c 76 The Homes for Retarded Persons Amendment Act, 1973

Ontario
CHAPTER 76

An Act to amend
The Homes for Retarded Persons Act

Assented to June 22nd, 1973
Session Prorogued March 5th, 1974

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

1.—(1) Clause \(d\) of section 1 of The Homes for Retarded Persons Act, being chapter 204 of the Revised Statutes of Ontario, 1970, is amended by inserting after "means" in the first line "all or any part of".

(2) Subclause vi of clause \(d\) of the said section 1 is repealed.

(3) Clause \(e\) of the said section 1 is amended by striking out "Social and Family Services" in the first and second lines and inserting in lieu thereof "Community and Social Services".

(4) Clause \(f\) of the said section 1 is amended by striking out "Department of Social and Family Services" in the third and fourth lines and inserting in lieu thereof "Ministry of Community and Social Services".

2. Section 2 of the said Act, as re-enacted by the Statutes of Ontario, 1971, chapter 50, section 45, is amended by striking out "Lieutenant Governor in Council" in the first line and inserting in lieu thereof "Minister".

3.—(1) Subsection 1 of section 3 of the said Act, as re-enacted by the Statutes of Ontario, 1971, chapter 50, section 45, is amended by striking out "Lieutenant Governor in Council" in the first line and inserting in lieu thereof "Minister", by striking out "a building" in the second line and inserting in lieu thereof "all or any part of a building or buildings" and by inserting after "building" in the fifth line "buildings or part thereof, as the case may be".

(2) Subsection 2 of the said section 3 is repealed and the following substituted therefor:
(2) An approval given under subsection 1 or under section 2 may take effect on any date fixed by the Minister that is prior to the date on which the approval is given, but in no case shall the date upon which the approval under subsection 1 takes effect precede the date that the approval given under section 2 to the corporation maintaining and operating the home for retarded persons takes effect.

4. (1) Clause a of subsection 1 of section 4 of the said Act is repealed.

(2) Clause d of subsection 1 of the said section 4 is amended by inserting after "building" in the first line "or any part thereof".

(3) Clause e of subsection 1 of the said section 4 is amended by inserting after "site" in the first line "or use".

5. Sections 5 and 6 of the said Act are repealed and the following substituted therefor:

5. When the site and plans of a new building or the plans of an addition to an existing building to be maintained and operated or maintained and operated, as the case may be, as a home for retarded persons have been approved by the Minister under clause e of subsection 1 of section 4, the Minister may, out of moneys appropriated therefor by the Legislature, direct payment to the approved corporation erecting the new building or the addition of an amount equal to the cost to the approved corporation of the new home for retarded persons, computed in accordance with the regulations, but not exceeding an amount based upon the bed capacity of the new home for retarded persons, at the rate of $5,000 per bed or such greater amount per bed as the regulations prescribe.

6. Where,

(a) the acquisition or structural alteration of all or any part of a building to be maintained and operated as a home for retarded persons has been approved by the Minister under clause d or e, as the case may be, of subsection 1 of section 4; or

(b) the Minister has approved the renovation of all or any part of a building maintained and operated or to be maintained and operated as a home for retarded persons,
the Minister may, out of the moneys that are appropriated therefor by the Legislature, direct payment to the approved corporation acquiring the building or part thereof or operating and maintaining or proposing to operate and maintain the home, as the case may be, of an amount equal to the cost to the approved corporation of the acquisition, alteration or renovation, as the case may be, computed in accordance with the regulations, but not exceeding an amount based upon the bed capacity of the home at the rate of $1,200 per bed or such greater amount as the regulations prescribe.

6. Section 7 of the said Act is amended by striking out "and shall be computed in accordance with the regulations" in the sixth and seventh lines.

7. Section 8 of the said Act is repealed and the following substituted therefor:

8. There shall be paid to an approved corporation out of the moneys appropriated therefor by the Legislature an amount equal to 80 per cent or such higher percentage as the regulations prescribe of the cost computed in accordance with the regulations of,

(a) residential accommodation provided in an approved home that is maintained and operated by the corporation; or

(b) residential services approved by the Director provided by or on behalf of the corporation in other than an approved home,

for retarded persons who are not wards of the Crown or wards of a children's aid society under The Child Welfare Act.

8. Subsection 1 of section 9 of the said Act is repealed and the following substituted therefor:

(1) Every approved home, its books of account and any other records shall be open at all reasonable times for inspection by a provincial supervisor.

(1a) Every premises that is not an approved home where residential services are provided for retarded persons placed therein by an approved corporation shall be open at all reasonable times for inspection by a provincial supervisor.

9.—(1) Subsection 1 of section 10 of the said Act, as re-enacted by the Statutes of Ontario, 1971, chapter 50, section 45,
is amended by striking out "by the Minister or revoked by the Lieutenant Governor in Council on the recommendation of the Minister" in the second, third and fourth lines and inserting in lieu thereof "or revoked by the Minister".

(2) Subsection 2 of the said section 10 is amended by striking out "before recommending to the Lieutenant Governor in Council revocation of" in the third, fourth and fifth lines and inserting in lieu thereof "revoking" and by striking out "Department of Social and Family Services" in the ninth and tenth lines and inserting in lieu thereof "Ministry of Community and Social Services".

(3) Subsection 5 of the said section 10 is amended by striking out "recommend revocation of" in the second and third lines and inserting in lieu thereof "revoke".

10. (1) Clause a of section 11 of the said Act is repealed.

(2) The said section 11, as amended by the Statutes of Ontario, 1971, chapter 50, section 45, is further amended by adding thereto the following clauses:

(ea) prescribing or defining residential services and classes thereof provided in other than approved homes and the terms and conditions upon which such services or any class thereof shall be provided for the purposes of section 8;

(fa) prescribing a greater amount per bed for the purposes of section 5 or 6 and prescribing a higher percentage for the purposes of section 8.

(3) Clause g of the said section 11 is repealed and the following substituted therefor:

(g) prescribing the manner of computing the costs to approved corporations, and prescribing classes of payments, for the purposes of sections 5, 6 and 8.

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

12. This Act may be cited as The Homes for Retarded Persons Amendment Act, 1973.