c 109 The Child Welfare Amendment Act, 1972
CHAPTER 109

An Act to amend The Child Welfare Act

Assented to June 30th, 1972
Session Prorogued December 15th, 1972

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

1. Section 14 of The Child Welfare Act, being chapter 64 s. 14, of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

14.—(1) Where the erection, purchase or other acquisition of a building by a municipality or by a children’s aid society for the occupation in whole or in part by the society for use for a purpose other than to provide facilities and services to meet such special needs of children as are prescribed for the purposes of section 17 has been approved by the Minister, he may, out of the moneys appropriated therefor by the Legislature, direct payment to the municipality or to the society of an amount equal to 25 per cent, or such higher percentage as the regulations prescribe, of the cost to the municipality or society of the building computed in accordance with the regulations.

(2) Where the erection of a new building or an addition to an existing building by a society for the provision of facilities and services to meet such special needs of children as are prescribed for the purposes of section 17 has been approved by the Minister, he may, out of the moneys appropriated therefor by the Legislature, direct payment to the society of an amount equal to the cost to the society of the new building or addition computed in accordance with the regulations, but not exceeding an amount based on the bed capacity of the new building or the addition at the rate of $5,000 per bed or such greater amount per bed as the regulations prescribe.

(3) Where the acquisition of an existing building by a society for the provision of facilities and services to
meet such special needs of children as are prescribed for the purposes of section 17 has been approved by the Minister, he may, out of the moneys appropriated therefor by the Legislature, direct payment to the society of an amount equal to the cost to the society of the acquisition computed in accordance with the regulations, but not exceeding an amount based on the bed capacity of the acquired building at the rate of $1,200 per bed or such greater amount per bed as the regulations prescribe.

(4) An amount payable to a children's aid society or a municipality under this section shall be paid at such times and in such manner as are prescribed by the regulations.

2. Clause e of subsection 1 of section 20 of the said Act is repealed and the following substituted therefor:

(e) "parent" means a person who is under a legal duty to provide for a child, or a guardian or a person standing in loco parentis to a child, other than a person appointed for the purpose under this Act, but where a child is born out of wedlock means the mother of the child and,

(i) a person who is under a legal duty to provide for the child pursuant to an order of a court of competent jurisdiction or pursuant to a written agreement, or

(ii) a person who, having acknowledged a parental relationship to the child, has provided or cared for the child.

3. Clause b of subsection 1 of section 22 of the said Act is amended by striking out "or is being unlawfully concealed or harboured" in the second and third lines.

4.—(1) Section 25 of the said Act is amended by adding thereto the following subsection:

(4a) Where the child is the child of an unmarried mother and where in the opinion of the judge it is in the best interest of the child, the judge may dispense with service of the notice required under subsection 4 on any person described in subclause ii of clause e of subsection 1 of section 20.
(2) The said section 25 is further amended by adding thereto the following subsection:

(11) The provisions of this section apply mutatis mutandis to proceedings under subsection 5 of section 27, section 31 and subsection 1 of section 32.

5.—(1) Section 35 of the said Act is repealed and the following substituted therefor:

35. Every wardship terminates upon the marriage of the ward or when the ward attains the age of eighteen years, but where the wardship terminates as a result of a Crown ward attaining the age of eighteen years, a society may, with the approval of the Director, continue to provide care and maintenance for the former Crown ward if the ward,

(a) is enrolled as a full-time student at an educational institution; or

(b) is mentally or physically incapacitated,

for any period of time after the termination of the wardship that does not extend beyond the date when the former ward attains the age of twenty-one years.

(2) Every order of Crown wardship in respect of a child who is over the age of eighteen years on the day that this section comes into force is hereby terminated.

6.—(1) Clause b of subsection 1 of section 59 of the said Act is amended by inserting after "years" in the third line "or where he is in full-time attendance at an educational institution, until the child attains eighteen years of age".

(2) Subsection 2 of the said section 59 is amended by inserting after "years" in the fourth line "or where he is in full-time attendance at an educational institution, until the child attains eighteen years of age".

7. Section 89 of the said Act is amended by adding thereto the following clauses:

(ja) prescribing the manner of computing the costs to municipalities and to societies for the purposes of section 14;
(jb) prescribing a higher percentage for the purposes of subsection 1 of section 14, and a greater amount per bed for the purposes of subsections 2 and 3 of section 14.

8. (1) This Act, except section 5, comes into force on the day it receives Royal Assent.

(2) Section 5 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

9. This Act may be cited as The Child Welfare Amendment Act, 1972.