid to or on behalf of recipients of governmental benefits who

Supplementary aid

reside on the reserve of the band. 1959, c. 41, s. 2, *part*; 1960, c. 42, s. 4.

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

(a) providing for the recovery by the Province from the council of a band of any amounts of assistance paid by the Province for which the council of the band is liable or for recovery by the council of a band from a recipient of assistance paid by the council of the band, and prescribing the circumstances and manner in which any such recovery may be made;

(b) specifying bands that are approved for the purposes of this Act. 1959, c. 41, s. 2, *part*.

Provincial  
cost

**11.** The Provincial cost of any public works measure undertaken under any agreement under section 2 and the expenses of the administration of this Act are payable out of the moneys appropriated therefor by the Legislature. 1958, c. 33, s. 10, *amended*.

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