



# The Ontario Gazette

# La Gazette de l'Ontario

Vol. 136-25  
Saturday, 21st June 2003

Toronto

ISSN 0030-2937  
Le samedi 21 juin 2003

## Proclamation

(Great Seal of Ontario)

ROY McMURTRY

PROVINCE OF ONTARIO

*ELIZABETH THE SECOND*, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

PROCLAMATION

*SAFE DRINKING WATER ACT, 2002*

We, by and with the advice of the Executive Council of Ontario, name,

- (a) June 15, 2003, as the day on which sections 64 to 71 of the *Safe Drinking Water Act, 2002*, c. 32, come into force;
- (b) July 1, 2003, as the day on which subsections 11 (4) to (8), section 62 and sections 72 to 80 of the Act come into force; and
- (c) October 1, 2003, as the day on which subsection 11 (3) and section 63 of the Act come into force.

WITNESS:

THE HONOURABLE  
ROY McMURTRY  
CHIEF JUSTICE OF ONTARIO

ADMINISTRATOR OF THE GOVERNMENT  
OF OUR PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on June 11, 2003.

BY COMMAND

DAVID H. TSUBOUCHI  
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

ROY McMURTRY

PROVINCE DE L'ONTARIO

*ELIZABETH DEUX*, par la grâce de Dieu, Reine du Royaume-Uni, du Canada et de ses autres royaumes et territoires, Chef du Commonwealth, Défenseur de la Foi.

PROCLAMATION

*LOI DE 2002 SUR LA SALUBRITÉ DE L'EAU POTABLE*

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons ce qui suit :

- a) le 15 juin 2003 comme le jour où entrent en vigueur les articles 64 à 71 de la *Loi de 2002 sur la salubrité de l'eau potable*, chap. 32;
- b) le 1er juillet 2003 comme le jour où entrent en vigueur les paragraphes 11 (4) à (8), l'article 62 et les articles 72 à 80 de la Loi;
- c) le 1er octobre 2003 comme le jour où entrent en vigueur le paragraphe 11 (3) et l'article 63 de la Loi.

TÉMOIN :

L'HONORABLE  
ROY McMURTRY  
JUGE EN CHEF DE L'ONTARIO

ADMINISTRATEUR DU GOUVERNEMENT DE  
NOTRE PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 11 juin 2003.

PAR ORDRE

DAVID H. TSUBOUCHI  
Président du Conseil de gestion du gouvernement

(6788) 25

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et aux entreprises

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## Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

### Certificates of Dissolution Certificats de dissolution

NOTICE IS HEREBY GIVEN that a certificate of dissolution under the *Business Corporations Act*, has been endorsed. The effective date of dissolution precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément à la *Loi sur les compagnies*, un certificat de dissolution a été inscrit pour les compagnies suivantes : la date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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<b>2003-04-23</b>	
1480497 ONTARIO INC. ....	1480497
<b>2003-05-15</b>	
499575 ONTARIO LIMITED .....	499575
<b>2003-05-20</b>	
GLOBAL FUMIGATORS LTD. ....	1371800
<b>2003-05-21</b>	
GORE PRINTING AND LITHOGRAPHING LIMITED .....	207057
<b>2003-05-22</b>	
MICHAELMAS HOUSE LTD. ....	1363810
<b>2003-05-27</b>	
BLACK GOLD ASSOCIATES INC. ....	810852
COOPERCO INC. ....	504091
LEHMAN & ASSOCIATES PLANNING CONSULTANTS INC. ....	1246130
SUVATHY INC. ....	1475940
VECCHIO HOLDINGS INC. ....	799390
348537 ONTARIO LIMITED .....	348537
727402 ONTARIO INC. ....	727402
<b>2003-05-28</b>	
C. B. DREYER LIMITED .....	89304
ROSEDALE MARKET LIMITED .....	74096
1023282 ONTARIO INC. ....	1023282
163 CENTENNIAL PARKWAY INC. ....	783863
514705 ONTARIO LIMITED .....	514705
839156 ONTARIO LTD .....	839156
890940 ONTARIO INC. ....	890940
<b>2003-05-29</b>	
EARTH INDUSTRIES INC. ....	818457
MI-JOY SALES LTD. ....	402959
1132320 ONTARIO LTD. ....	1132320
1255485 ONTARIO LIMITED .....	1255485
<b>2003-05-30</b>	
G. BURNS & SON LTD. ....	560130
RELLUMCOR SALES INC. ....	496987
THEO KOFFLER NO. 2 HOLDINGS LTD. ....	534029
1404090 ONTARIO INC. ....	1404090
980654 ONTARIO INC. ....	980654
<b>2003-06-02</b>	
J. AND M. REGAN REALTY INC. ....	662777
1074896 ONTARIO LIMITED .....	1074896
1074898 ONTARIO LIMITED .....	1074898
<b>2003-06-03</b>	
H & R BLOCK MORTGAGE CORPORATION .....	1296320
SHEMOUN MANAGEMENT INC. ....	1206664
1004769 ONTARIO INC. ....	1004769
1205666 ONTARIO INC. ....	1205666
<b>2003-06-04</b>	
CHARLES H. HOLLENBERG CONSULTANTS INC. ....	861325
E.C.M.S. AEROSPACE INCORPORATED .....	1251518
MITSUI & CO. (POINT ACONI) LTD. ....	870610
NOAH'S VARIETY LTD. ....	1141706
SOWAL TECHNOLOGIES INTERNATIONAL INC. ....	1014013

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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2003912 ONTARIO INC. ....	2003912
825390 ONTARIO LIMITED .....	825390
901252 ONTARIO LIMITED .....	901252
<b>2003-06-05</b>	
BOBA SYSTEMS INC. ....	1275226
CAMPUSTAR (CANADA) INC. ....	782113
CHINAMAP INC. ....	1148047
CMT HOLDINGS INC. ....	1063943
FREDERICK WOO CONSULTANT LTD. ....	860176
VERNACARE CORPORATION .....	817124
XTRA PRODUCTIONS LTD. ....	1392284
1165365 ONTARIO LTD. ....	1165365
691308 ONTARIO LIMITED .....	691308
<b>2003-06-06</b>	
LEND LEASE SERVICES CANADA, LIMITED .....	1309770
NATTI (GROUP) INC. ....	999436
RIMMY HAIR & BEAUTY SALON INC. ....	1185453
1282359 ONTARIO INC. ....	1282359
1320854 ONTARIO LTD. ....	1320854
499555 ONTARIO LIMITED .....	499555
995802 ONTARIO INC. ....	995802

B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

25/03

### Errata Notice Avis d'Erreur

Vide Ontario Gazette, **Vol. 133-33** dated **August 12, 2000**.

NOTICE IS HEREBY GIVEN that the notice issued under Section 240 of the *Business Corporations Act* set out in the issue of the Ontario Gazette of August 12, 2000 with respect to the cancellation of the Certificate of Incorporation of 1256470 ONTARIO LTD., was issued in error and is null and void.

Cf. Gazette de l'Ontario, **Vol. 133-33** datee **Aout 12, 2000**.

PAR LA PRESENTE, nous vous informons que l'avis emis en vertu de l'article 240 de la *Loi sur les compagnies* et enonce dans la Gazette de l'Ontario du Aout 12, 2000 relativement a l'annulation du certificat de constitution en personne morale de 1256470 ONTARIO LTD. a ete delivre par erreur et qu'il est nul et sans effet.

B.C. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

Vide Ontario Gazette, **Vol. 136-22** dated **May 31, 2003**.

NOTICE IS HEREBY GIVEN that the notice issued under Section 241 (4) of the *Business Corporations Act* set out in the issue of the Ontario Gazette with respect to the cancellation of the Certificate of Incorporation of 1527037 ONTARIO INC. was issued in error and is null and void.

Cf. Gazette de l'Ontario, **Vol. 136-22** datee du **May 31, 2003**.

PAR LA PRESENTE, nous vous informons que l'avis emis en vertu de l'article 241 (4) de la *Loi sur les compagnies* et enonce dans la Gazette de l'Ontario du relativement a l'annulation du certificat de constitution en personne morale de 1527037 ONTARIO INC. a ete delivre par erreur et qu'il est nul et sans effet.

B.C. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

25/03

### Notice of Default in Complying with the Corporations Information Act Avis de non-observation de la loi sur les renseignements exigés des compagnies et des associations

NOTICE IS HEREBY GIVEN under subsection 241 (3) of the *Business Corporations Act* that unless the corporations listed hereunder comply with the filing requirements under the *Corporations Information Act* within 90 days of this notice orders dissolving the corporation(s) will be issued. The effective date precedes the corporation listings.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (3) de la *Loi sur les sociétés par actions*, si les compagnies mentionnées ci-dessous ne se conforment pas aux exigences de dépôt requises par la *Loi sur les renseignements exigés des compagnies et des associations* dans un délai de 90 jours suivant la réception du présent avis, des ordonnances de dissolution seront délivrées contre lesdites compagnies. La date d'entrée en vigueur précède la liste des compagnies visées.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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**2003-06-11**

AGRIPURE TECHNOLOGIES INC. ....	2015959
COLPA-GINO AEROTECH & SERVICES INC. ....	1542153
EMERALD PASSPORT INTERNATIONAL COR- PORATION. ....	1542091
G.T.A. AUCTIONS & LIQUIDATIONS INC. ....	1208125
NATIONAL BUSINESS MEASUREMENT PUBLICA- TIONS INC. ....	2015937
NORTH FORTY FARMS INC. ....	1542023
PROSOFT INTERNATIONAL INVESTMENTS INC. ....	1542062
1542027 ONTARIO LTD. ....	1542027
1542041 ONTARIO LIMITED. ....	1542041
1542065 ONTARIO INCORPORATED. ....	1542065
1542097 ONTARIO LIMITED. ....	1542097

B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

25/03

### Notice of Default in Complying with the Corporations Tax Act Avis d'inobservation de la loi sur les corporations

The Director has been notified by the Minister of Revenue that the following corporations are in default in complying with the *Corporations Tax Act*.

NOTICE IS HEREBY GIVEN under subsection 241 (1) of the *Business Corporations Act*, that unless the corporations listed hereunder comply

with the requirements of the *Corporations Tax Act* within 90 days of this notice, orders will be made dissolving the defaulting corporations. All enquiries concerning this notice are to be directed to Corporations Tax Branch, Ministry of Revenue, 33 King Street West, Oshawa, Ontario L1H 8H6.

Le ministre du Revenu a informé l'administrateur unique que les compagnies suivantes n'avaient pas respecté la Loi sur l'imposition des personnes morales.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (1) de la *Loi sur les compagnies*, si les compagnies citées ci-dessous ne se conforment pas aux prescriptions énoncées par la Loi sur l'imposition des personnes morales dans un délai de 90 jours suivant la réception du présent avis, lesdites compagnies se verront dissoutes par décision. Pour tout renseignement relatif au présent avis, veuillez vous adresser à la Direction de l'imposition des compagnies, ministère du Revenu, 33, rue King ouest, Oshawa (Ontario) L1H 8H6.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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ACCU-LIST PUBLISHING INC. ....	464284
AUPO INC. ....	518880
BECK ELECTRONICS CORP. ....	592328
BIRCHCLIFFE TRIM AND SUPPLY LIMITED. ....	511457
DAN WATKINSON ENT. LTD. ....	499352
DANYLYK MANUFACTURING LIMITED. ....	506780
DUNDAS RUG COMPANY LIMITED. ....	453596
HACADEN HOLDINGS INC. ....	533332
HEADS UP COMMUNICATIONS INC. ....	480725
INTERNATIONAL ACCORD INC. ....	517596
JOHN H. MAY REALTY LTD. ....	515380
JVK ELECTRONICS INC. ....	885181
K.Z.D. INSTRUMENTATION DESIGNS LIMITED. ....	503844
KENDAL HILLS STUD FARM LIMITED. ....	527988
MANACH DEVELOPMENT LIMITED. ....	134412
MAR-LAN CONSTRUCTION LTD. ....	518148
MANCAM MANAGEMENT SERVICES LIMITED. ....	479392
OAK LEAF CHEESE AND BUTTER MANUFAC- TURING COMPANY OF MADOC. ....	5755
ON-THE-SHORE INVESTMENTS LIMITED. ....	529820
PLIEGER CONSULTING ASSOCIATES LTD. ....	462896
SOUTH GARDEN COIFFURES LTD. ....	486928
SUNDANCE MECHANICAL SYSTEMS LIMITED. ....	474268
TAYMAZ INVESTMENTS INC. ....	481996
WHITBY TRANSMISSION LTD. ....	484092
1228501 ONTARIO LIMITED. ....	1228501
469188 ONTARIO LIMITED. ....	469188
482736 ONTARIO LIMITED. ....	482736
485300 ONTARIO LIMITED. ....	485300
510440 ONTARIO LIMITED. ....	510440
511844 ONTARIO LIMITED. ....	511844
524528 ONTARIO LIMITED. ....	524528
530396 ONTARIO LIMITED. ....	530396
547772 ONTARIO INC. ....	547772

B. G. HAWTON,  
Director, Companies and Personal Property  
Security Branch  
Directrice, Direction des compagnies et des  
sûretés mobilières

25/03

### Co-operative Corporations Act (Certificate of Incorporation Issued) Loi sur les Sociétés Coopératives (Certificat de constitution délivré)

NOTICE IS HEREBY GIVEN that, under the *Co-operative Corporations Act*, a certificate of Incorporation has been issued to:

AVIS EST PAR LES PRÉSENTES DONNÉ qu'en vertu de la *Loi sur les sociétés coopératives* un certificat de constitution a été délivré à :

Name of Corporation and Head Office:  
Nom de la compagnie et siège social :

**2003-06-06**

Greenwood Terrace Housing Co-operative Inc., Thunder Bay

JOHN M. HARPER,  
Director, Compliance Branch, Licensing and  
Compliance Division by delegated authority  
from the Superintendent of Financial Services  
Directeur, Observation des lois et des règlements  
Division de la délivrance des permis et de  
l'observation des lois et des règlements  
en vertu des pouvoirs délégués par le  
surintendant des services financiers

25/03

### Co-operative Corporations Act (Certificate of Dissolution Issued) Loi sur les Sociétés Coopératives (Certificat de dissolution)

NOTICE IS HEREBY GIVEN that, under the *Co-operative Corporations Act*, a Certificate of Dissolution has been issued to:

AVIS EST PAR LES PRÉSENTES DONNÉ qu'en vertu de la *Loi sur les sociétés coopératives* un certificat de dissolution a été délivré à:

Name of Corporation: Effective Date  
Nom de la compagnie : Date d'entrée vigueur

**1999-05-22**

Newgeneregg Farmers Co-operative Inc. . . . . June 4, 2003

JOHN M. HARPER,  
Director, Compliance Branch, Licensing and  
Compliance Division by delegated authority  
from the Superintendent of Financial Services  
Directeur, Observation des lois et des règlements  
Division de la délivrance des permis et de  
l'observation des lois et des règlements  
en vertu des pouvoirs délégués par le  
surintendant des services financiers

25/03

### Credit Unions and Caisses Populaires Act, 1994 (Certificate of Amendment of Articles Issued) Loi de 1994 sur les caisses populaires et les credit unions (Certificat de modification des statuts)

NOTICE IS HEREBY GIVEN that, under the *Credit Unions and Caisses Populaires Act, 1994* amendments to articles have been affected as follows:

AVIS EST PAR LES PRÉSENTES DONNÉ que, en vertu de la *Loi de 1994 sur les caisses populaires et les credit unions*, les modifications des statuts ont été apportées comme suit :

Date of Incorporation: Name of Corporation: Effective Date  
Date de constitution : Nom de la compagnie : Date d'entrée en vigueur

**1947-08-12**

All Trans Credit Union  
Limited  
Change its name to:  
All Trans Financial Services  
Credit Union Limited 2003-06-09

JOHN M. HARPER,  
Director, Compliance Branch, Licensing and  
Compliance Division by delegated authority  
from the Superintendent of Financial Services  
Directeur, Observation des lois et des règlements  
Division de la délivrance des permis et de  
l'observation des lois et des règlements  
en vertu des pouvoirs délégués par le  
surintendant des services financiers

25/03

### Credit Unions and Caisses Populaires Act (Certificates of Dissolution) Loi sur les caisses populaires et les credit unions (Certificats de dissolution)

NOTICE IS HEREBY GIVEN that, under the *Credit Unions and Caisses Populaires Act, 1994*, dissolution has been declared of: The effective date of the order/dissolution date precedes the corporation listings.

