

1973

## c 27 The Homes for the Aged and Rest Homes Amendment Act, 1973

Ontario

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## CHAPTER 27

**An Act to amend The Homes for the Aged  
and Rest Homes Act**

*Assented to May 18th, 1973  
Session Prorogued March 5th, 1974*

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

- 1.—(1) Clause *b* of section 1 of *The Homes for the Aged and Rest Homes Act*, being chapter 206 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor: s. 1 (b),  
re-enacted
- (b) "Director" means a Director appointed as such for the purposes of this Act.
- (2) Clause *c* of section 1 of the said Act is amended by striking out "and" in the first line and inserting in lieu thereof "or". s. 1 (c),  
amended
- (3) Clause *h* of the said section 1 is repealed. s. 1 (h),  
repealed
- (4) Clause *i* of the said section 1 is repealed and the following substituted therefor: s. 1 (i),  
re-enacted
- (i) "provincial supervisor" means a regional welfare administrator, a homes for the aged branch consultant or supervisor, a field worker or any other employee of the Ministry of Community and Social Services who is designated as such for the purposes of this Act.
- 2.—(1) Subsection 1 of section 8 of the said Act is amended by striking out "may" in the third line and inserting in lieu thereof "shall". s. 8 (1),  
amended
- (2) Subsection 2 of the said section 8 is repealed and the following substituted therefor: s. 8 (2),  
re-enacted
- (2) The composition of a committee of management and the qualifications and term of office of the members thereof shall be as prescribed by the regulations. composition

s. 9 (1),  
re-enacted

- 3.—(1) Subsection 1 of section 9 of the said Act, as re-enacted by the Statutes of Ontario, 1972, chapter 62, section 1, is repealed and the following substituted therefor:

Board of  
management  
established

(1) A board of management shall be established which shall be a corporation for any home established and maintained by a band under section 5 or in a territorial district under section 6.

s. 9 (2),  
re-enacted

- (2) Subsection 2 of the said section 9 is repealed and the following substituted therefor:

composition

(2) The composition of each board of management and the qualifications and term of office of the members, including appointments to those boards by councils of municipalities, shall be as prescribed by the regulations.

s. 9 (3),  
repealed

- (3) Subsection 3 of the said section 9 is repealed.

s. 10,  
amended

4. Section 10 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 148, section 4, is further amended by inserting after "agreement" in the fourth line "approved by the Director".

s. 11a,  
amended

5. Section 11a of the said Act, as enacted by the Statutes of Ontario, 1971, chapter 99, section 1, is amended by striking out "or" in the fourth line and by inserting after "home" in the fourth line "or the board of management of a home, as the case may be".

s. 19 (1),  
re-enacted

- 6.—(1) Subsection 1 of section 19 of the said Act is repealed and the following substituted therefor:

Residential  
services  
provided

(1) A municipality maintaining a home, the municipalities maintaining a joint home, or the board of management of a home, as the case may be, may, upon recommendation of the administrator of the home, provide residential services approved by the Director in other than a home or joint home for any person admissible to the home or joint home.

s. 19 (2),  
re-enacted

- (2) Subsection 2 of the said section 19, as amended by the Statutes of Ontario, 1972, chapter 62, section 6, is repealed and the following substituted therefor:

Province  
to share  
cost

(2) There shall be paid monthly to the municipality, municipalities or the board of management, as the case may be, providing residential services under subsection 1, out of moneys appropriated therefor by the Legislature, an amount computed in the manner prescribed by the regulations towards the cost of providing the services.

(3) Subsection 3 of the said section 19 is amended by striking <sup>s. 19 (3),</sup> out "placed in private-home care" in the first line and inserting in lieu thereof "receiving residential services in other than a home or joint home under subsection 1". <sup>amended</sup>

(4) Subsection 4 of the said section 19 is repealed and the <sup>s. 19 (4),</sup> following substituted therefor: <sup>re-enacted</sup>

(4) A person receiving residential services in other than a <sup>Person</sup> home or joint home under subsection 1 shall be deemed a <sup>considered</sup> resident of the home or joint home, and section 16 applies <sup>a resident</sup> *mutatis mutandis* in determining his eligibility for the <sup>of the home</sup> residential services.

7. Section 20 of the said Act, as amended by the Statutes of <sup>s. 20,</sup> Ontario, 1972, chapter 62, section 7, is further amended by <sup>amended</sup> adding thereto the following subsection:

(2) Every premises that is not a home or joint home where <sup>Inspection</sup> residential services are provided or where residential services <sup>of premises</sup> are to be provided in accordance with section 19 shall be open at all reasonable times for inspection by the Director, a provincial supervisor or by a person appointed by the council of the municipality or board of management providing the services.

8. Section 21 of the said Act is amended by striking out "Department of Social and Family Services" in the fifth and sixth lines <sup>s. 21,</sup> and in the sixth and seventh lines and inserting in lieu thereof <sup>amended</sup> in each instance "Ministry of Community and Social Services".

9. Subsection 4 of section 27 of the said Act, as amended by the <sup>s. 27 (4),</sup> Statutes of Ontario, 1972, chapter 62, section 11, is further <sup>amended</sup> amended by striking out "but the cost of any land in excess of eight acres and the cost of any barns or other similar out-buildings shall not be included" in the fourth, fifth and sixth lines.

10.—(1) Clause *l* of subsection 1 of section 30 of the said Act is <sup>s. 30 (1) (l),</sup> amended by inserting after "27" in the third line "and <sup>amended</sup> prescribing classes of payments".

(2) Clauses *n*, *o*, *p*, *q*, and clause *r* as amended by the Statutes <sup>s. 30 (1) (n-r),</sup> of Ontario, 1972, chapter 148, section 8, of subsection 1 of <sup>re-enacted</sup> the said section 30 are repealed and the following substituted therefor:

(*n*) prescribing the terms and conditions upon which the Director may approve the provision of residential services in other than a home or joint home, the

classes or levels of such services, the services, items and amenities to be provided in connection therewith and the maximum amounts that may be charged to persons in receipt thereof for the purposes of section 19;

- (o) prescribing the frequency and manner of inspection of premises other than a home or joint home by a representative of a municipality or board of management for the purposes of section 20;
- (p) prescribing the manner of computing the amount to be paid by Ontario towards the cost of residential services provided in other than a home or joint home for any person, the method, time and manner of payment and classes of payments, for the purposes of section 19;
- (q) prescribing the composition of a committee of management, the qualifications and terms of office of the members thereof for the purposes of section 8;
- (r) providing for the division of each district into areas, the appointment of members of boards of management under section 9, representing the areas to each board having regard to the proportionate distribution amongst the areas of population and equalized assessment and providing for the further appointment by the Lieutenant Governor in Council of members at large to the boards of management, prescribing the qualifications for appointment, fixing the number of members for each board and the terms of office of such members and requiring the chairmanship of boards of management to change hands at prescribed intervals.

Commence-  
ment

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

Short title

12. This Act may be cited as *The Homes for the Aged and Rest Homes Amendment Act, 1973*.