1975

c 71 The Ontario Water Resources Amendment Act, 1975

Ontario
CHAPTER 71

An Act to amend
The Ontario Water Resources Act

Assented to July 18th, 1975

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

1. Clause (b) of section 1 of The Ontario Water Resources Act, being chapter 332 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1972, chapter 1, section 70, is repealed and the following substituted therefor:

(ib) "Environmental Assessment Board" means the Environmental Assessment Board established under The Environmental Assessment Act, 1975.

2. The words "Hearing Board" where they occur in the said Act or in any regulation made under the said Act are struck out and the words "Environmental Assessment Board" are substituted therefor.

3.—(1) Subsections 1 to 9 of section 9a of the said Act, as enacted by the Statutes of Ontario, 1972, chapter 1, section 70, are repealed.

(2) Subsection 12 of the said section 9a is repealed and the following substituted therefor:

(12) Except where otherwise provided in this Act and notwithstanding the requirement that a hearing be a public hearing, the provisions of Part III of The Environmental Assessment Act, 1975 apply where a hearing is required to be held under this Act by the Environmental Assessment Board.

(3) The said section 9a is amended by adding thereto the following subsections:

(12a) Subsections 12 and 14 to 20 of section 18 and sections 20 and 24 of The Environmental Assessment Act, 1975 do not apply where a hearing is required to be held under this Act by the Environmental Assessment Board.
(12b) Where a hearing is required to be held under this Act by the Environmental Assessment Board,

(a) the Board shall determine its own practice and procedure in relation to hearings and may, subject to the approval of the Lieutenant Governor in Council, make rules governing such practice and procedure and the exercise of its powers in relation thereto and prescribe such forms as are considered advisable;

(b) the member or members conducting a hearing shall prepare and submit to the Board a draft report of the Board referred to in clause a and, after notice of the purpose of the meeting has been given to all members of the Board, the Board shall consider the draft report at a meeting of the Board called for the purpose of preparing the report and the Board in preparing the report may,

(i) adopt the draft report,

(ii) adopt the draft report with such changes as the Board considers advisable, or

(iii) reject the draft report and take such other action for the purpose of preparing the report, including the holding of additional hearings, as the Board considers advisable;

(c) a hearing by the Board is for the purpose of making a report containing information and advice and the report is not in any way legally binding in any decision or determination that may be made;

(d) for the purposes of the exercise of any power or authority or the discharge of any duty by the Board or any member or members thereof conducting a hearing, the Board, or such member or members, has or have the powers of a commission under Part II of The Public Inquiries Act, 1971, which Part applies to the exercise of such power or authority and the discharge of such duty as if it were an inquiry under that Act; and

(e) the report of the Board shall contain a summary of the information presented and the views expressed at the hearing and its recommendations in respect of the subject-matter of the hearing, together with its reasons therefor.
(4) Subsections 13 and 15 of the said section 9a are repealed. Subsections 13, 15, repealed

4. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

5. This Act may be cited as The Ontario Water Resources Amendment Act, 1975.