AVIS EST PAR LA PRÉSENTE DONNÉ que vertu de la *Loi sur les caisses populaires et les credit unions, 1994*, la Société suivante a été dissoute : la date en vigueur de l'arrête et de dissolution precede la liste des compagnies visees.

Name of Corporation: Date of Incorporation  
Dénomination de la Société : Date de la constitution

**2003-06-10**

BFG Employees (Kitchener) Credit Union Limited . . . . 1950-02-28  
Hospital Employees (Windsor) Credit Union  
Limited . . . . . 1954-06-29  
Hotel Dieu Employees' (Cornwall) Credit Union  
Limited . . . . . 1963-09-12  
Kingswood Industrial Community Credit Union  
Limited . . . . . 1951-05-16  
Lennox & Addington Education Credit Union  
Limited . . . . . 1971-09-14  
London Comet Credit Union Limited . . . . . 1954-02-25  
Peterborough Paper Converters Employees' Credit  
Union Limited . . . . . 1954-08-09  
Port McNicoll Community Credit Union Limited . . . . 1944-08-14  
Provincial Civil Servants (Chatham) Credit Union  
Limited . . . . . 1963-10-30  
Saskatchewan Pool Employees' (Port Arthur)  
Credit Union Limited . . . . . 1946-06-20  
Schreiber Community Credit Union Limited . . . . . 1950-04-28  
Seaway Employees' (Cornwall) Credit Union  
Limited . . . . . 1962-02-07

JOHN M. HARPER,  
Director, Compliance Licensing and  
Compliance Division by delegated authority  
from the Superintendent of Financial Services  
Directeur, l'observation des lois et des règlements  
Division de la délivrance des permis et de  
l'observation des lois et des règlements  
En vertu des pouvoirs délégués du  
Surintendant des services financiers

25/03

**Applications to  
Provincial Parliament — Private Bills  
Demandes au Parlement  
provincial — Projets de loi d'intérêt privé**

**PUBLIC NOTICE**

The rules of procedure and the fees and costs related to applications for Private Bills are set out in the Standing Orders of the Legislative Assembly. Copies of the Standing Orders, and the guide "Procedures for Applying for Private Legislation", may be obtained from the Legislative Assembly's Internet site at <http://www.ontla.on.ca> or from:

Committees Branch  
Room 1405, Whitney Block, Queen's Park  
Toronto, Ontario M7A 1A2

Telephone: 416/325-3500 (Collect calls will be accepted.)

Applicants should note that consideration of applications for Private Bills that are received after the first day of September in any calendar year may be postponed until the first regular Session in the next following calendar year.

(8699) T.F.N. CLAUDE L. DESROSIERS,  
Clerk of the Legislative Assembly.

**Applications to Provincial Parliament  
Demandes au Parlement provincial**

**ANDREA GENTILE/KEY AIRCRAFT SERVICES INC.**

NOTICE IS HEREBY GIVEN that on behalf of ANDREA GENTILE, application will be made to the Legislative Assembly of the Province of Ontario for an Act to Revive KEY AIRCRAFT SERVICES INC.

The application will be considered by the Standing Committee on Regulations and Private Bills. Any person who has an interest in the application and who wishes to make submissions, for or against the application, to the Standing Committee on Regulations and Private Bills should notify, in writing, the Clerk of the Legislative Assembly, Legislative Building, Queen's Park, Toronto, Ontario, M7A 1A2.

Dated at Brampton, this 31st day of May, 2003

MCCABE, FILKIN & ASSOCIATES LLP  
Barristers and Solicitors  
300 - 195 County Court Boulevard  
Brampton, ON L6W 4P7  
Attention: Robert A. Filkin  
Tel. No. 905-452-7400  
Fax No. 905-452-6444

(4312) 22 to 25 Solicitors for the Applicant, Andrea Gentile

**Corporation Notices  
Avis relatifs aux compagnies**

**GMS INSURANCE INC.**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the *Insurance Act* (Ontario), that GMS Insurance Company Inc., an insurance company incorporated under the laws of Saskatchewan, will apply to the Superintendent of Financial Services for Ontario for a licence authorizing the Company to transact in Ontario property insurance and accident and sickness insurance.

Dated at Toronto, this 14th day of June, 2003.

GMS INSURANCE INC.  
By its Solicitors,  
Osler, Hoskin & Harcourt LLP  
Barristers & Solicitors  
Box 50, 1 First Canadian Place  
Toronto, Ontario  
M5X 1B8

(4328) 25 to 27

**ECOLOGICAL SERVICES GROUP INC.**

TAKE NOTICE that the Shareholder of the Corporation passed a Special Resolution on May 30, 2003 requiring the said Corporation to be wound up voluntarily under the provisions of the *Business Corporations Act*, R.S.O. 1990.

Dated this 30th day of May, 2003.

(4329) 25

MICHAEL J. SLOCOMBE  
Liquidator

**ECOLOGICAL SERVICES GROUP INC.**

TAKE NOTICE that a final meeting of the Shareholder of the Corporation was held on June 2, 2003, at which time the Liquidator of the above Corporation presented his account and explanation of the voluntary winding up of the Corporation.

Dated this 2nd day of June, 2003.

(4330) 25

MICHAEL J. SLOCOMBE  
Liquidator

**ESG INTERNATIONAL INC.**

TAKE NOTICE that the Shareholder of the Corporation passed a Special Resolution on May 31, 2003 requiring the said Corporation to be wound up voluntarily under the provisions of the *Business Corporations Act*, R.S.O. 1990.

Dated this 31st day of May, 2003.

(4331) 25

MICHAEL J. SLOCOMBE  
Liquidator

**ESG INTERNATIONAL INC.**

TAKE NOTICE that a final meeting of the Shareholder of the Corporation was held on June 2, 2003, at which time the Liquidator of the above Corporation presented his account and explanation of the voluntary winding up of the Corporation.

Dated this 2nd day of June, 2003.

(4332) 25

MICHAEL J. SLOCOMBE  
Liquidator

**Notice To Creditors  
Avis aux créanciers**

**ESTATE OF HAZEL ELIZABETH McCOY**

NOTICE IS HEREBY GIVEN THAT all persons having claims against the estate of Hazel Elizabeth McCoy, late of 303-375 Belsyde Avenue East, Fergus, Ontario, N1M 2Y2, retired Schoolteacher, who died at Victoria, British Columbia on May 4, 2003, are hereby notified to send particulars of same to the undersigned executrix for the Estate on or before July 5, 2003, after which date the aforementioned Estate will be distributed by the undersigned having regard only to the claims then filed.

(4322) 24 to 26

JULIE CHRISTINE MILTON  
410-520 Rithet Street  
Victoria, British Columbia V8V 1E2

Pursuant to an order of the Ontario Superior Court of Justice, HORWATH ORENSTEIN INC. was appointed Liquidator of 1347943 Ontario Limited operating as Bovaird Pharmacy effective May 31, 2003. Take notice that the Liquidator directs all creditors having claims against the corporation to file their claim, giving full particulars, with the undersigned Liquidator on or before July 14, 2003. Any creditor not filing a claim by such date will be excluded and barred from the benefit of the liquidation.

Dated at Toronto this 11th Day of June 2003.

HORWATH ORENSTEIN INC.  
 Court Appointed Liquidator re:  
 1347493 Ontario Limited 0/a Bovaird  
 Pharmacy  
 595 Bay Street, Suite 300  
 Toronto, Ontario M5G 2C2  
 Fax: 416-596-7894  
 Attention: Howard Cappell, CA, CBV,  
 410-520 Rithet Street  
 CIRP

(4327) 25 to 27

## Miscellaneous Notices Avis divers

### LAW SOCIETY ACT

NOTICE IS HEREBY GIVEN that monies have been paid to the Unclaimed Trust Fund of the Law Society of Upper Canada, pursuant to sections 59.6 and 59.8 of the *Law Society Act*. A person may make application to claim payment of money, pursuant to section 59.10 of the *Law Society Act* by contacting the Unclaimed Trust Fund Officer, Law Society of Upper Canada, Osgoode Hall, 130 Queen Street West, Toronto, Ontario M5H 2N6, or at 416-947-3312.

Client Name	Municipality
715084 ONTARIO LTD	Unknown
798718 ONTARIO INC	Unknown
862048 ONTARIO LTD	Timmins
877446 ONTARIO LTD.	Unknown
A SAFE PLACE	Unknown
AFRAIT, MOISE	Unknown
ALI, MIR	Unknown
ALLAN, RHONDA	Unknown
ALMA PACK BOTTLING CORP.	Unknown
ALMIEDA, DANNY	Unknown
AMBIENTECH INC	Etobicoke
AQUA-FLOW	Unknown
ARMSTONG, RICHARD	Toronto
ARMSTRONG, DIANNA	Scarborough
ARPIN, GUY	Unknown
ASEP STEAM LIMITED	Unknown
ASSELIN	Unknown
BAHRYNOWSKI, MARDY	Unknown
BAIN, MICHAEL	Everett
BAKER, DOUGLAS	Smith Falls
BALLIRAM, MOHIT	Mississauga
BAPTISTA, JOSEPH	Scarborough
BARBER MARGARET	Unknown
BARNES, ERIKA	Toronto
BECKLES, OSCAR	Downsview
BEIKO, SOPHIE ESTATE OF	Troy, Michigan
BELL, PAMELA	Unknown
BENNETT, IRENE ESTATE OF	Toronto
BENTO, MARIA & GILL	Unknown
BESSILE, ELIAS	Nepean
BIASUCCI, JEAN	Unknown
BIG TRUCK LEASING LTD	Unknown
BISHOP, MARY	Unknown
BLACK, D	Unknown
BORDE, ENA	Castries, St. Lucia
BORDET, GEORGE	Quebec City, Quebec
BOUCHER, RITA	Unknown
BOULANGER, CECIL	Unknown
BRACEWELL, JOHN C.	Sarnia
BRANDES, ELKE	Scarborough
BREAU, DAVE	Scarborough
BRODIE, THERESE	Unknown
BROOKER, DALE	Unknown
BUCHIK, HELEN	Gravenhurst
BURGARDT, NIKOLAI	Viernheim, Germany
BURNS, DAVID	Kingston
BURNS, WILLIAM	Brampton
BUSH, JUDITH	Unknown

Client Name	Municipality
BYE, R.	Unknown
CABRAL, FRANK	Kingston
CAIRNS, ANGELA	Richmond Hill
CALABRETTA, DARLENE	Etobicoke
CAMERON, BENOIT	Kingston
CAMPBELL, DAVID	Unknown
CANADA TRUST	Unknown
CANADELLE INC (SARA LEE CORPORA- TION)	Winston-Salem, North Carolina
CARBONE, SUSAN	Toronto
CATENA, CINDY	Camden East
CELAP, PETO & JADRANKA	Unknown
CHAN, ERNEST	Unknown
CHIA/MCCOURT, ALEX/ELIZABETH	Ajax
CHISHOLM, JOAN	Elginburg
CHUNG, SHU-YIN	Toronto
CLARKE/KENNEDY, ALBURN/TINA	Etobicoke
COLONIAL GOLF	Unknown
COOKSEY, JULIE	North Bay
CORMIER, LEILA	Newmarket
COSTA, JOSE	Unknown
COX/BUCK	Unknown
CROFTS, EILEEN	Unknown
CROSS, JAMES	Aylmer
CUMMINGS/SWEETMAN, SUSAN/KATHY & SIMON	Unknown
CYR	Unknown
DAVE, HARSHAVADAN & RASHMI	Leicester, United Kingdom
DAWTEN STEEL & COURTICE	Brampton
DENNIS, JOAN	Unknown
DEPATIE, ROBERT & CHRISTINE	Newmarket
DESCHAMPS	Unknown
DICK	Unknown
DIFLORIA, MICHAEL	Unknown
DIMITRIOU, CHRISTOS AND 800261 ONTARIO INC	Windsor
DONALDSON, LEE	Toronto
DUPUIS, RAYMOND & NANCY	Calgary, Alberta
DURRANT, PETER	Newmarket
DVOULAT-NAHERNICK, YAROSLAWA	Sault Ste. Marie
DWYER, CRAIG	Unknown
DYCK, ISAAK WIEBE	Cvavhtemac Chih, Mexico
EASTPINE LIMITED PARTNERSHIP	Toronto
EBRICK	Unknown
EPWORTH	Unknown
ETHRIDGE, TERRY	Peterborough
EVANGELISTA, ELSIE & RICKIE	Scarborough
EVANS, LLYOD A. ESTATE OF	Toronto
FABRIZIO, JOE	Unknown
FARNHAM, ROBERT LYNNESS & TRAC	Island Grove
FARRAR, PAUL J.	Unknown
FEDERAL TRUST	Unknown
FEDERCHUK, EUGENE	Unknown
FERREIRA, JOAQUIM & LOUIS	Unknown
FERREIRE, EDWARD	London
FINE, M. EDWARD	Unknown
FLAHERTY/WADDELL	Unknown
FOLLETT, DANIEL & JOAN	Holland Landing
FOSTER, W.	Unknown
FRINK, LINDA	Farmington, Minnesota
FROST, GEORGE (MAC)	Unknown
FUCIARELLI, CHARLES	Hamilton
FURNESS, MARLENE	Markham
FUSILLO, V.	Unknown
GAYLE, NOEL A.	Unknown
GHENT, R.	Windsor
GIDSEN INC	Etobicoke
GLAVAN, I. JOHN	Unknown
GLEN ABBEY POOLS	Unknown
GOLDIE IMPORTS	Unknown
GOLDSTEIN, ROBERT ESTATE OF	Unknown
GONIDIS, TOULA & FONDAS	Unknown
GONZALEZ, BETTY	Unknown
GORDON, IAN	Unknown

