



1950

c 403 Unemployment Relief Act

Ontario

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CHAPTER 403

The Unemployment Relief Act

1.—(1) The Lieutenant-Governor in Council shall have full power and authority respecting unemployment relief measures of every nature and kind, and to do and perform and to require the doing and performance of any act, matter, deed or thing as may from time to time appear necessary to cope with unemployment relief conditions.

General powers of Lieutenant-Governor in Council.

(2) Without restricting the generality of the foregoing, the Lieutenant-Governor in Council shall have full power and authority for such purposes,

Specific powers.

- (a) to enter into, carry out and perform agreements, undertakings and arrangements with the Government of Canada and with any municipality in Ontario;
- (b) to authorize the Government of Ontario either alone or in conjunction with the Government of Canada or any municipality to undertake, carry out and complete such works or other measures, or provide and furnish direct relief for the relief of unemployed persons and their dependants;
- (c) to provide and direct payment of the whole or any part of the cost of any relief works or measures and of direct relief undertaken, provided or furnished in Ontario by the Government of Ontario or the Government of Canada or by any municipality;
- (d) to contribute to the Government of Canada or to any municipality such proportion of the cost of any relief works or measures and of direct relief undertaken by them or any of them;
- (e) to require any municipality to undertake relief works or measures and provide direct relief for the relief of unemployed persons and their dependants actually residing therein;
- (f) to require any municipality to provide and pay to the Government of Ontario the whole or any portion of the cost of any relief works or measures and of direct relief undertaken, provided or furnished by the

Government of Ontario for the relief of unemployed persons and their dependants actually residing in such municipality;

- (g) to make regulations with respect to relief works or measures and direct relief and the administration of unemployment relief, and as to the undertaking, provision, furnishing and cost thereof and as to the persons to be entitled to unemployment relief, and as to the powers, responsibilities and duties of municipalities in relation to unemployment relief and the undertaking of relief works or measures and the providing and furnishing of direct relief, and as to the provision and payment by municipalities of the whole or any part of the cost of relief works or measures and direct relief; and in other respects as may appear necessary or expedient; 1935, c. 71, s. 2.
- (h) to make regulations for the establishment of a system of employment and unemployment registration and certification with respect to employment in relation to unemployment and unemployment relief, and for compliance with such system by employers, employees and unemployed persons. 1936, c. 62, s. 2.

Validity
of future
agreements.

2. Every agreement, undertaking or arrangement entered into or made under the authority of this Act, or purporting to be, between the Government of Ontario and the Government of Canada or any municipality shall be legal and valid for all purposes, and if entered into or made with a municipality shall be binding upon the corporation and the rate-payers thereof. 1935, c. 71, s. 3 (1).

Payment of
cost out of
Consoli-
dated
Revenue
Fund.

3.—(1) The Lieutenant-Governor in Council may set aside and pay or direct payment out of the Consolidated Revenue Fund the sums or any of them required for the purpose of carrying out the provisions of this Act or of any Order in Council, regulation, order, agreement, undertaking or arrangement confirmed and validated by *The Unemployment Relief Act, 1935* or issued or made under the authority of this Act.

Loans for
relief
purposes.

(2) The Lieutenant-Governor in Council may raise by way of loan in such manner and at such times as he may deem expedient such sums of money as are or may be required for any of the purposes mentioned in this Act.

When loans
may be
made.

(3) The authority conferred by subsection 2 may be exercised either before or after expenditures or liabilities have been incurred or made for any of such purposes.

(4) A recital or declaration in any Order in Council issued under subsection 2 that the amount of the loan therein authorized is or will be required for any of the purposes mentioned in this Act shall be conclusive evidence of the fact. 1935, c. 71, s. 4.

Recital
in Order in
Council to
be evidence.

4.—(1) Every municipality shall be liable to provide and shall provide for the relief of unemployed persons and their dependants actually residing in the municipality as may from time to time be required by any agreement, Order in Council or regulation made or issued under this Act or confirmed and validated by *The Unemployment Relief Act, 1935*.

