1972

**c 160 The Schools Administration Amendment Act, 1972 (No. 2)**

Ontario

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CHAPTER 160

An Act to amend
The Schools Administration Act

Assented to December 15th, 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 26 of The Schools Administration Act, being chapter 424 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1971, chapter 90, section 4, is further amended by adding thereto the following subsection:

(7) Where, after the hearing has commenced, the representative of the board or of the teacher dies, for any reason is unable to continue to act or withdraws from the Board of Reference, the other representative shall withdraw and the decision of the Board of Reference shall be made by the chairman.

2. The said Act is amended by adding thereto the following section:

26a.—(1) Where, before the hearing has commenced, the chairman of a Board of Reference dies, disqualifies himself, for any reason is unable to act or is prohibited from acting, the Minister shall direct another judge to act as chairman and the Board of Reference shall proceed in accordance with this Part except that for the purposes of section 27 the date of appointment of the chairman is the date of appointment of the chairman directed to act under this section.

(2) Where, after the hearing has commenced and before the chairman of a Board of Reference reports to the Minister and to the parties,

(a) the chairman dies, disqualifies himself, for any reason is unable to continue as chairman or is prohibited from acting; or
the Board of Reference is terminated and where, within ninety days after the death, disqualification, inability to continue or prohibition referred to in clause a or b, the person who applied for the Board of Reference requests the Minister in writing to grant another Board of Reference, the Minister may grant a new Board of Reference, in which case the provisions of this Part apply mutatis mutandis except that the representatives named to the new Board of Reference shall not be the representatives named to the Board of Reference terminated under this subsection and the determination and direction of the costs under section 31 may include the costs, if any, incurred in respect of the Board of Reference terminated under this subsection.

(3) Where a new Board of Reference is granted under subsection 2, the hearing shall proceed as if the hearing by the Board of Reference terminated under subsection 2 had not commenced.

3. Subsection 2 of section 28 of the said Act is repealed.

4. Subsections 1 and 2 of section 29 of the said Act are repealed and the following substituted therefor:

(1) A Board of Reference shall direct the continuance of the contract or the discontinuance of the contract.

(2) The chairman of a Board of Reference shall, within seven days after the completion of the hearing and the receipt of any written submissions required by him, report the direction of the Board of Reference to the Minister and to the parties.

5.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

(2) Section 2 shall be deemed to have come into force on the 1st day of October, 1972.

6. This Act may be cited as The Schools Administration Amendment Act, 1972 (No. 2).