Client Name	Municipality	Client Name	Municipality
GRAY, ALLISTER & LYNDA	Holland Landing	LONNEE, EVELYN	Windsor
GRAY, JAMES MCKINNON	Cambridge	LOPEZ, DULCI	Unknown
GREENE, GWEN	Brantford	M.I. LAWSON & ASSOCIATION	Unknown
GREWAL & GILL	Unknown	M.S.C.U.L.	Unknown
GREWAL, HARINDER	Unknown	MACBRIEN, DOUGLAS	Unknown
GRIFFITHS, GEORGE	Beaverton	MACDONALD, MARC	Toronto
GUPPY, STEPHEN & BELINDA	Scarborough	MACEAC, DUMITRO & NINA	North York
HACHE, MARK, SAMANTHA & PAUL	Jackson's Point	MACLEAN, JOHN & LINDA	Newmarket
HALTON PEEL & TRUST	Unknown	MAK, HING-KUEN	Mississauga
HAMAN, JAMES	Unknown	MANDEL, SHARON	Unknown
HAMLAOUI, HOURIA	Ottawa	MARKET PRODUCTIVITY CENTRE INC	Etobicoke
HANES CANADA	Winston-Salem, North Carolina	MARSHALL, TRUDY	Unknown
HARASYMCHUK, RENEE	Unknown	MARTENS, JOHANN	Alheim-Sterkelshausen, Germany
HARGRAVE, PATRICIA	Unknown	MASSE, JAMES	Ottawa
HARRIES, DONNA	Unknown	MCDONALD, GREG	Unknown
HART, JOHN DUNCAN	Unknown	MCDONALD, PHILIP & MARY	Nepean
HASAN, AMTUL	Markham	MCENTEE, PATRICK	Mississauga
HERBERT	Unknown	MCFADDEN, M.	Unknown
HEXHAM, GRAYDON	Thornhill	MCGOWAN/FORD, STUART/NANCY	Pickering
HICKEY	Unknown	MCGRATH	Unknown
HILL, A.R.	Unknown	MCINTYRE, C. ESTATE OF	Unknown
HO, ANNIE	Hong Kong	MCKEIVEY, S.A. ESTATE OF	Unknown
HO, BETTY	Scarborough	MCLELLAN, JACK	Toronto
HO, EDWIN	Scarborough	MCLELLAN, JAMES ROSS	Ingersoll
HO, WAI-KWAN	Scarborough	MCLEOD, JANE	Newmarket
HOBBS	Unknown	MCNALLY, JACQUELINE	Kanata
HOBLER, MARILYN	Unknown	MCPHERSON ESTATE	Unknown
HOLLIDAY, J. H.	Unknown	MCSORLEY, ROBERT	Hornell Heights
HORNER, BRENDA	Brampton	MCTAVISH	Unknown
HOUE, ROCK & DEBRA	Iroquois Falls	MILLER	Unknown
HOWARD, GLEN & SUZANNE	Unknown	MILLER, ANN	Scarborough
HOWDEN, GEORGE	Unknown	MILLER, GREG & BERNADETTE	Scarborough
HUNT, P. THOMPSON & S.	Newmarket	MILLER, WENDY	Toronto
HUTCHINSON, ESTATE OF	Unknown	MINNINI, C. DANIEL & JOSEPH	Newmarket
INTERIANO, JESUS & PATRICIA	Toronto	MIRABELLI, ANTHONY	Willowdale
IRVINE, DORIS	Unknown	MISSISSAUGA CANADIAN PAKISTANI ASSOC.	Unknown
JANJANIN, LAZARIA	Unknown	MITCHELL, DAVID	Ingersoll
JEKABSON, ALBERT & ELGA	North York	MORGAN, FREDERICK & ROWENA	Etobicoke
JOHNSTON, BRUCE	Unknown	MORGAN, JACK	Kingston
JONES, GARY & SUSAN	Aurora	MORRIS, MICHAEL JAMES	Niagara Falls
KARPIAUK, NICK	Richmond Hill	MORRISON, FREDERICK	Windsor
KENNEDY, FRANCES (DR)	Kingston	MORTON	Unknown
KERR, RODERICK (DR)	Oshawa	MOUSTERIS, HELEN & KONSTANTINOS	Scarborough
KINALEA DEVELOPMENT CORP	Kingston	MRAZ PROJECT CONSULTANTS INC	Saskatoon, Saskatchewan
KINROSS/HAMILTON	Unknown	MUSER, GILLIAN	Oakville
KIPOUROS, MR & MRS. GEORGE	Windsor	NEIL, MAUREEN	Unknown
KLEIN, ALEXANDRA	Manotick	NELSON, ROBERT & OLA	Unknown
KLOPFER, EUGENE & ELLA	Brantford	NEWELL, EILEEN	Toronto
KOERFER, JURGEN	Ottawa	NGUYEN, ANH	Windsor
KOPADIA	Unknown	NICHOLS, ELLA	Unknown
KOSCAL, LJUBICA	Jackson's Point	NICOLAOU, ANDY	Hagersville
KRAYSS, C.	Unknown	NIEMI, DONALD	Sault Ste. Marie
KRONE, MICHAEL	Kitchener	NILES, STEPHEN & PATRICIA	North York
KUMAR, SUSHIL	Newmarket	NITCH, D.	Unknown
KUZMOCHKA, J.	Toronto	NOBLE, DAVID	Brampton
LAMBIE, R. & A.	Unknown	O'BRIEN, WAYNE	Unknown
LAPARTE, LLOYD	Unknown	OGUNDIPE, OLUFIROPO	Toronto
LAW, BETTY LOUISE	Waterdown	O'HARA, JAMES	Sault Ste. Marie
LAW, DONALD GRANT	Waterdown	OMAN/AHONEN, JOHN P./ANNA L.	Ajax
LAWRENCE, ANDREW	Brampton	PAGE, ANDREW	Brampton
LAWRENCE, V.	Unknown	PALMER, H.T.	Unknown
LEHNER	Unknown	PANGMAN/ GROVES, LAURIE/DAVID	Keswick
LEHRER, KEITH	Toronto	PAPPAS	Unknown
LENTZ, DONNA	Cambridge	PARK, MYUNG	Mississauga
LEPAGE, CASSANDRA	Ottawa	PAVISIC, DJURA	Zurich, Switzerland
LEUNG, ALLAN	Delta, British Columbia	PAYNE, MICHAEL	Unknown
LEUNG, KELVIN	Summit Court, Hong Kong	PEEL OFFICE FURNITURE	Mississauga
LEUNG, ROSITA	Unknown	PELLETIER, LYNDA & GUY	Westhill
LICKISS, RICK	Sutton	PENNY, PAUL	Unknown
LIO, A.	Unknown	PERRAS, J.R. ESTATE OF	Unknown
LIVSEY, RAFAELA & DANIEL	Ajax	PERSUAD, SASENARINE (BOB)	Etobicoke
LODGE, SYBIL	Unknown	PICKELL, ROBERT & ALICE	Unknown
LOECKNER, HENRY ESTATE OF	Unknown	POITRAS, LOUISE	Unknown
LOEFFLER, MARTIN	Scarborough		

Client Name	Municipality	Client Name	Municipality
PORTER, C.	Unknown	VAN GROLL, THERESA	Unknown
PRIDGAR, L.	Unknown	VAN ZANT, BEATRICE	Etobicoke
PRIDGAR, M.	Unknown	VIERTELHAUSEN, CAROLE	Nepean
PROENCA, MANUEL & ANALIA	Unknown	VILLENEUVE, KATHERINE	Windsor
PWP/ANDRACHUK	Unknown	VINK, JANETTE VERONICA	Unknown
RAUWERDE, DONALD & DEBORAH	Pefferlaw	VON CRAMM, MARION	Los Angeles, California
REED, BRIAN	Kingston	VOSCAM & CNOSSEN	Unknown
REESE, FOREST	Pontiac, Michigan	WADSWORTH, ELIZABETH	Unknown
REGAING	Unknown	WANNAMAKER, W. ESTATE OF	Unknown
REID, IAN	Keswick	WAYNE, BARTLETT	Unknown
REID, KENNETH W.	Calgary, Alberta	WEBSTER, N.	Unknown
REIN, MARK	Aurora	WEE, DAISY	Aurora
RENNO, KEN	Unknown	WEILER, J.	Unknown
RIBERA, GERALDINE	Toronto	WEST, JAMES	Unknown
RICHARDS/NICHOLSON, IAN/RODNEY	Richmond Hill	WHERRY, BOB	Unknown
RIDDELL, DAVID & MARION	London	WILLIAM, ANNE	Unknown
RIDER, JOHN	Unknown	WILLIAMS, DAVID	Unknown
RIESCHE, PATRICK	Richmond Hill	WILKENSON, LYNN BURTON	Dunrobin
ROBERTS, MARIE PAUL ESTATE OF	Scarborough	WILSON, DAVID	Guelph
ROBERTS, PATRICIA LYNN	Oakville	WILSON, JOSEPH	Ottawa
ROMAIN, PHILIP	Stratford	WINTER, DOUGLAS C. ESTATE OF	Simcoe
ROSENBERG, RUDY H.	Toronto	WIRTZ, BEN	United States
ROSS, WILLIAM	Unknown	WONG, LAURENCE & AGNESS	North York
ROUSHIA, RENA	Unknown	WONG, MING T.	Vancouver, British Columbia
RULE, ERIC	Unknown	YIP, WING-CHUN	Toronto
RUPCIC, MILE	Oakville	YORK, MARION	Unknown
SAMOLJANAC, RALPH	Toronto	YOUNG, ROBERT	Woodstock
SANTIN, MARIA	Mississauga	YOUSEF, MAHER M.	Jeddah, Saudi Arabia
SCAVETTA, ROCCO	Richmond Hill	ZALATORIAS, M.	Unknown
SCHRIMSHAW, W. F.	Unknown	ZAVADIK, MARILYN	Kingston
SEDGEWICK, JUDITH C.	Alliston		
SEERAJ, JUDY	Scarborough		
SEETAL, ABDOOL CARRIM	North York		
SENECAL, CHRISTIAN	Unknown		
SHARP	Unknown		
SHEIPMAN, A & E	Unknown		
SHIRLEY FABRICS CORP	New York, New York		
SHUM, CHEUNG YING	Kennedy Town, Hong Kong		
SISTI, NADIA	Etobicoke		
SMART, GABY	Orleans		
SMITH, A & C	Unknown		
SMITH, F & D	Unknown		
SMITH, GLENN	London		
SOMERDYK	Unknown		
SORMUTES, VALLI	Unknown		
SPERDUTI/VOZZA, GIUSEPPE/MARISSA	Windsor		
STERLING	Unknown		
STEWART, P.	Unknown		
STEWART, R.	Unknown		
STIERS, MILDRED ESTATE OF	Lasalle		
STRIKE, GLENN	Unknown		
SULLIVAN, MARY	Shediac Bridge, New Brunswick		
	Shediac Bridge, New Brunswick		
SULLIVAN, RONALD	Sault Ste. Marie		
	Newmarket		
TAIT, DEBORAH ANN	Thunder Bay		
TAYLOR, LINDSAY	Unknown		
TAYLOR, THERESA	Scarborough		
TAYLOR-KENNEDY, JOHN & VALERIE	Toronto		
TELESPHERE CANADA INC	Toronto		
THE PRUDENTIAL ASSURANCE CO. LTD.	Toronto		
THE PRUDENTIAL ASSURANCE CO. LTD.	Toronto		
THE PRUDENTIAL ASSURANCE CO. LTD.	Toronto		
THERRIEN & PERRY	Unknown		
THOMPSON, CONSTANCE	Windsor		
TILYOU, JOHN H. ESTATE OF	Jupiter, Florida		
TONEY/FERRIERA, CLEMENT/THERESA	Scarborough		
TORONTO-DOMINION BANK	Unknown		
TREMBLAY, ALAN	Christopher Lake, Saskatchewan		
	Scarborough		
TSANG, BETTY	North York		
TSENG, WENDELL	Toronto		
TURNBULL, HAZEL	Toronto		
UNDERWOOD, MELVILLE	Unknown		
USF & G INSURANCE CO.	Unknown		

Dated at Toronto, Ontario this 3rd day of June, 2003.

(4350) 25

## Sheriff's Sales of Lands Ventes de terrains par le shérif

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Brampton, dated May 17, 2002, Court File 02-BN-2173SR, to me directed, against the real and personal property of GEORGE AXIOTIS Defendant(s), at the suit of BANK OF MONTREAL, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of GEORGE AXIOTIS Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being composed of Parcel 4-1, Section M-1841, being Lot 4 on Plan M-1841, City of Toronto, Land Titles Division of Toronto (No. 66), municipality known as 10 Karen Ann Crescent, Toronto, Ontario MIG 1M3.

All of which said right, title, interest and equity of redemption of GEORGE AXIOTIS Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.-10:30 a.m.).

### CONDITIONS:

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

TERMS: Deposit 10% of bid price or \$2,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario

All payments in cash or by certified cheque made payable to the Minister of Finance.  
Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.  
Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

(4333) 25  
Michael MacLean  
Enforcement Office  
40 Dundas Street W., Room 424  
Toronto, Ontario M5G 2C2

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Toronto, dated October 5, 2000, Court File 96-CU-107751A, to me directed, against the real and personal property of A. KRISTIN SCYTHES Defendant(s), at the suit of GERALD D. BURLINGTON, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of A. KRISTIN SCYTHES Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being Part Lot 156, Plan 1788, City of Toronto, known as 18 Thurston Road, Toronto, Ontario M4S 2V7.

All of which said right, title, interest and equity of redemption of A. KRISTIN SCYTHES Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater  
- Payable at time of sale by successful bidder  
- To be applied to purchase price  
- Non-refundable  
Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario  
All payments in cash or by certified cheque made payable to the Minister of Finance.  
Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.  
Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

(4334) 25  
Michael MacLean  
Enforcement Office  
40 Dundas Street W., Room 424  
Toronto, Ontario M5G 2C2

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Newmarket, dated September 13, 2002, Court File 62930/02SR, to me directed, against the real and personal property of DOMENICO PETTI Defendant(s), at the suit of ALPHA OIL INC. Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of DOMENICO PETTI Defendant in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto, being the whole of Lot 134, Plan M-803, municipality known as 35 Belleglade Court, Toronto, Ontario M8M 2W3.

All of which said right, title, interest and equity of redemption of DOMENICO PETTI Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater  
- Payable at time of sale by successful bidder  
- To be applied to purchase price  
- Non-refundable  
Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario  
All payments in cash or by certified cheque made payable to the Minister of Finance.  
Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.  
Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

(4335) 25  
Michael MacLean  
Enforcement Office  
40 Dundas Street W., Room 424  
Toronto, Ontario M5G 2C2

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Ontario Superior Court of Justice, Toronto, dated September 30, 2002, Court File 02-CV-224591SR, to me directed, against the real and personal property of KHAWAJA MOHI-UDDIN Defendant(s), at the suit of CENTRAL PARK LODGES LTD., Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of KHAWAJA MOHI-UDDIN Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being Part of Lot 226, Plan M-1606, Borough of Scarborough, (formerly Land Registry office (No. 66), Land Titles Division of Toronto, municipality known as 23 Brisbane Grove, Scarborough, Ontario M1B 1P2.

All of which said right, title, interest and equity of redemption of KHAWAJA MOHI-UDDIN Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater

- Payable at time of sale by successful bidder
- To be applied to purchase price
- Non-refundable

Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario

All payments in cash or by certified cheque made payable to the Minister of Finance.

Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.

Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

**Michael MacLean**  
Enforcement Office  
40 Dundas Street W., Room 424  
Toronto, Ontario M5G 2C2

(4336) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Milton, dated May 2, 2002, Court File 829/02, to me directed, against the real and personal property of OLIVER GEORGE BUSH Defendant(s), at the suit of BANK OF MONTREAL, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of OLIVER GEORGE BUSH Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being Parce 66-1, Section M-440, Lot 66, Plan M-440, City of Scarborough, Land Titles Division of Metropolitan Toronto, known as 53 Pineridge Drive, Scarborough, Ontario M1M 2X6.

All of which said right, title, interest and equity of redemption of OLIVER GEORGE Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater

- Payable at time of sale by successful bidder
- To be applied to purchase price
- Non-refundable

Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario

All payments in cash or by certified cheque made payable to the Minister of Finance.

Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.

Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

**Michael MacLean**  
Enforcement Office  
40 Dundas Street W., Room 424  
Toronto, Ontario M5G 2C2

(4337) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Brampton, dated June 21, 2002, Court File 02-BN-3423SR, to me directed, against the real and personal property of JOHN ANTONIADIS Defendant(s), at the suit of CANADIAN IMPERIAL BANK OF COMMERCE, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of JOHN ANTONIADIS Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being Part of Lot 50, Plan 2732, together with an easement over part of Parcel 17-1, Section 66M-2096, municipality of Metropolitan Toronto, known as 233 Lawson Road, Scarborough, Ontario M1C 2J6.

All of which said right, title, interest and equity of redemption of JOHN ANTONIADIS Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater

- Payable at time of sale by successful bidder
- To be applied to purchase price
- Non-refundable

Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario

All payments in cash or by certified cheque made payable to the Minister of Finance.

Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.

Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

**Michael MacLean**  
Enforcement Office  
40 Dundas Street W., Room 424  
Toronto, Ontario M5G 2C2

(4338) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Ontario Superior Court of Justice, Toronto, dated August 6, 2002, Court File 01-CV-217389CM, to me directed, against the real and

personal property of JOSEPH HO and MARY HO Defendant(s), at the suit of XUDONG WANG, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of JOSEPH HO and MARY HO Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being Part of Lot 31, Plan 2399, City of Toronto (formerly City of North York), Registry Division of Metropolitan Toronto (No. 64), municipality known as 210 Olive Avenue, North York, Ontario M2N 4P6.

All of which said right, title, interest and equity of redemption of JOSEPH HO and MARY HO Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario  
 All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.  
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

**Michael MacLean**  
 Enforcement Office  
 40 Dundas Street W., Room 424  
 Toronto, Ontario M5G 2C2

(4339) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Orangeville, dated September 12, 2002, Court File 844/02, to me directed, against the real and personal property of METTE MARIE GRIFFIN Defendant(s), at the suit of CITIBANK CANADA, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of METTE MARIE GRIFFIN Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being composed of Lot 164, Plan 599-E, City of Toronto, municipality known as 190 Duplex Avenue, Toronto, Ontario M5P 1A9.