Municipal
liability
to provide
relief.

(2) Where the Government of Ontario and the Government of Canada or either of them has heretofore undertaken relief works or measures or provided direct relief or hereafter undertakes or provides the same for the relief of unemployed persons and their dependants actually residing in any municipality, the corporation thereof shall pay or repay to the said Governments or Government, as the case may be, such proportion or the whole of the cost of such works or measures or direct relief as may be required by any agreement, Order in Council or regulation made or issued under this Act or confirmed and validated by *The Unemployment Relief Act, 1935*.

Municipal
liability
for cost
of relief.

(3) The Lieutenant-Governor in Council shall have authority to determine and fix the proportions or amounts which shall be contributed and made by the Government of Ontario and by any municipality to meet the cost of relief works or measures and direct relief undertaken or provided for the relief of unemployed persons and their dependants actually residing in such municipality. 1935, c. 71, s. 5.

Power to fix
contribu-
tions to cost
of unem-
ployment
relief.

5.—(1) For the purposes mentioned in this Act every municipality in addition to all power and authority now vested in it shall have for the purpose of taking advantage of and performing, observing and carrying out of the provisions of any Act of Canada or Ontario, or of any agreement, undertaking or arrangement entered into or made or any Order in Council, regulation or order made or issued under any Act of Canada or Ontario, full power and authority in such behalf and for the undertaking of relief works or measures and providing direct relief.

Municipal
powers
in respect
of relief.

(2) For such purposes the council of a municipality shall have full power and authority to provide, impose, levy and collect taxes and to provide, appropriate, receive and pay out of any of the revenues and funds of the corporation such sums of money as may be required to meet and defray the cost of relief works or measures and direct relief or to pay any debent-

Municipal
taxation
and
payments.

tures and interest thereon heretofore or hereafter issued in respect thereto, or for contributing and paying to the Government of Canada and the Government of Ontario, or either of them, the whole or any portion of the cost of relief works or measures and direct relief undertaken or provided by such Governments or either of them and which cost or portion thereof the municipality is required to provide, pay or contribute to under this Act or any agreement, undertaking, arrangement, Order in Council, or regulation entered into, made or issued under this Act or confirmed and validated by *The Unemployment Relief Act, 1935*.

1935,
c. 71.

Work
beyond
municipal
limits.

(3) A relief work undertaken by a municipality may include or be a work undertaken beyond or extending beyond the limits of the municipality. 1935, c. 71, s. 6.

Municipal
relief
debentures.

6.—(1) Subject as hereinafter provided, the council of a municipality which has heretofore undertaken relief works or measures or provided direct relief or hereafter undertakes or provides the same or which, after the 18th day of April, 1935, contributes and pays the whole or any portion of the cost of any relief works or measures undertaken or direct relief provided by the Government of Canada and the Government of Ontario, or either of them, may issue debentures to defray the whole or any part of the cost of such work or measures or direct relief or of such contributions and payments.

Approval by
Municipal
Board.

(2) No by-law to provide for the issue of debentures for any of the purposes mentioned in subsection 1 shall be finally passed until the form of the by-law and the purpose, amount and term for which the debentures are to be issued have been approved by the Ontario Municipal Board. 1935, c. 71, s. 7 (1, 2).

Inclusion
of direct
relief cost
in current
estimates
of council.

(3) The council of a municipality which does not include in its estimates for any year appropriations to be met out of the current revenues of such year of an amount sufficient to meet in full the cost of direct relief, or the municipality's share thereof, estimated to be incurred and expended during the year, shall not adopt the yearly estimates or levy the rates for such year until application to the Board has been made for approval of debentures being issued to meet that part of such cost or share for which no appropriation has been made in the estimates, and if no such approval is given by the Board, or to the extent to which such approval is not given, the council shall include in the yearly estimates an appropriation to be met out of current revenues, of an amount sufficient for such purpose. 1936, c. 62, s. 3.

Direct relief
debentures
limited to
10 years.