All of which said right, title, interest and equity of redemption of METTE MARIE GRIFFIN Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges,

liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario  
 All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.  
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

**Michael MacLean**  
 Enforcement Office  
 40 Dundas Street W., Room 424  
 Toronto, Ontario M5G 2C2

(4340) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Brampton, dated November 6, 2002, Court File 02-BN-7393, to me directed, against the real and personal property of DANIEL ARNOLD NEAD Defendant(s), at the suit of CANADIAN IMPERIAL BANK OF COMMERCE, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of DANIEL ARNOLD NEAD Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being composed of Part of Lot 78, Plan 593E, City of Toronto, municipality known as 330 Cranbrooke Avenue, Toronto, Ontario M5M 1N1.

All of which said right, title, interest and equity of redemption of DANIEL ARNOLD NEAD Defendant(s), in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario  
 All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.  
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

(4341) 25  
**Michael MacLean**  
 Enforcement Office  
 40 Dundas Street W., Room 424  
 Toronto, Ontario M5G 2C2

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Ontario Superior Court of Justice, Whitby, dated December 9, 2002, Court File No. 16466/02, to me directed, against the real and personal property of PARCIVAL DEVELOPMENTS LIMITED Defendant(s), at the suit of PANTELIS CHRYSOSTOMOU, Plaintiff(s), I have seized and taken in execution all the right, title, interest and equity of redemption of PARCIVAL DEVELOPMENTS LIMITED Defendant(s) in and to:

ALL AND SINGULAR that certain parcel or tract of land and premises situated, lying and being in the City of Toronto and being part of Lot 47, Plan 2179, designated as Parts 1 and 9, on Reference Plan 64R-11500, city of Scarborough, Land Registry Division of Toronto, municipality known as 44 Falaise Road, Toronto, Ontario M1E 3B8.

All of which said right, title, interest and equity of redemption of PARCIVAL DEVELOPMENTS LIMITED Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Room 424, Writs Office, 40 Dundas Street West, Toronto, Ontario, on Tuesday, July 22, 2003 at 11:00 a.m. (Registration 9:00 a.m.–10:30 a.m.).

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$2,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at 40 Dundas St. W., Room 424, Toronto, Ontario  
 All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price.  
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 2nd day of June, 2003.

(4343) 25  
**Michael MacLean**  
 Enforcement Office  
 40 Dundas Street W., Room 424  
 Toronto, Ontario M5G 2C2

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Toronto, Ontario, dated July 26, 2002, Court File No. 02-CV-222917SR, to me directed, against the real and personal property of PASQUALE QUINTO, FRANCESCA QUINTO and LILLCREST CARPET CLEANERS, Defendant at the suit of CARMELA PALMA, Plaintiff, I have seized and taken in execution all the right,

title, interest and equity of redemption of PASQUALE QUINTO and FRANCESCA QUINTO, Defendant in and to:

Part of Block 88, Plan 65M-3162, designated as Parts 103 and 104, Plan 65M-20634, in the City of Vaughan, Regional Municipality of York, Land Titles Office for the Land Titles Division of York (No. 65) and Municipally known as 18 Giancola Crescent Maple, Ontario L6A 2W7.

All of which said right, title, interest and equity of redemption of PASQUALE QUINTO and FRANCESCA QUINTO, Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at The Court House in Room 2025, 50 Eagle Street West, Newmarket, Ontario on Wednesday, July 23, 2003 at 1:00 o'clock in the afternoon.

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser.

**TERMS:** Deposit 10% of bid price or \$1,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at The Court House, Civil/Enforcement Office, 50 Eagle Street West, Newmarket, Ontario L3Y 6B1.  
 All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Other conditions as announced

Subject to cancellation by the Sheriff up to the time of sale.

NOTE: No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed by a Sheriff for sale under legal process, either directly or indirectly.

Dated this 4th day of June, 2003.

(4344) 25  
**Sheriff**  
 Civil/Enforcement Office  
 Regional Municipality of York  
 Telephone (905) 853-4809  
 For Information Contact Kelly Gillis  
 at Ext. 6211  
 Sheriff's File No. 02-1872

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Toronto, Ontario, dated December 8, 1999, Court File No. 99-CV-169940SR, to me directed, against the real and personal property of KEITH CHARLES ANDREW FRANK and ARLENE ONETHA FRANK, Defendant at the suit of GERRARD NUDDS AND MARSHA ANN NUDDS, Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of KEITH CHARLES ANDREW FRANK and ARLENE ONETHA FRANK, Defendant, in and to:

Parcel 1-1, Section 65M-2749 Being Lot 1 Plan 65M-2749, in the Town of Whitchurch-Stouffville, Regional Municipality of York, Land Titles Office for the Land Titles Division of York (No. 65) and Municipally known as 10 International Parkway, R.R. #4, Stouffville, Ontario L4A 7X5.

All of which said right, title, interest and equity of redemption of KEITH CHARLES ANDREW FRANK and ARLENE ONETHA FRANK, Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at The Court House in Room 2025, 50 Eagle Street West, Newmarket, Ontario on Wednesday, July 23, 2003 at 1:00 o'clock in the afternoon.

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges,

liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser.

**TERMS:** Deposit 10% of bid price or \$1,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at The Court House, Civil/Enforcement Office, 50 Eagle Street West, Newmarket, Ontario L3Y 6B1. All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Other conditions as announced

Subject to cancellation by the Sheriff up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed by a Sheriff for sale under legal process, either directly or indirectly.

Dated this 28th day of April, 2003.

**Sheriff**  
 Civil/Enforcement Office  
 Regional Municipality of York  
 Telephone (905) 853-4809  
 For Information Contact Kelly Gillis  
 at Ext. 6211  
 Sheriff's File No. 00-5116

(4345) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Whitby, Ontario, dated July 24, 2000, Court File No. 492/00 to me directed, against the real and personal property of CLARA L. WONG also known as CLARA MA also known as TEELIAN WONG also known as TEE LIAN WONG and TEE LIAN MA, Defendant at the suit of THE TORONTO-DOMINION BANK, Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of CLARA L. WONG also known as CLARA MA also known as TEELIAN WONG also known as TEE LIAN WONG and TEE LIAN MA, Defendant in and to:

Parcel 44-3, Section 65M-2427 Being Part Lot 44, designated as Parts 11 & 12 on Plan 65R-9965, in the Town of Markham, Regional Municipality of York, Land Titles Office for the Land Titles Division of York (No. 65) and Municipally known as 66 Page Crescent, Markham, Ontario L3S 1W4.

All of which said right, title, interest and equity of redemption of CLARA L. WONG also known as CLARA MA also known as TEELIAN WONG also known as TEE LIAN WONG and TEE LIAN MA, Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at The Court House in Room 2025, 50 Eagle Street West, Newmarket, Ontario on Wednesday, July 23, 2003 at 1:00 o'clock in the afternoon.

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matters relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser.

**TERMS:** Deposit 10% of bid price or \$1,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at The Court House, Civil/Enforcement Office, 50 Eagle Street West, Newmarket, Ontario L3Y 6B1. All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Other conditions as announced

Subject to cancellation by the Sheriff up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 27th day of May, 2003.

**Sheriff**  
 Civil/Enforcement Office  
 Regional Municipality of York  
 Telephone (905) 853-4809  
 For Information Contact Kelly Gillis  
 at Ext. 6211  
 Sheriff's File No. 02-2899

(4346) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice, Brampton, Ontario dated November 1, 2002, Court File No. 02-BN-8936SR to me directed, against the real and personal property of ANGELA DE CASTRO also known as ANGELA DECASTRO and MICHAEL DE CASTRO also known as MICHAEL DECASTRO also known as MIKE DE CASTRO, Defendant at the suit of CANADIAN IMPERIAL BANK OF COMMERCE, Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of ANGELA DE CASTRO also known as ANGELA DECASTRO and MICHAEL DE CASTRO also known as MICHAEL DECASTRO also known as MIKE DE CASTRO, Defendant in and to:

Parcel 37-1, Section 65M-2748, Being Lot 37, Plan 65M-2748, in the Town of Aurora, Regional Municipality of York, Land Titles Office for the Land Titles Division of York (No. 65) and Municipally known as 143 Corner Ridge Road, Aurora, Ontario L4G 6L4.

All of which said right, title, interest and equity of redemption of ANGELA DE CASTRO also known as ANGELA DECASTRO and MICHAEL DE CASTRO also known as MICHAEL DECASTRO also known as MIKE DE CASTRO, Defendant, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at The Court House in Room 2025, 50 Eagle Street West, Newmarket, Ontario on Wednesday, July 23, 2003 at 1:00 o'clock in the afternoon.

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser.

**TERMS:** Deposit 10% of bid price or \$1,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at The Court House, Civil/Enforcement Office, 50 Eagle Street West, Newmarket, Ontario L3Y 6B1. All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Other conditions as announced

Subject to cancellation by the Sheriff up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 9th day of June, 2003.

**Sheriff**  
 Civil/Enforcement Office  
 Regional Municipality of York  
 Telephone (905) 853-4809  
 For Information Contact Kelly Gillis  
 at Ext. 6211  
 Sheriff's File No. 02-2890

(4347) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of the Ontario Superior Court of Justice at Whitby dated the 29th of May 2003, Court File Number 93271/98 to me directed, against the real and personal property of EDWARD CAMMACK, Plaintiff/Defendant by Counterclaim, at the suit of The Estate of Elizabeth Martins by its Estate Trustee, David Hill, Defendant/Plaintiff by Counterclaim, the Enforcement Office of the Superior Court of Justice located at 605 Rossland Road East, Whitby, Ontario has seized and taken in execution all the right, title, interest and equity of redemption of EDWARD CAMMACK, Plaintiff/Defendant by Counterclaim in, and to:

Part of Lot 6, Concession 4, in the Township of Uxbridge, Regional Municipality of Durham and municipally known as 450 Webb Road, Uxbridge, Ontario L9P 1R4.

All of which said right, title, interest and equity of redemption of EDWARD CAMMACK, Plaintiff/Defendant by Counterclaim in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at the Superior Court of Justice, 605 Rossland Road East, Whitby, Ontario L1N 9G7 on Wednesday, July 23, 2003 at 2:30 p.m.

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$1,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at 605 Rossland Road East, Whitby, Ontario L1N 9G7.  
 All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price  
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 11th day of June, 2003.

Andrew McNabb  
 Court Enforcement Officer  
 605 Rossland Rd East  
 Whitby, Ontario L1N 9G7

(4348) 25

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of Superior Court of Justice at 161 Elgin St., Ottawa dated April 18, 2002, Sheriff's file #02-556 & 02-555, to me directed, against the real and personal property of ROBERT PIAMONTE & MARIE PIAMONTE Debtors, at the suit of BANK OF MONTREAL, Creditor, I have seized and taken in execution all the right, title, interest and equity of redemption of ROBERT PIAMONTE & MARIE PIAMONTE debtors, in and to:

Parcel 6-1, Section 4M-108 Lot 6 Plan 4M-108 known municipally as 2985 McCarthy Road, Ottawa, Ontario.

All of which said right, title, interest and equity of redemption of ROBERT PIAMONTE & MARIE PIAMONTE debtors, in the said lands and tenements described above, I shall offer for sale by Public Auction subject to the conditions set out below at, Sheriff's Office 2nd flr 161 Elgin St. Ottawa, on Thursday, July 24, 2003 at 10:00 a.m.

**CONDITIONS:**

The purchaser to assume responsibility for all mortgages, charges, liens, outstanding taxes, and other encumbrances. No representation is made regarding the title of the land or any other matter relating to the interest to be sold. Responsibility for ascertaining these matters rests with the potential purchaser(s).

**TERMS:** Deposit 10% of bid price or \$1,000.00, whichever is greater  
 - Payable at time of sale by successful bidder  
 - To be applied to purchase price  
 - Non-refundable  
 Ten business days from date of sale to arrange financing and pay balance in full at Sheriff's Office 2nd flr 161 Elgin St. Ottawa, Ontario.  
 All payments in cash or by certified cheque made payable to the Minister of Finance.  
 Deed Poll provided by Sheriff only upon satisfactory payment in full of purchase price  
 Other conditions as announced

This sale is subject to cancellation by the Sheriff without further notice up to the time of sale.

**NOTE:** No employee of the Ministry of the Attorney General may purchase any goods or chattels, lands or tenements exposed for sale by a Sheriff under legal process, either directly or indirectly.

Dated this 28th day of May, 2003.

(4349) 25  
 Genevieve Blais  
 Sheriff - City of Ottawa  
 161 Elgin St., Ottawa

**Sales of Lands for Tax Arrears  
 by Public Tender  
 Ventes de terrains par appel d'offres  
 pour arriéré d'impôt**

*Municipal Act, 2001*

SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE MUNICIPALITY OF  
 FRENCH RIVER**

TAKE NOTICE that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on Wednesday July 16, 2003, at The Corporation of the Municipality of French River, P.O. Box 156, 17 Dollard Street, Noelville, Ontario P0M 2N0.

The tenders will then be opened in public on the same day at The Alban Community Centre, Highway 64, Alban, Ontario, during the regular Council Meeting at 7:00 p.m.

Description of Land(s): Parcel 47326 Sudbury East Section, Part of Lot 1, Concession 1, Part 1, Plan 53R-10760, Township of Haddo. Now, Municipality of French River District of Sudbury.  
 Minimum Tender Amount: \$28,422.08  
 (Set out the cancellation price as of the first day of advertising)

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to the municipality or board and representing at least 20 per cent of the tender amount.

Except as follows, the municipality or board makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

If this sale is subject to Goods and Services Tax (G.S.T.) then such G.S.T. shall be in addition to and not included in the tender amount (purchase price), and G.S.T. shall be collected and remitted in accordance with applicable legislation.

This sale is governed by the *Municipal Act, 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus the accumulated taxes and the relevant land transfer tax.

The municipality has no obligation to provide vacant possession to the successful purchaser.

For further information regarding this sale and a copy of the prescribed form of tender, contact:

**Michel Monette,**  
Treasurer  
The Corporation of the Municipality  
of French River  
P.O. Box 156  
17 Dollard Street  
Noelville, Ontario P0M 2N0  
Telephone #: (705) 898-2294

(4351) 25

*Municipal Act, 2001*

**SALE OF LAND BY PUBLIC TENDER**

**THE CORPORATION OF THE MUNICIPALITY OF  
BLUEWATER**

TAKE NOTICE that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on July 21, 2003, at the Municipal Office, 14 Mill Street, Box 250, Zurich, Ontario N0M 2T0.

The tenders will then be opened in public on the same day at the Municipal Office, 14 Mill Street, Box 250, Zurich, Ontario N0M 2T0.

Description of Land(s): Roll No. 40 09 003 300 04000, PIN 41454-0047(LT), Part of Lot 22, Lake Road West Concession in the geographic Township of Hay, now in the Municipality of Bluewater, County of Huron (No. 22). As in Instrument No. 264621, File No. HNHY99-03.

Minimum Tender Amount: \$8,696.55  
(Set out the cancellation price  
as of the first day of advertising)

Description of Land(s): 120 King St., Hensall, Roll No. 40 20 110 001 13700, PIN 41225-0179(LT), Part of Lots 7, 8 and 54, Plan 262 in the geographic Village of Hensall, now in the Municipality of Bluewater, County of Huron (No. 22) designated as Parts 1 & 2 22R405. File No. HNBW01-01.

Minimum Tender Amount: \$32,046.64  
(Set out the cancellation price  
as of the first day of advertising)

Description of Land(s): Roll No. 40 20 090 029 00158, PIN 41229-0115(LT), Lot 27, Plan 534 in the geographic Township of Hay, now in the Municipality of Bluewater, County of Huron (No. 22). File No. HNBW01-17.

Minimum Tender Amount: \$4,461.65  
(Set out the cancellation price  
as of the first day of advertising)

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to the municipality (or board) and representing at least 20 per cent of the tender amount.

The municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Act 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus the accumulated taxes and the relevant land transfer tax.

The municipality has no obligation to provide vacant possession to the successful purchaser.

For further information regarding this sale and a copy of the prescribed form of tender, contact:

**Ms. Terri Brandon**  
Manager of Finance  
The Corporation of the Municipality  
of Bluewater  
14 Mill Street  
Box 250  
Zurich, Ontario N0M 2T0  
(519) 236-4351 Ext. 230

(4352) 25

*Municipal Act, 2001*

**SALE OF LAND BY PUBLIC TENDER**

**THE CORPORATION OF THE TOWN OF LASALLE**

TAKE NOTICE that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on July 28, 2003 at 5950 Malden Road, LaSalle Ontario.

The tenders will then be opened in public on the same day at 4 p.m. at 5950 Malden Rd, LaSalle Ontario.

**ALL TENDERS MUST BE SUBMITTED ON THE REQUIRED TENDER TO PURCHASE FORM 7.**

Description of Land(s): Pitkin Ave. W/S, Plan 780, Lots 74 & 76, 60' frontage, 100' depth, Zoned Agriculture, Official Plan Designation, Agricultural.

Minimum Tender Amount: \$1,221.03  
(Set out the cancellation price  
as of the first day of advertising)

Description of Land(s): Pitkin Ave. N/S, Plan 780, Lot 131, 30' frontage, 100' depth, Zoned Agriculture, Official Plan Designation, Agricultural.

Minimum Tender Amount: \$925.43  
(Set out the cancellation price  
as of the first day of advertising)

Description of Land(s): Pitkin Ave. S/S, Plan 780, Lots 185, 186, 80' frontage, 100' depth, Zoned Agriculture, Official Plan Designation, Agricultural.

Minimum Tender Amount: \$1,221.08  
(Set out the cancellation price  
as of the first day of advertising)

Description of Land(s): Lafferty N/S, Plan 783, Lot 841, 33.75' frontage, irregular depth, Zoned Residential 1, Holding, Official Plan Designation, Residential.

Minimum Tender Amount: \$1,106.37  
(Set out the cancellation price  
as of the first day of advertising)

Description of Land(s): Kingsley (5935) Plan 801, Lots 59-60, 60' frontage, 103.95' depth, Zoned Residential 1, Holding, Official Plan Designation, Residential. Maintenance agreement in effect on this property until December 4, 2004.

Minimum Tender Amount: \$9,440.89  
(Set out the cancellation price  
as of the first day of advertising)

Description of Land(s): Washington S/S, Plan 963, Lots 82, 83, 60' frontage, 110' depth, Zoned Natural Environment, Official Plan Designation, Natural Environment (Woodlot).  
Minimum Tender Amount: \$1,363.21  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Washington S/S, Plan 983, Lot 114, 30' frontage, 110' depth, Zoned Natural Environment, Official Plan Designation, Natural Environment (Woodlot).  
Minimum Tender Amount: \$994.21  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Washington N/S, Plan 963, Lots 214, 215, 60' frontage, 115' depth, Zoned Natural Environment, Official Plan Designation, Natural Environment (Woodlot).  
Minimum Tender Amount: \$1,263.76  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Westview S/S, Plan 963, Lot 487, 30' frontage, 110' depth, Zoned Agriculture, Official Plan Designation, Residential.  
Minimum Tender Amount: \$1,055.19  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Westview N/S, Plan 963, Lots 628, 629, 630, 90' frontage, 103' depth, Zoned Natural Environment, Official Plan Designation, Natural Environment (Woodlot).  
Minimum Tender Amount: \$1,652.68  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Westview N/S, Plan 963, Lot 649, 30' frontage, 103' depth, Zoned Natural Environment, Official Plan Designation, Natural Environment (Woodlot).  
Minimum Tender Amount: \$1,013.33  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Normandy N/S, Plan 1007, Lot 409, 30' frontage, 104' depth, Zoned Residential 1-2, Holding Official Plan Designation Residential.  
Minimum Tender Amount: \$1,633.25  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Miami W/S, Plan 1010, Lot 122, 40' frontage, 100' depth, Zoned Agriculture, Official Plan Designation, Agricultural.  
Minimum Tender Amount: \$1,052.32  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Cypress E/S, Plan 1010, Lot 186, 40' frontage, 100' depth, Zoned Agriculture, Official Plan Designation, Agricultural.  
Minimum Tender Amount: \$629.86  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Cypress E/S, Plan 1010, Lot 189, 40' frontage, 100' depth, Zoned Agriculture, Official Plan Designation, Agricultural.  
Minimum Tender Amount: \$623.86  
(Set out the cancellation price as of the first day of advertising)

Description of Land(s): Brooklyn N/S, Plan 1279, Lot 136, 35' frontage, 102' depth, Zoned Residential 1, Holding Official Plan Designation, Residential.  
Minimum Tender Amount: \$1,238.68  
(Set out the cancellation price as of the first day of advertising)

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to the municipality and representing at least 20 per cent of the tender amount.

The municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the *Municipal Act 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus the accumulated taxes and the relevant land transfer tax.

The municipality has no obligation to provide vacant possession to the successful purchaser.

For further information regarding this sale contact:

Nancy Skinner  
Tax Collector  
Town of LaSalle  
5950 Malden Road  
La Salle, ON N9H 1S4

(4353) 25

# Publications under the Regulations Act

## Publications en vertu de la Loi sur les règlements

2003—06—21

### ONTARIO REGULATION 230/03

made under the

### LIQUOR LICENCE ACT

Made: April 24, 2003

Filed: June 3, 2003

Amending Reg. 719 of R.R.O. 1990  
(Licences to Sell Liquor)

Note: Regulation 719 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 18, 2003.

**1. The definition of “stadium” in section 1 of Regulation 719 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

“stadium” means a premises whose seating is in fixed tiers and in which live sporting and entertainment events take place before an audience;

**2. Section 2 of the Regulation is revoked.**

**3. Section 7 of the Regulation is revoked.**

**4. Subsection 7.1 (1) of the Regulation is amended by striking out “In the absence of receiving submissions to the contrary” and substituting “In the absence of evidence to the contrary”.**

**5. Subsection 8 (2) of the Regulation is amended by adding the following paragraph:**

7. A stadium endorsement authorizing the sale and service of liquor in the tiered seats of a stadium during live sporting and entertainment events approved by the Registrar of Alcohol and Gaming.

**6. Section 9 of the Regulation is amended by striking out “14.1” and substituting “14”.**

**7. Section 11 of the Regulation is amended by adding “Except in a stadium” at the beginning.**

**8. Sections 11.1, 11.2, 11.3 and 11.4 of the Regulation are revoked.**

**9. Section 12 of the Regulation is revoked and the following substituted:**

**12.** (1) The maximum capacity of premises to which the *Building Code Act, 1992* applies is the maximum capacity determined under that Act.

(2) The maximum capacity of premises to which the *Building Code Act, 1992* does not apply is the maximum capacity determined under the *Fire Protection and Prevention Act, 1997* if that Act applies to the premises.

(3) The maximum capacity of premises to which neither the *Building Code Act, 1992* nor the *Fire Protection and Prevention Act, 1997* applies is determined by allowing 1.11 square metres per person.

(4) Subsections (1), (2) and (3) do not apply to railway cars, boats and the playing area of a golf course.

**10. Section 14.1 of the Regulation is revoked.**

**11. Section 15 of the Regulation is revoked and the following substituted:**

**15.** (1) Except as provided in subsection (2), the holder of a licence to sell liquor shall not contract out the sale and service of liquor.

(2) The Registrar shall authorize a licence holder to contract out the sale and service of liquor to a person who is applying to receive the transfer of the licence holder’s licence if,

(a) the applicant has filed with the Registrar of Alcohol and Gaming an application for transfer and paid the required fee; and

(b) the licence holder has signed an authorization for the applicant to operate the business and has filed it with the Registrar.

(3) The licence holder shall remain liable under the licence during the period for which the sale and service of liquor has been contracted out and the authorization shall state that the licence holder is so liable for that period.

(4) An authorization expires,

(a) on the issuance of the transfer of the licence; or

(b) on the issuance of a notice of proposal to refuse the transfer.

**12. Section 17 of the Regulation is revoked and the following substituted:**

17. (1) The holder of a licence to sell liquor shall not supply liquor to a person except in accordance with the conditions of the liquor sales licence.

(2) The licence holder shall ensure that liquor is offered for sale, sold and served only under the supervision of an employee authorized by the licence holder for the purpose.

(3) The licence holder shall ensure that no liquor is sold or served from a vending machine.

**13. The Regulation is amended by adding the following sections:**

18.1 The holder of a licence to sell liquor shall not require a person to purchase a minimum number of drinks in order to gain entry to, or remain on, the premises to which the licence applies.

18.2 (1) The holder of a licence to sell liquor shall not permit contests on the premises to which the licence applies which involve the purchase or consumption of liquor.

(2) The licence holder shall not permit contests which require a patron to remain on the premises in order to receive a prize.

(3) Except as permitted in subsection 33 (2), the licence holder shall not permit free liquor to be offered or given to a patron as a prize in a contest.

**14. (1) Subsection 20 (2) of the Regulation is amended by adding the following clause:**

(e) permit persons employed on the licensed premises to purchase servings of liquor for patrons or offer servings of liquor to patrons free of charge.

**(2) Subsection 20 (7) of the Regulation is revoked and the following substituted:**

(7) The holder of a licence to sell liquor that applies to premises in which the Ontario Lottery and Gaming Corporation conducts and manages a lottery scheme is exempt from clause (2) (a) with respect to any part of the premises to which public access is restricted and which are approved by the Registrar of Alcohol and Gaming.

**15. Section 20.1 of the Regulation is amended by adding the following subsection:**

(4) If there is a temporary increase in the price of liquor or of a drink containing liquor, the licence holder shall post notices specifying the increase and when it takes effect in locations visible to persons on the premises.

**16. (1) Clauses 23 (3) (c) and (c.1) of the Regulation are revoked and the following substituted:**

(c) a lottery scheme conducted and managed by the Ontario Lottery and Gaming Corporation;

**(2) Subsection 23 (4) of the Regulation is revoked and the following substituted:**

(4) In clause (3) (b),

“municipality” includes an upper-tier municipality.

**17. Section 24 of the Regulation is revoked.**

**18. Subsection 26 (3) of the Regulation is revoked and the following substituted:**

(3) In subsection (2),

“municipality” includes an upper-tier municipality.

**19. Subsection 30 (1) of the Regulation is revoked.**

**20. Clause 31 (1) (a) of the Regulation is revoked.**

**21. Subsection 32 (1) of the Regulation is revoked and the following substituted:**

(1) A licence holder who offers spirits, beer or wine for sale shall keep in stock and offer for sale a variety of liquor products of a variety of manufacturers.

**22. Sections 37, 39 and 40 of the Regulation are revoked.**

**23. (1) Paragraph 5 of subsection 41 (5) of the Regulation is revoked.**

**(2) Subsection 41 (6) of the Regulation is revoked.**

**24. Clause 44 (1) (b) of the Regulation is amended by striking out “licensed”.**

**25. Subsection 45 (1) of the Regulation is amended by adding “unlawful gambling” after “drunkenness”.**

**26. Section 47 of the Regulation is revoked and the following substituted:**

47. (1) Liquor belonging to the licence holder must be stored adjacent to the premises for which the licence is issued.

(2) Despite subsection (1), liquor may be stored in a convenient location near the premises if the premises is a railway car or a boat or if it is not practical to store the liquor adjacent to the premises.

(3) The licence holder shall notify the Registrar of Alcohol and Gaming of the location of any liquor stored away from the premises pursuant to subsection (2).

**27. Sections 53 of the Regulation is revoked and the following substituted:**

53. The licence holder shall make available to, or shall post in locations visible to, persons on the premises lists describing,

- (a) the varieties of liquor available for sale;
- (b) the amount of liquor in each type of drink offered for sale;
- (c) the varieties of non-alcoholic beverages available for sale; and
- (d) the purchase price of the liquor and the non-alcoholic beverages.

**28. Section 54 of the Regulation is revoked and the following substituted:**

54. (1) The licence holder shall retain for one year,

- (a) records of the purchases of liquor offered for sale in the premises to which the licence applies; and
  - (b) records of the sales of liquor in the premises to which the licence applies.
- (2) The records must include purchase invoices.

**29. Section 68 of the Regulation is amended by striking out “69” and substituting “70”.**

**30. Section 69 of the Regulation is revoked.**

**31. Clause 70 (1) (a) of the Regulation is revoked.**

**32. Section 75 of the Regulation is revoked and the following substituted:**

75. The licence holder shall retain records of mini bar sales for one year.

**33. Sections 76, 76.1, 77 and 78 of the Regulation are revoked and the following substituted:**

76. (1) No stadium endorsement shall be issued with respect to a stadium unless the council of the municipality in which the stadium is located has passed a resolution approving the issuance of a stadium endorsement.

(2) Despite subsection (1), a person who holds a liquor sales licence with respect to a stadium where the sale and service of liquor to patrons in the tiered seats is authorized on the day this section comes into force is not required to obtain a resolution under subsection (1).

(3) Subsection (1) does not apply to premises located at Molson Amphitheatre at Ontario Place, Toronto and Kingswood Music Theatre at Paramount Canada’s Wonderland, 9580 Jane Street, Vaughan.

(4) The Registrar of Alcohol and Gaming is exempt from subsection 7 (1) of the Act in respect of an application for a stadium.

76.1 Holders of liquor sales licences with a stadium endorsement are exempt from subsection 20.1 (4), section 23, subsection 32 (2) and section 53.

77. Each licence holder shall ensure that the conditions of the licence that are set out in subsection 79 (4) and sections 80, 81, 83, 85 and 86 respecting stadiums are met.

78. A stadium endorsement shall be issued only with respect to a stadium that is primarily used for live entertainment events or live professional sporting events.

**34. Subsections 79 (1) and (3) of the Regulation are revoked.**

**35. Sections 80, 80.1 and 81 of the Regulation are revoked and the following substituted:**

**80.** (1) The holder of a liquor sales licence with a stadium endorsement may sell and serve liquor for consumption by patrons in the seating area, including the tiered seats, only,

- (a) during a live sporting event approved by the Registrar of Alcohol and Gaming held at the stadium and during the 90-minute period immediately prior to the event; or
- (b) during a live entertainment event approved by the Registrar of Alcohol and Gaming held at the stadium and during the 90-minute period immediately prior to the event.

(2) The Registrar of Alcohol and Gaming shall not approve a live sporting event for the purposes of clause (1) (a) if the majority of the participants in the event or the patrons in the stadium at the event are under the age of 19 years.

(3) Despite subsection (2), the Registrar of Alcohol and Gaming may approve an Ontario Hockey League event or a United States Hockey League event even if the majority of the participants in the event are under the age of 19 years.

(4) The Registrar of Alcohol and Gaming shall not approve a live entertainment event for the purposes of clause (1) (b) unless,

- (a) the lighting for the tiered seating of the stadium during the event is sufficient to conduct inspections under the Act and this Regulation; and
- (b) the majority of the patrons at the event are at least 19 years of age or older.

(5) Where the Registrar of Alcohol and Gaming has approved a live entertainment event under subsection (4), the licence holder shall ensure there is compliance with the requirements set out in clauses (4) (a) and (b).

**81.** (1) Premises located at The Coliseum, Exhibition Place, Toronto are exempt from section 11 with respect to the event known as The Royal Agricultural Winter Fair on condition that the sale and service of liquor is conducted under a caterer's endorsement.

(2) Subsection 79 (4) and sections 83, 85 and 86 apply to the sale and service of liquor to patrons in the tiered seats of The Coliseum during the Royal Agricultural Winter Fair as if The Coliseum were a stadium.

**36. Sections 88, 89, 90, 92 and 92.1 of the Regulation are revoked.**

**37. Section 96 of the Regulation is amended by striking out "or" at the end of clause (d), by adding "or" at the end of clause (e) and by adding the following clause:**

- (f) when executors or administrators of the estate of a deceased licence holder take possession of the premises to which the licence applies.