(4) No debentures shall be issued under the authority of this section for defraying any part of the cost to the muni-

pality of providing or contributing to and paying the cost of direct relief or any portion thereof for a term exceeding 10 years.

(5) No debentures shall be issued under the authority of this section in respect of any part of the cost of a relief work or measure or of providing direct relief which is or is to be defrayed or met ultimately by the Government of Canada and the Government of Ontario, or either of them, or from receipt of voluntary contributions or any source other than taxation. Debentures for municipal share only.

(6) This section shall be deemed to include a work which has been or is undertaken under *The Local Improvement Act*. Local improvement works. Rev. Stat., c. 215.

(7) A by-law of a municipality to provide for the issue of debentures passed or purporting to have been passed under the authority of this section which has been approved by the Ontario Municipal Board, and the debentures issued or to be issued thereunder shall not for their validity require the assent of the electors of the municipality qualified to vote on money by-laws, or observance of any other formality prescribed by *The Municipal Act*, and every such by-law and every debenture issued thereunder shall be infeasible and legal, valid and binding upon the corporation and the taxpayers thereof notwithstanding any invalidity or irregularity therein or affecting the same. Validity of by-laws and debentures. Rev. Stat., c. 243.

(8) Any by-law passed with the approval of the Board may with the like approval be amended, and this section shall apply to such amended by-law and to any debenture issued or to be issued thereunder. 1935, c. 71, s. 7 (3-7). Amendment of by-laws.

7.—(1) Pending payment to a municipality of that part of the cost of any relief work or measure or of direct relief which is to be paid by the Government of Canada and the Government of Ontario, or either of them, or from voluntary contributions, or any source other than municipal taxation, the council of the municipality may by by-law borrow from time to time a sum or sums not exceeding in the aggregate the amounts of such contributions; provided that such borrowings shall be repayable immediately upon payment to the municipality of such contributions. Temporary municipal borrowings.

(2) Any amount borrowed under the authority of this section to the extent the same is repayable from the contributions mentioned in subsection 1 shall not be taken into account in ascertaining whether the limit of the borrowing power of a municipality provided for in section 341 of *The Municipal Act* has been reached. General borrowing power not affected. Rev. Stat., c. 243.

When section applicable.

(3) This section shall only apply to a municipality which makes provision for borrowing under the authority thereof separately and apart from any borrowings it may make for any other purposes of the municipality. 1935, c. 71, s. 8.

Dwelling repairs.

8.—(1) Subject to the approval of the Lieutenant-Governor in Council, any municipality may as a relief work or measure undertake, directly or indirectly, the repair of dwelling houses and other tenements situated in the municipality and charge the whole or any portion of the cost of such repairs upon the lands upon which such dwelling houses or tenements are erected.

Levy of cost of repairs upon the land.

(2) The cost or such portion thereof as is to be chargeable against the land upon which a dwelling house or tenement repaired under the authority of this section is erected shall form part of the taxes upon such land and be payable in one or more years as the council may determine, and the amount of the cost or the annual instalment thereof shall be entered in the proper collector's roll and be collected with and as part of the taxes levied upon the land, and the provisions of *The Assessment Act* with respect to taxes upon real property shall apply thereto.

Rev. Stat., c. 24.

Municipal housing and abolition of slum areas.

(3) Subject to the approval of the Lieutenant-Governor in Council, any municipality may as a relief work or measure undertake or participate in any scheme for abolition of slum areas or for housing in the municipality which may be inaugurated or aided by the Government of Canada or the Government of Ontario or by the municipality itself, and this Act shall apply to expenditures of the municipality for such purpose. 1935, c. 71, s. 9.

Fixed assessments of factories and not to apply to relief rates.