**38. Sections 98, 98.1, 98.2, 98.2.1, 98.2.2, 98.2.3, 98.2.4, 98.2.5 and 98.2.6 of the Regulation are revoked.****39. Section 100.1 of the Regulation is revoked and the following substituted:**

**100.1** Any golfer who obtained liquor at any licensed area of a golf course is exempt from subsection 32 (1) of the Act while driving or having the care or control of a golf cart on the playing area of the golf course.

**40. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.**

**(2) Sections 3, 11 and 19 come into force on August 1, 2003.**

25/03

**ONTARIO REGULATION 231/03**

made under the

**HEALTH PROTECTION AND PROMOTION ACT**

Made: June 4, 2003

Filed: June 5, 2003

Amending O. Reg. 199/03  
(Control of West Nile Virus)

Note: Ontario Regulation 199/03 has not previously been amended.

**1. Section 1 of Ontario Regulation 199/03 is revoked and the following substituted:**

**Determination if action required**

1. A medical officer of health shall make a determination whether action is required by a municipality to decrease the risk of West Nile Virus to persons either inside or outside the health unit served by the medical officer of health, based upon a local risk assessment in accordance with the document entitled *West Nile Virus Preparedness and Prevention Plan for Ontario*, published by and available from the Ministry of Health and Long-Term Care, and as revised on May 27, 2003.

25/03

**ONTARIO REGULATION 232/03**

made under the

**CORPORATIONS TAX ACT**

Made: June 4, 2003

Filed: June 6, 2003

Amending Reg. 183 of R.R.O. 1990  
(General)

Note: Regulation 183 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 18, 2003.

**1. Section 401 of Regulation 183 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:**

42. Canada Post Corporation, for taxation years ending after December 31, 2002.

**2. (1) Subsection 703 (2) of the Regulation is amended by adding the following paragraph:**

6.1 Associates Capital Corporation of Canada,

- i. for the purposes of third party investors, for taxation years ending after December 31, 2001, and
- ii. for the purposes of the Corporation and related corporations, for taxation years ending after December 31, 1997.

**(2) Paragraphs 7, 8, 9 and 10 of subsection 703 (2) of the Regulation are revoked and the following substituted:**

- 7. Associates Financial Services of Canada Ltd., for taxation years ending after March 1, 1998 and before May 1, 2001.
- 8. Associates Mortgage Corporation, for taxation years ending after March 1, 1998 and before May 1, 2001.
- 8.1 Citibank Canada Investment Funds Limited,
  - i. for the purposes of third party investors, for taxation years ending after December 31, 2000, and
  - ii. for the purposes of the Corporation and related corporations, for taxation years ending after December 31, 1999.
- 8.2 CitiCapital Commercial Corporation, for taxation years ending after December 31, 1999.
- 8.3 CitiFinancial Canada, Inc., for taxation years ending after May 31, 1999.
- 8.4 CitiFinancial Services of Canada Ltd., for taxation years ending after April 30, 2001.
- 8.5 CitiFinancial Mortgage Corporation, for taxation years ending after April 30, 2001.
- 8.6 Commercial Credit Corporation CCC Limited, for taxation years ending after December 31, 1997 and before June 1, 1999.
- 9. GE Capital Canada Limited, for taxation years ending before August 2, 2000.
- 10. GE Capital Canada Retailer Financial Services Company, for taxation years ending before August 2, 2000.
- 10.1 GE Card Services Canada Inc., for taxation years ending after August 1, 2000.

**(3) Subsection 703 (2) of the Regulation is amended by adding the following paragraphs:**

- 12.1 Trans Canada Retail Services Company, for taxation years ending after January 14, 2002.
- 12.2 National Retail Credit Services Company, for taxation years ending after December 31, 1998 and before January 15, 2002.

12.3 Northwest Financial Canada Company, for taxation years ending after December 31, 1998 and before September 7, 2001.

**(4) Paragraphs 20, 25 and 26 of subsection 703 (2) of the Regulation are revoked.**

**(5) Subsection 703 (2) of the Regulation is amended by adding the following paragraphs:**

29. State Farm Finance Corporation of Canada, for taxation years ending after December 31, 2001.
30. Wells Fargo Financial Canada Corporation, for taxation years ending after September 6, 2001.
31. Every corporation that is a financial institution for the purposes of Part I.3 of the *Income Tax Act* (Canada) by virtue of paragraph (g) of the definition of “financial institution” in subsection 181 (1) of that Act, other than,
  - i. a corporation described in paragraph 1 to 30,
  - ii. a corporation that has notified the Minister in writing that the corporation does not wish to be prescribed for the purposes of Part III of the *Corporations Tax Act*, or
  - iii. a corporation that is a financial institution for the purposes of Part I.3 of the *Income Tax Act* (Canada), as of a date before December 21, 2002.

**3. (1) Section 906 of the Regulation is amended by adding the following subsection:**

(2.1) For the purposes of this section,

“qualifying predecessor corporation” has the meaning assigned by subsection 43.11 (15) of the Act.

**(2) Paragraphs 2, 3, 5 and 6 of subsection 906 (4) of the Regulation are revoked and the following substituted:**

2. All or substantially all of the product was developed in Ontario by the qualifying corporation or by the qualifying corporation and a qualifying predecessor corporation.
3. The product was developed for commercial exploitation by the qualifying corporation or by the qualifying corporation and a qualifying predecessor corporation.
5. The product is not used primarily to present or promote the qualifying corporation or a qualifying predecessor corporation.
6. The product is not used primarily to present, promote or sell the products or services of the qualifying corporation or of a qualifying predecessor corporation.

**(3) Subsection 906 (5) of the Regulation is revoked and the following substituted:**

(5) For the purposes of the definition of “Ontario labour expenditure” in subsection 43.11 (15) of the Act, the amount of the Ontario labour expenditure of the qualifying corporation or of the qualifying predecessor corporation, as the case may be, incurred in a taxation year with respect to an eligible product is the sum of,

- (a) the qualifying wage amount described in subsection (6) of the qualifying corporation or qualifying predecessor corporation for the taxation year with respect to the eligible product; and
- (b) 50 per cent of the qualifying remuneration amount as described in subsection (7) of the qualifying corporation or qualifying predecessor corporation for the taxation year with respect to the eligible product.

**(4) Subsection 906 (6) of the Regulation is revoked and the following substituted:**

(6) Subject to subsection (8), the qualifying wage amount of the qualifying corporation or qualifying predecessor corporation for a taxation year with respect to the eligible product is the amount incurred during the taxation year and after June 30, 1998 on account of salaries or wages of its employees.

**(5) Subsection 906 (7) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:**

(7) Subject to subsection (8), the qualifying remuneration amount of the qualifying corporation or qualifying predecessor corporation for a taxation year with respect to the eligible product is the amount incurred during the taxation year and after May 4, 1999 by the qualifying corporation or qualifying predecessor corporation on account of remuneration, which is paid to any of the following persons or entities in the circumstances that are described:

**(6) Paragraph 1 of subsection 906 (7) of the Regulation is revoked and the following substituted:**

1. An individual who is not an employee of the qualifying corporation or qualifying predecessor corporation, as the case may be, and who deals at arm’s length with that corporation, if the expenditure is attributable to services personally rendered by the individual.

**(7) Subparagraph 3 ii of subsection 906 (7) of the Regulation is revoked and the following substituted:**

- ii. if the individual deals at arm's length with the qualifying corporation or qualifying predecessor corporation, as the case may be, and

**(8) Paragraph 4 of subsection 906 (7) of the Regulation is amended by inserting "or qualifying predecessor corporation" after "qualifying corporation".****(9) Subsection 906 (8) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:**

(8) An expenditure is not to be included in the qualifying wage amount or qualifying remuneration amount of the qualifying corporation or qualifying predecessor corporation, as the case may be, for a taxation year with respect to the eligible product unless it meets all of the following conditions:

**(10) Paragraphs 5, 6 and 7 of subsection 906 (8) of the Regulation are revoked and the following substituted:**

5. In the case of the qualifying wage amount, the expenditure is paid to an employee of the qualifying corporation or qualifying predecessor corporation, as the case may be, who reported to a permanent establishment of that corporation in Ontario at which the eligible product was being developed.
6. In the case of the qualifying remuneration amount, the expenditure is paid for services rendered at a permanent establishment in Ontario of the qualifying corporation, of a qualifying predecessor corporation or of a person or entity described in one of the paragraphs of subsection (7).
7. The expenditure is not an amount,
  - i. for which the qualifying corporation or qualifying predecessor corporation makes a claim under section 43.5, 43.8 or 43.10 of the Act, or
  - ii. incurred by the qualifying corporation or a qualifying predecessor corporation in carrying out activities that constitute scientific research and experimental development for the purposes of paragraph 37 (1) (a) of the *Income Tax Act* (Canada) or subparagraph 37 (1) (b) (i) of that Act.

**(11) Subsections 906 (8.1) and (9) of the Regulation are revoked and the following substituted:**

(8.1) If an expenditure is not included in the qualifying wage amount or qualifying remuneration amount of the qualifying corporation or qualifying predecessor corporation, as the case may be, for a taxation year because of paragraph 3 of subsection (8), the expenditure may be included in the qualifying wage amount or qualifying remuneration amount for a subsequent taxation year if the expenditure is paid no later than 60 days after the end of that subsequent taxation year.

(9) For the purposes of paragraph 5 of subsection (7), an eligible partnership is a partnership carrying on business in Canada whose members are all individuals. However, a partnership is not an eligible partnership in relation to a qualifying corporation or in relation to a qualifying predecessor corporation, as the case may be, if more than 50 per cent of the income of the partnership is allocable (or would be allocable if it had income) to one or more members,

- (a) who directly or indirectly control the qualifying corporation or qualifying predecessor corporation; or
- (b) who are related to one or more persons who directly or indirectly control the qualifying corporation or qualifying predecessor corporation.

**(12) Subsection 906 (10) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:**

(10) For the purposes of the definition of "marketing and distribution expenditure" in subsection 43.11 (15) of the Act and subject to subsection (11), the marketing and distribution expenditure incurred by a qualifying corporation or qualifying predecessor corporation in respect of an eligible product is the amount of any expenditure incurred by the qualifying corporation or qualifying predecessor corporation in the taxation year that meets all of the following conditions:

**(13) Paragraphs 4 and 6 of subsection 906 (10) of the Regulation are revoked and the following substituted:**

4. The expenditure is not an amount,
  - i. for which the qualifying corporation or qualifying predecessor corporation, as the case may be, makes a claim under section 43.5, 43.8 or 43.10 of the Act, or
  - ii. incurred by the qualifying corporation or qualifying predecessor corporation in carrying out activities that constitute scientific research and experimental development for the purposes of paragraph 37 (1) (a) of the *Income Tax Act* (Canada) or subparagraph 37 (1) (b) (i) of that Act.

6. If the expenditure relates to an amount paid or payable for meals or entertainment, only 50 per cent of the amount is included in the marketing and distribution expenditure incurred by the qualifying corporation or qualifying predecessor corporation, as the case may be, in a taxation year.

**(14) Subsection 906 (11) of the Regulation is amended by striking out “by a qualifying corporation” and substituting “by the qualifying corporation or qualifying predecessor corporation, as the case may be.”.**

**4. (1) Subject to subsections (2) to (5), this Regulation comes into force on the day it is filed.**

**(2) Section 2 shall be deemed to have come into force on December 21, 2002.**

**(3) Subsections 3 (1) to (4) and (9) to (11) shall be deemed to have come into force on July 1, 1998.**

**(4) Subsections 3 (5) to (8) shall be deemed to have come into force on May 5, 1999.**

**(5) Subsections 3 (12) to (14) shall be deemed to have come into force on May 3, 2000.**

25/03

## ONTARIO REGULATION 233/03

made under the

### REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001

Made: June 4, 2003

Filed: June 6, 2003

#### PAYMENTS OUT OF SPECIAL PURPOSE ACCOUNTS

##### GENERAL

##### Definitions

1. In this Regulation,

“adjudicator” means a person appointed by the Lieutenant Governor in Council under section 3; (“arbitre”)

“direct victim” means a person who suffered pecuniary or non-pecuniary losses, including losses recoverable under Part V of the *Family Law Act*, as a result of unlawful activity; (“victime directe”)

“final day for filing” means the date named in a notice published under section 4 or 12 on or before which all claims for the compensation pursuant to the notice must be filed; (“échéance de production”)

“special purpose account” means an account established under section 6, 11 or 15 of the Act. (“compte spécial”)

##### Priority of payments from special purpose accounts

2. (1) Money shall be paid out of a special purpose account established under section 6 or 11 of the Act as follows:

1. First, to compensate direct victims of the unlawful activity, in accordance with sections 3 to 10.
2. If any money remains after payment under paragraph 1, or if no money is paid under paragraph 1, then to compensate the Crown in right of Ontario, in accordance with section 11.
3. If any money remains after payment under paragraph 2, or if no money is paid under paragraph 2, then to compensate municipal corporations or public bodies of a prescribed class, in accordance with sections 12 to 19.
4. If any money remains after payment under paragraph 3, or if no money is paid under paragraph 3, then to assist victims of unlawful activities or to prevent unlawful activities, in accordance with section 20.

(2) Money shall be paid out of a special purpose account established under section 15 of the Act as follows:

1. First, to compensate the Crown in right of Ontario, in accordance with section 11.
2. If any money remains after payment under paragraph 1, or if no money is paid under paragraph 1, then to compensate municipal corporations or public bodies of a prescribed class, in accordance with sections 12 to 19.
3. If any money remains after payment under paragraph 2, or if no money is paid under paragraph 2, then to assist victims of unlawful activities or to prevent unlawful activities, in accordance with section 20.

(3) Any money deposited to a special purpose account after compensation has been determined or paid under any paragraph of subsection (1) or (2) shall be applied to payments from the account under the subsequent paragraph or paragraphs, but shall not be applied to payments or be considered in determining or altering compensation under the paragraph or paragraphs under which compensation has already been determined or paid. For example, if money is deposited to a special purpose account after compensation has been determined under paragraph 1 of subsection (1), the deposited money shall be applied to payments from the account under paragraph 2, 3 or 4 of subsection (1) but shall not be considered or applied to compensation under paragraph 1 of subsection (1).

COMPENSATION TO DIRECT VICTIMS OF UNLAWFUL ACTIVITY  
(PARAGRAPH 1 OF SUBSECTION 6 (3) OF THE ACT,  
PARAGRAPH 1 OF SUBSECTION 11 (3) OF THE ACT)

**Adjudicator**

**3.** (1) The Lieutenant Governor in Council may appoint one or more persons to act as adjudicator of the claims made by direct victim claimants under this Regulation.

(2) An adjudicator shall receive remuneration and expenses as determined by the Lieutenant Governor in Council.

(3) The Attorney General may assign one or more employees of the Ministry of the Attorney General to assist an adjudicator in carrying out his or her duties under this Regulation.

**Notice**

**4.** (1) Within one year after the first deposit of money into a special purpose account, the Attorney General shall give notice in accordance with this section.

(2) The notice shall be published in *The Ontario Gazette* and may also be published in any other way or ways that, in the opinion of the Attorney General or his or her designate, will bring the right to make a claim for compensation to the attention of direct victims of the unlawful activity to which the special purpose account relates.

(3) The notice shall,

- (a) identify the proceeding under the Act as a result of which the money was deposited into the special purpose account;
- (b) state that any person who suffered pecuniary or non-pecuniary losses as a result of the unlawful activity in relation to which the proceeding was commenced is entitled to make a claim for compensation;
- (c) describe the steps to be taken to make a claim;
- (d) name the final day for filing, which shall not be earlier than six months after the first publication of the notice in *The Ontario Gazette* or later than nine months after that first publication;
- (e) state that a claim that does not comply with this Regulation will be denied;
- (f) give an address and telephone number to which inquiries about potential claims may be directed;
- (g) give an address where claims should be filed;
- (h) include any other information that the Attorney General considers appropriate.