9. Notwithstanding the provisions of any general or special Act or of any by-law passed or agreement entered into by a municipality to grant exemption from taxation or to fix the assessment or taxation of the lands of any person carrying on or proposing to carry on within the municipality any manufacturing business, any municipal taxation levied by the municipality for unemployment relief purposes or to pay the sinking fund or principal of or interest upon any debentures issued by the municipality for such purposes shall be levied upon the full rateable value of such lands and upon the business assessment thereof as if such by-law had not been passed or agreement entered into. 1935, c. 71, s. 10 (1).

Administration of Act by Minister of Welfare.

10.—(1) The administration of this Act shall be vested in the Minister of Public Welfare.

(2) The Lieutenant-Governor in Council may at any time appoint a commission to administer this Act and unemployment relief in Ontario, which commission shall be known as "The Ontario Relief Commission" and be composed of not more than five persons to be appointed by the Lieutenant-Governor in Council to hold office during his pleasure. Appointment of relief commission.

(3) The Commission shall exercise and perform such powers and duties in relation to unemployment relief as the Lieutenant-Governor in Council may from time to time determine. Powers and duties.

(4) The Commission shall have for its purposes such officers, clerks and servants in the public service of Ontario or of any department of its Government as the Lieutenant-Governor in Council may from time to time determine and assign. Staff.

(5) The members of the Commission shall be paid such salaries or other remuneration and travelling and other disbursements and expenses as the Lieutenant-Governor in Council may authorize. 1935, c. 71, s. 11. Salaries.

11.—(1) For the purposes of this Act, the residence of any person or family shall be deemed to be the municipality or district where such person or family resided on April 1st, 1948, and in case a person or family has removed from the municipality in which such person or family was residing on April 1st, 1948, such municipality shall be liable for the direct relief of such person or family for 12 months after such removal, and after that period the municipality to which such person or family has removed shall be deemed to be the residence of such person or family and shall be liable for the direct relief of such person or family. 1935, c. 71, s. 13 (1); O. Reg. 210/50. Residence.

(2) If a person or family removes from a municipality where such person or family has residence, to another municipality in Ontario, the municipality to which such person or family has removed may claim from the municipality from which such person or family removed any amounts expended by it for the relief of such person or family during the 12 months next following the date of such removal, less such sums on account thereof which it may have received or be entitled to receive from any source other than its own taxation and the same may be recovered as a debt in any court of competent jurisdiction. Recovery between municipalities.

(3) The date and period mentioned in subsection 1 shall as to future expenditures be extended or reduced accordingly as the same may be extended or reduced by any Order in Council Future expenditures.

hereafter issued under this Act for such purpose. 1935, c. 71, s. 13 (2, 3).

Power to
take aff-
davits.

12. Every unemployment relief inspector in the employ of the Department of Public Welfare, every unemployment relief administrator in a local municipality and every person appointed by the municipal council as an assistant to the unemployment relief administrator in a city or a township bordering on a city having a population of not less than 100,000, shall for the purpose of the administration of this Act have power to take declarations and affidavits in the same manner and to the same extent as a commissioner for taking affidavits. 1938, c. 37, s. 25.

Removal
from office.

13. An unemployment relief administrator or any assistant to an unemployment relief administrator shall not be removed from such office without the approval of the Minister of Public Welfare. 1940, c. 28, s. 27.

Recovery of
relief
moneys from
estate of
deceased
recipient.

14. A municipality shall be entitled to recover without interest out of the estate of a deceased recipient of direct relief as a debt due by such recipient to the municipality the sum of the amounts expended by the municipality for the relief of such person and his family. 1939, c. 47, s. 32.

Recovery
by Province
from
muni-
cipalities of
moneys
payable.

15. Any moneys expended by the Government of Ontario which under this Act or any agreement, undertaking or arrangement, Order in Council or regulation entered into or made under this Act or confirmed and validated by *The Unemployment Relief Act, 1935*, which by the terms thereof are or should be payable or repayable to the Government of Ontario by a municipality shall be recoverable from such municipality as a debt due to the Crown in right of Ontario and may be sued for in any court of competent jurisdiction or may be deducted out of any moneys payable by the Government of Ontario to such municipality under the authority of any Act. 1935, c. 71, s. 14.