(4) If the Attorney General or his or her designate is of the opinion, having regard to the number of potential direct victim claimants for compensation from a special purpose account and to the amount available for compensation from the account, that the amount of compensation to each direct victim claimant would be too small to justify the administrative costs of adjudicating the claims, the Attorney General or his or her designate, as the case may be, may decide that no compensation will be paid to any direct victim claimant from the special purpose account and, in that case, the Attorney General shall not give notice in accordance with this section.

**Claim**

**5.** (1) A direct victim claimant shall use the claim form provided by the Attorney General.

(2) The claim shall include a description of the claimant's pecuniary losses and documentary evidence of the losses, including receipts and invoices.

(3) If the claim is also for non-pecuniary losses, it shall include a description of the claimant's non-pecuniary losses and documentary evidence of the losses.

(4) The claim shall identify any other sources from which compensation for the losses claimed by the claimant under this section have been paid or are payable to the claimant, and the amount of that compensation.

(5) The claim shall be filed on or before the final day for filing.

(6) The claimant shall revise the information required under subsection (4) as the information changes or as more such information becomes available to the claimant, even after receiving compensation from the special purpose account under section 7 or 8.

**No payments made until all claims are adjudicated**

6. No payments shall be made out of the special purpose account to direct victim claimants until all the claims filed by direct victim claimants in accordance with section 5 have been adjudicated and the amount of compensation to each claimant is determined under section 7 or 8.

**Determination of eligibility and amount of compensation**

7. (1) The adjudicator shall review all the direct victim claims filed on or before the final day for filing and shall determine,

- (a) each direct victim claimant's eligibility for compensation; and
- (b) the amount of compensation to be paid to each eligible direct victim claimant.

(2) A direct victim claimant is eligible for compensation from the special purpose account if the claim is filed in accordance with section 5 and if the adjudicator is satisfied by the claim and by any other information obtained by the adjudicator under section 19 of the Act that,

- (a) the claimant suffered pecuniary or non-pecuniary losses as a result of the unlawful activity;
- (b) the amount of the losses can be quantified; and
- (c) full compensation for the losses has not been paid or is not payable to the claimant from other sources.

(3) In determining whether a direct victim claimant is eligible for compensation and the amount of compensation to be paid to an eligible direct victim claimant, the adjudicator shall have regard to all relevant circumstances, including any behaviour of the claimant that may have directly or indirectly contributed to the claimant's losses or to the unlawful activity.

(4) Even if a direct victim claimant is eligible to receive compensation as determined under subsections (2) and (3), the adjudicator may decline to pay any compensation to the claimant if, in the adjudicator's opinion,

- (a) the amount of the compensation would be too small to justify the administrative costs of paying it; or
- (b) the losses suffered by the claimant are remote from the unlawful activity.

**Amount of compensation where claims exceed balance of account**

8. If the total amount of the compensation that would otherwise be paid to all the eligible direct victim claimants under section 7 exceeds the balance available in the special purpose account, the amount of compensation shall be determined and paid as follows:

1. Compensation for pecuniary losses of direct victim claimants who are individuals shall be determined first.
2. If the total amount that would otherwise be paid to all the eligible individual direct victim claimants for pecuniary losses exceeds the balance available in the special purpose account, the amount that would otherwise be paid to each individual direct victim claimant for pecuniary losses shall be reduced pro-rata in the proportion that the balance of the special purpose account bears to the total amount that would otherwise be paid to all the eligible individual direct victim claimants for pecuniary losses.
3. If, in the adjudicator's opinion, the payment for pecuniary losses to each individual direct victim claimant would be too small to justify the administrative costs of paying them, the adjudicator may decline to pay any compensation under paragraph 1 or 2.
4. If there is any balance available in the special purpose account after compensation for the pecuniary losses is determined under paragraph 1 or 2, compensation for non-pecuniary losses of direct victim claimants who are individuals shall be determined.
5. If the total of the amount that would otherwise be paid to all the eligible individual direct victim claimants for non-pecuniary losses exceeds the balance available in the special purpose account after compensation for the pecuniary losses under paragraph 1 or 2 is paid, the amount that would otherwise be paid to each individual direct victim claimant for non-pecuniary losses shall be reduced pro-rata in the proportion that the balance of the special purpose account bears to the total amount that would otherwise be paid to all the eligible individual direct victim claimants for non-pecuniary losses.
6. If, in the adjudicator's opinion, the payment for non-pecuniary losses to each individual direct victim claimant would be too small to justify the administrative costs of paying them, the adjudicator may decline to pay any compensation under paragraph 4 or 5.
7. If there is any balance available in the special purpose account after compensation for the pecuniary and non-pecuniary losses of individual direct victim claimants is determined under paragraphs 1 to 6, compensation for pecuniary losses of direct victim claimants who are not individuals shall be determined.

8. If, in the adjudicator's opinion, the payment for pecuniary losses to each direct victim claimant who is not an individual would be too small to justify the administrative costs of paying them, the adjudicator may decline to pay any compensation under paragraph 7.

#### Judicial review

9. (1) A decision of the adjudicator under section 7 or 8 is final and not subject to appeal, and shall not be altered or set aside in an application for judicial review or in any other proceeding unless the decision is patently unreasonable.

(2) An application for judicial review from a decision of the adjudicator under section 7 or 8 must be filed within 30 days after being notified of the determination that is subject to review.

#### Payments from other sources

10. (1) The amount that would otherwise be paid to a direct victim claimant under section 7 or 8 shall be reduced by the amount of compensation paid or payable to the claimant from any other source.

(2) If, after receiving a payment under section 7 or 8, a direct victim claimant receives a payment as compensation for some or all of the same losses from another source that was not identified in the claimant's claim or in an amount exceeding the amount identified in the claimant's claim, the claimant shall report the payment to the adjudicator, or if the adjudicator is no longer acting in respect of the special purpose account, to the Attorney General, and shall reimburse the Minister of Finance for the amount of money received from the other source that was also paid to the claimant from the special purpose account.

(3) The Minister of Finance may recover the amount of money received by a claimant from another source as compensation for the same losses for which the claimant received money as compensation from the special purpose account in any court of competent jurisdiction as a debt due to the Crown.

(4) The Minister of Finance shall deposit any reimbursed or recovered money to the special purpose account from which it had been paid.

COMPENSATING THE CROWN FOR EXPENSES  
(PARAGRAPH 3 OF SUBSECTION 6 (3) OF THE ACT,  
PARAGRAPH 3 OF SUBSECTION 11 (3) OF THE ACT,  
PARAGRAPH 2 OF SUBSECTION 15 (3) OF THE ACT)

#### Determination and payment of compensation to the Crown

11. The Attorney General shall determine the amount of compensation to be paid to compensate the Crown in right of Ontario as described in paragraph 3 of subsection 6 (3) or subsection 11 (3) or paragraph 2 of subsection 15 (3) of the Act.

COMPENSATING MUNICIPAL CORPORATIONS AND  
PRESCRIBED CLASSES OF PUBLIC BODIES  
(PARAGRAPH 4 OF SUBSECTION 6 (3) OF THE ACT,  
PARAGRAPH 4 OF SUBSECTION 11 (3) OF THE ACT,  
PARAGRAPH 3 OF SUBSECTION 15 (3) OF THE ACT)

#### Prescribed classes of public bodies

12. The following classes of public bodies are prescribed for the purposes of paragraph 4 of subsection 6 (3) and subsection 11 (3) and paragraph 3 of subsection 15 (3) of the Act:

1. Agencies, boards and commissions of the Government of Ontario.
2. Local boards, within the meaning of the *Municipal Affairs Act*, and agencies of municipal corporations.
3. Colleges and universities.
4. Public hospitals, within the meaning of the *Public Hospitals Act*.

#### Notice

13. (1) Within 30 days after determining that money remains in a special purpose account after determining the amount of compensation payable to the Crown in right of Ontario, the Attorney General shall give notice in accordance with this section.

(2) The notice shall be published in any way or ways that, in the opinion of the Attorney General or his or her designate, will bring the right to make a claim for compensation to the attention of municipal corporations and public bodies of a prescribed class that suffered pecuniary losses as a result of the unlawful activity to which the special purpose account relates and that are expenses incurred in remedying the effects of the unlawful activity.

(3) The notice shall,

- (a) identify the proceeding under the Act as a result of which the money was deposited into the special purpose account;

- (b) state that any municipal corporation or public body of a prescribed class that suffered pecuniary losses as a result of the unlawful activity that are expenses incurred in remedying the effects of the unlawful activity is entitled to make a claim for compensation;
- (c) describe the steps to be taken to make a claim;
- (d) name the final day for filing;
- (e) state that a claim that does not comply with this Regulation will be denied;
- (f) give an address and telephone number to which inquiries about potential claims may be directed;
- (g) give an address where claims should be filed;
- (h) include any other information that the Attorney General considers appropriate.

(4) If the Attorney General or his or her designate is of the opinion, having regard to the number of potential municipal corporation or public body claimants for compensation from a special purpose account and to the amount available for compensation from the account, that the payment to each municipal corporation or public body claimant would be too small to justify the administrative costs of reviewing the claims, the Attorney General or his or her designate, as the case may be, may decide that no compensation will be paid to any municipal corporation or public body claimant from the special purpose account and, in that case, the Attorney General shall not give notice in accordance with this section.

#### **Claim**

**14.** (1) A municipal corporation or public body claimant shall use the claim form provided by the Attorney General.

(2) The claim shall include a description of the claimant's pecuniary losses that are expenses incurred in remedying the effects of the unlawful activity and documentary evidence of the losses, including receipts and invoices.

(3) The claim shall identify any other sources from which compensation for the losses claimed by the claimant under this section has been paid or is payable to the claimant, and the amount of that compensation.

(4) The claim shall be filed on or before the final day for filing.

(5) The claimant shall revise the information required under subsection (3) as the information changes or as more such information becomes available to the claimant, even after receiving compensation from the special purpose account under section 16 or 17.

#### **No payments until all claims are determined**

**15.** No payments shall be made out of the special purpose account to municipal corporation or public body claimants until all the claims filed by municipal corporation and public body claimants in accordance with section 14 have been reviewed and the amount of compensation payable to each such claimant is determined under section 16 or 17.

#### **Determination of eligibility and amount of compensation**

**16.** (1) The Attorney General or his or her designate shall review all the municipal corporation and public body claims filed on or before the final day for filing and shall determine,

- (a) each claimant's eligibility for compensation; and
- (b) the amount of compensation to be paid to each eligible claimant.

(2) A municipal corporation or public body claimant is eligible for compensation from the special purpose account if the claim is filed in accordance with section 14 and if the Attorney General or his or her designate is satisfied by the claim that,

- (a) the claimant suffered pecuniary losses as a result of the unlawful activity that are expenses incurred in remedying the effects of the unlawful activity;
- (b) the amount of the losses can be quantified; and
- (c) full compensation for the losses has not been paid or is not payable to the claimant from other sources.

(3) In determining whether a municipal corporation or public body claimant is eligible for compensation and the amount of compensation to be paid to an eligible municipal corporation or public body claimant, the Attorney General or his or her designate shall have regard to all relevant circumstances, including any behaviour of the claimant that may have directly or indirectly contributed to the pecuniary loss.

(4) Even if a municipal corporation or public body claimant is eligible to receive compensation as determined under subsections (2) and (3), the Attorney General or his or her designate may decline to pay any compensation to the claimant if, in the opinion of the Attorney General or his or her designate,

- (a) the amount of the compensation would be too small to justify the administrative costs of paying it; or
- (b) the losses suffered by the claimant are remote from the unlawful activity.

**Amount of compensation where claims exceed balance of account**

17. (1) If the total amount of the compensation that would otherwise be paid to all the eligible municipal corporation and public body claimants under section 16 exceeds the balance available in the special purpose account, the amount that would otherwise be paid to each municipal corporation or public body claimant shall be reduced pro-rata in the proportion that the balance of the special purpose account bears to the total amount that would otherwise be paid to all the eligible municipal corporation and public body claimants.

(2) If, in the opinion of the Attorney General or his or her designate, the payment to each municipal corporation and public body claimant under subsection (1) would be too small to justify the administrative costs of paying them, the Attorney General or his or her designate may decline to pay any compensation under that subsection.

**Judicial review**

18. An application for judicial review from a decision of the Attorney General or his or her designate under this section must be filed within 30 days after being notified of the determination that is subject to review.

**Payments from other sources**

19. (1) The amount that would otherwise be paid to a municipal corporation or public body claimant under section 16 or 17 shall be reduced by the amount paid or payable to the claimant from any other source that provides payments related to compensation.

(2) If, after receiving a payment under section 16 or 17, a municipal corporation or public body claimant receives a payment as compensation for some or all of the same losses from another source that was not identified in the claimant's claim or in an amount exceeding the amount identified in the claimant's claim, the claimant shall report the payment to the Attorney General, and shall reimburse the Minister of Finance for the amount of money received from the other source that was also paid to the claimant from the special purpose account.

(3) The Minister of Finance may recover the amount of money received by a claimant from another source as compensation for the same losses for which the claimant received money as compensation from the special purpose account in any court of competent jurisdiction as a debt due to the Crown.

(4) The Minister of Finance shall deposit any reimbursed or recovered money to the special purpose account from which it had been paid.

ASSISTING VICTIMS, PREVENTING UNLAWFUL ACTIVITIES  
(PARAGRAPH 2 OF SUBSECTION 6 (3) OF THE ACT,  
PARAGRAPH 2 OF SUBSECTION 11 (3) OF THE ACT,  
PARAGRAPH 1 OF SUBSECTION 15 (3) OF THE ACT)

**Grants**

20. (1) The Attorney General may pay grants out of a special purpose account to any person or organization in order to assist victims of unlawful activities and to prevent unlawful activities that result in victimization.

(2) The Attorney General shall establish criteria and guidelines for the payment of the grants, including the eligibility of persons and organizations to receive grants.

COMMENCEMENT

**Commencement**

21. **This Regulation comes into force on the later of the day it is filed and July 1, 2003.**

**RÈGLEMENT DE L'ONTARIO 233/03**

pris en application de la

**LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ  
ET AUTRES ACTIVITÉS ILLÉGALES**

pris le 4 juin 2003  
déposé le 6 juin 2003

**PRÉLÈVEMENTS SUR LES COMPTES SPÉCIAUX**

DISPOSITIONS GÉNÉRALES

**Définitions**

1. Les définitions qui suivent s'appliquent au présent règlement.

«arbitre» Personne que le lieutenant-gouverneur en conseil nomme en application de l'article 3. («adjudicator»)

«compte spécial» Compte constitué en application de l'article 6, 11 ou 15 de la Loi. («special purpose account»)

«échéance de production» La date indiquée dans un avis publié en application de l'article 4 ou 12, à laquelle, au plus tard, toutes les demandes d'indemnisation découlant de l'avis doivent être produites. («final day for filing»)

«victime directe» Personne qui a subi des pertes pécuniaires ou extrapécuniaires, y compris les pertes recouvrables en vertu de la partie V de la *Loi sur le droit de la famille*, par suite d'activités illégales. («direct victim»)

#### Ordre de priorité des prélèvements sur les comptes spéciaux

2. (1) Les prélèvements sur un compte spécial constitué en application de l'article 6 ou 11 de la Loi se font de la manière suivante :

1. Premièrement, aux fins de l'indemnisation des victimes directes de l'activité illégale, conformément aux articles 3 à 10.
2. S'il reste des fonds après les paiements effectués en application de la disposition 1, ou s'il n'en est effectué aucun, aux fins de l'indemnisation de la Couronne du chef de l'Ontario, conformément à l'article 11.
3. S'il reste des fonds après le paiement effectué en application de la disposition 2, ou s'il n'en est effectué aucun, aux fins de l'indemnisation des municipalités ou des organismes publics d'une catégorie prescrite, conformément aux articles 12 à 19.
4. S'il reste des fonds après les paiements effectués en application de la disposition 3, ou s'il n'en est effectué aucun, aux fins de l'aide aux victimes d'activités illégales ou de la prévention d'activités illégales, conformément à l'article 20.

(2) Les prélèvements sur un compte spécial constitué en application de l'article 15 de la Loi se font de la manière suivante :

1. Premièrement, aux fins de l'indemnisation de la Couronne du chef de l'Ontario, conformément à l'article 11.
2. S'il reste des fonds après le paiement effectué en application de la disposition 1, ou s'il n'en est effectué aucun, aux fins de l'indemnisation des municipalités ou des organismes publics d'une catégorie prescrite, conformément aux articles 12 à 19.
3. S'il reste des fonds après les paiements effectués en application de la disposition 2, ou s'il n'en est effectué aucun, aux fins de l'aide aux victimes d'activités illégales ou de la prévention d'activités illégales, conformément à l'article 20.

(3) Les sommes déposées dans un compte spécial après que des indemnités ont été fixées ou versées en application d'une disposition du paragraphe (1) ou (2) doivent être affectées aux prélèvements sur le compte visés aux dispositions qui la suivent. Toutefois, elles ne doivent pas être affectées aux prélèvements visés aux dispositions en application desquelles des indemnités ont déjà été fixées ou versées, entrer dans le calcul de ces indemnités ni servir à les modifier. Par exemple, les sommes qui sont déposées dans un compte spécial après que des indemnités ont été fixées en application de la disposition 1 du paragraphe (1) sont affectées aux prélèvements sur le compte visés à la disposition 2, 3 ou 4 de ce paragraphe, mais ne doivent pas entrer dans le calcul des indemnités visées à la disposition 1 du même paragraphe ni y être affectées.

#### INDEMNISATION DES VICTIMES DIRECTES D'ACTIVITÉS ILLÉGALES (DISPOSITION 1 DU PARAGRAPHE 6 (3) DE LA LOI, DISPOSITION 1 DU PARAGRAPHE 11 (3) DE LA LOI)

#### Arbitre

3. (1) Le lieutenant-gouverneur en conseil peut nommer une ou plusieurs personnes pour agir comme arbitre des demandes présentées par des victimes directes en vertu du présent règlement.

(2) L'arbitre touche la rémunération et les indemnités que fixe le lieutenant-gouverneur en conseil.

(3) Le procureur général peut nommer un ou plusieurs employés de son ministère pour aider l'arbitre à s'acquitter des fonctions que lui attribue le présent règlement.

#### Avis

4. (1) Le procureur général donne un avis conformément au présent article au plus tard un an après le premier dépôt d'une somme dans un compte spécial.

(2) L'avis est publié dans la *Gazette de l'Ontario* et peut également être publié de toute autre façon qui, de l'avis du procureur général ou de la personne qu'il désigne, portera le droit de demander une indemnité à l'attention des victimes directes de l'activité illégale à laquelle se rapporte le compte spécial.

(3) L'avis :

- a) précise l'instance prévue par la Loi à l'issue de laquelle la somme a été déposée dans le compte spécial;

- b) indique que toute personne qui a subi des pertes pécuniaires ou extrapécuniaires par suite de l'activité illégale à l'égard de laquelle l'instance a été introduite a le droit de demander une indemnité;
- c) décrit les étapes à suivre pour présenter une demande;
- d) fixe l'échéance de production, laquelle ne doit pas tomber moins de six mois après la date de sa publication initiale dans la *Gazette de l'Ontario* ou plus de neuf mois après cette date;
- e) indique qu'une demande qui n'est pas conforme au présent règlement sera rejetée;
- f) indique l'adresse et le numéro de téléphone auxquels les demandes de renseignements visant des demandes éventuelles peuvent être présentées;
- g) indique l'adresse où les demandes doivent être produites;
- h) comprend les autres renseignements que le procureur général estime utiles.

(4) Si le procureur général ou la personne qu'il désigne est d'avis, eu égard au nombre de victimes directes qui pourraient présenter des demandes d'indemnisation sur un compte spécial ou aux fonds disponibles à cette fin, que le montant de l'indemnité revenant à chaque victime directe qui présente une demande serait trop petit pour justifier les frais d'administrations liés au règlement des demandes, l'un ou l'autre, selon le cas, peut décider qu'aucune indemnité ne sera prélevée sur le compte spécial pour être versée aux victimes directes qui présentent des demandes, auquel cas le procureur général ne doit pas donner l'avis prévu au présent article.

#### **Demande**

5. (1) La victime directe qui présente une demande utilise la formule de demande que fournit le procureur général.

(2) La demande comprend une description des pertes pécuniaires subies par son auteur, preuves documentaires, notamment reçus et factures, à l'appui.

(3) Si la demande vise également des pertes extrapécuniaires subies par son auteur, elle en comprend la description, preuves documentaires à l'appui.

(4) La demande précise les autres sources qui ont versé ou doivent verser à son auteur des indemnités pour les pertes dont il demande à être indemnisé en vertu du présent article, ainsi que le montant de ces indemnités.

(5) La demande est produite au plus tard à l'échéance de production.

(6) L'auteur de la demande révisé les renseignements exigés au paragraphe (4) à mesure qu'ils évoluent ou qu'il en apprend de nouveaux, même après avoir reçu une indemnité prélevée sur le compte spécial en application de l'article 7 ou 8.

#### **Aucun paiement avant le règlement de toutes les demandes**

6. Aucune somme prélevée sur le compte spécial ne doit être versée aux victimes directes qui présentent une demande avant le règlement de toutes les demandes qu'elles ont produites conformément à l'article 5 et la fixation, en application de l'article 7 ou 8, du montant de l'indemnité accordée à chaque auteur d'une demande.

#### **Admissibilité et montant de l'indemnité**

7. (1) L'arbitre examine toutes les demandes que des victimes directes ont produites au plus tard à l'échéance de production et :

- a) d'une part, établit l'admissibilité à une indemnité de chaque victime directe qui présente une demande;
- b) d'autre part, fixe le montant de l'indemnité à verser à chaque victime directe admissible qui présente une demande.

(2) La victime directe qui présente une demande est admissible à une indemnité prélevée sur le compte spécial si la demande est produite conformément à l'article 5 et que celle-ci et les autres renseignements obtenus par l'arbitre en vertu de l'article 19 de la Loi le convainquent de ce qui suit :

- a) l'auteur de la demande a subi des pertes pécuniaires ou extrapécuniaires par suite de l'activité illégale;
- b) les pertes peuvent être quantifiées;
- c) d'autres sources n'ont pas indemnisé intégralement l'auteur de la demande des pertes qu'il a subies ni ne doivent le faire.

(3) Lorsqu'il établit l'admissibilité à une indemnité d'une victime directe qui présente une demande et qu'il fixe le montant de l'indemnité à verser à une telle victime qui est admissible, l'arbitre tient compte de toutes les circonstances pertinentes, y compris tout comportement de l'auteur de la demande qui peut avoir contribué directement ou indirectement aux pertes qu'il a subies ou à l'activité illégale.

(4) Même si la victime directe qui présente une demande est admissible à une indemnité fixée en application des paragraphes (2) et (3), l'arbitre peut refuser de la lui verser si, à son avis :

- a) soit le montant de l'indemnité serait trop petit pour justifier les frais d'administration liés à son versement;

- b) soit le lien entre les pertes subies par l'auteur de la demande et l'activité illégale est tenu.

**Montant de l'indemnité lorsque les demandes sont supérieures au solde du compte**

**8.** Si le montant total des indemnités qui seraient versées par ailleurs, en application de l'article 7, aux victimes directes admissibles qui présentent une demande est supérieur au solde du compte spécial, les indemnités sont fixées et versées comme suit :

1. Les indemnités pour pertes pécuniaires subies par des victimes directes qui présentent une demande et qui sont des particuliers sont fixées en premier.
2. Si le montant total des indemnités pour pertes pécuniaires qui seraient versées par ailleurs aux victimes directes admissibles qui présentent une demande et qui sont des particuliers est supérieur au solde du compte spécial, l'indemnité pour pertes pécuniaires qui serait versée par ailleurs à chaque victime directe qui présente une demande et qui est un particulier est réduite proportionnellement selon le rapport qui existe entre le solde et ce montant.
3. L'arbitre peut refuser de verser les indemnités visées à la disposition 1 ou 2 s'il est d'avis que l'indemnité pour pertes pécuniaires versée à chaque victime directe qui présente une demande et qui est un particulier serait trop petite pour justifier les frais d'administration liés à son versement.
4. Les indemnités pour pertes extrapécuniaires subies par des victimes directes qui présentent une demande et qui sont des particuliers sont fixées si le compte spécial affiche un solde après que les indemnités pour pertes pécuniaires ont été fixées en application de la disposition 1 ou 2.
5. Si le montant total des indemnités pour pertes extrapécuniaires qui seraient versées par ailleurs aux victimes directes admissibles qui présentent une demande et qui sont des particuliers est supérieur au solde du compte spécial après le versement des indemnités pour pertes pécuniaires visées à la disposition 1 ou 2, l'indemnité pour pertes extrapécuniaires qui serait versée par ailleurs à chaque victime directe qui présente une demande et qui est un particulier est réduite proportionnellement selon le rapport qui existe entre le solde et ce montant.
6. L'arbitre peut refuser de verser les indemnités visées à la disposition 4 ou 5 s'il est d'avis que l'indemnité pour pertes extrapécuniaires versée à chaque victime directe qui présente une demande et qui est un particulier serait trop petite pour justifier les frais d'administration liés à son versement.
7. Les indemnités pour pertes pécuniaires subies par des victimes directes qui présentent une demande et qui ne sont pas des particuliers sont fixées si le compte spécial affiche un solde après que les indemnités pour pertes pécuniaires et extrapécuniaires subies par les victimes directes qui présentent une demande et qui sont des particuliers ont été fixées en application des dispositions 1 à 6.
8. L'arbitre peut refuser de verser les indemnités visées à la disposition 7 s'il est d'avis que l'indemnité pour pertes pécuniaires versée à chaque victime directe qui présente une demande et qui n'est pas un particulier serait trop petite pour justifier les frais d'administration liés à son versement.

**Requête en révision judiciaire**

**9.** (1) Les décisions que l'arbitre prend en application de l'article 7 ou 8 sont définitives, ne sont pas susceptibles d'appel et ne doivent pas être modifiées ni annulées dans le cadre d'une requête en révision judiciaire ou de toute autre instance à moins d'être manifestement déraisonnables.

(2) La requête en révision judiciaire d'une décision que l'arbitre prend en application de l'article 7 ou 8 doit être déposée au plus tard 30 jours après la remise de l'avis de la décision en cause.

**Paiements provenant d'autres sources**

**10.** (1) L'indemnité qui serait versée par ailleurs, en application de l'article 7 ou 8, à la victime directe qui présente une demande est réduite de l'indemnité que toute autre source lui a versée ou doit lui verser.

(2) La victime directe qui a présenté une demande et qui, après avoir reçu un versement en application de l'article 7 ou 8, est indemnisée pour la totalité ou une partie des mêmes pertes par une autre source que ne précise pas la demande ou selon un montant supérieur à celui qui y est précisé en informe l'arbitre, ou, s'il n'agit plus à l'égard du compte spécial, le procureur général, et rembourse au ministre des Finances la somme reçue de l'autre source qui lui a également été versée par prélèvement sur le compte spécial.

(3) Le ministre des Finances peut recouvrer devant un tribunal compétent, à titre de créance de la Couronne, la somme que l'auteur d'une demande a reçue d'une autre source en indemnisation des pertes à l'égard desquelles il a reçu une indemnité prélevée sur le compte spécial.

(4) Le ministre des Finances dépose le montant de toute somme remboursée ou recouvrée dans le compte spécial sur lequel elle a été prélevée.

INDEMNISATION DE LA COURONNE À L'ÉGARD DE FRAIS  
(DISPOSITION 3 DU PARAGRAPHE 6 (3) DE LA LOI,  
DISPOSITION 3 DU PARAGRAPHE 11 (3) DE LA LOI,  
DISPOSITION 2 DU PARAGRAPHE 15 (3) DE LA LOI)

**Fixation de l'indemnité et versement à la Couronne**

**11.** Le procureur général fixe l'indemnité à verser à la Couronne du chef de l'Ontario en application de la disposition 3 du paragraphe 6 (3) ou du paragraphe 11 (3) ou la disposition 2 du paragraphe 15 (3) de la Loi.

INDEMNISATION DES MUNICIPALITÉ  
SET DES CATÉGORIES PRESCRITES D'ORGANISMES PUBLICS  
(DISPOSITION 4 DU PARAGRAPHE 6 (3) DE LA LOI,  
DISPOSITION 4 DU PARAGRAPHE 11 (3) DE LA LOI,  
DISPOSITION 3 DU PARAGRAPHE 15 (3) DE LA LOI)

**Catégories prescrites d'organismes publics**

**12.** Les catégories suivantes d'organismes publics sont prescrites pour l'application de la disposition 4 du paragraphe 6 (3) et du paragraphe 11 (3) et de la disposition 3 du paragraphe 15 (3) de la Loi :

1. Les organismes, conseils, commissions et régies du gouvernement de l'Ontario.
2. Les conseils locaux, au sens de la *Loi sur les affaires municipales*, et les organismes des municipalités.
3. Les collèges et les universités.
4. Les hôpitaux publics, au sens de la *Loi sur les hôpitaux publics*.

**Avis**

**13.** (1) Le procureur général donne un avis conformément au présent article au plus tard 30 jours après avoir établi qu'il reste des fonds dans un compte spécial une fois que l'indemnité payable à la Couronne du chef de l'Ontario a été fixée.

(2) L'avis est publié de toute façon qui, de l'avis du procureur général ou de la personne qu'il désigne, portera le droit de demander une indemnité à l'attention des municipalités et des organismes publics d'une catégorie prescrite qui ont subi, par suite de l'activité illégale à laquelle se rapporte le compte spécial, des pertes pécuniaires qui constituent des frais engagés pour remédier aux effets de l'activité illégale.

(3) L'avis :

- a) précise l'instance prévue par la Loi à l'issue de laquelle la somme a été déposée dans le compte spécial;
- b) indique que toute municipalité ou tout organisme public d'une catégorie prescrite qui a subi, par suite de l'activité illégale, des pertes pécuniaires qui constituent des frais engagés pour remédier aux effets de l'activité illégale a le droit de demander une indemnité;
- c) décrit les étapes à suivre pour présenter une demande;
- d) fixe l'échéance de production;
- e) indique qu'une demande qui n'est pas conforme au présent règlement sera rejetée;
- f) indique l'adresse et le numéro de téléphone auxquels les demandes de renseignements visant des demandes éventuelles peuvent être présentées;
- g) indique l'adresse où les demandes doivent être produites;
- h) comprend les autres renseignements que le procureur général estime utiles.

(4) Si le procureur général ou la personne qu'il désigne est d'avis, eu égard au nombre de municipalités ou d'organismes publics qui pourraient présenter des demandes d'indemnisation sur un compte spécial ou aux fonds disponibles à cette fin, que la somme versée à chaque municipalité ou organisme public qui présente une demande serait trop petite pour justifier les frais d'administration liés à l'examen des demandes, l'un ou l'autre, selon le cas, peut décider qu'aucune indemnité ne sera prélevée sur le compte spécial pour être versée aux municipalités ou organismes publics qui présentent des demandes, auquel cas le procureur général ne doit pas donner l'avis prévu au présent article.

**Demande**

**14.** (1) La municipalité ou l'organisme public qui présente une demande utilise la formule de demande que fournit le procureur général.

(2) La demande comprend une description des pertes pécuniaires subies par son auteur qui constituent des frais engagés pour remédier aux effets de l'activité illégale, preuves documentaires, notamment reçus et factures, à l'appui.

(3) La demande précise les autres sources qui ont versé ou doivent verser à son auteur des indemnités pour les pertes dont il demande à être indemnisé en vertu du présent article, ainsi que le montant de ces indemnités.

(4) La demande est produite au plus tard à l'échéance de production.

(5) L'auteur de la demande révisé les renseignements exigés au paragraphe (3) à mesure qu'ils évoluent ou qu'il en apprend de nouveaux, même après avoir reçu une indemnité prélevée sur le compte spécial en application de l'article 16 ou 17.

**Aucun paiement avant le règlement de toutes les demandes**

15. Aucune somme prélevée sur le compte spécial ne doit être versée aux municipalités ou organismes publics qui présentent une demande avant la fin de l'examen de toutes les demandes qu'elles ou ils ont produites conformément à l'article 14 et la fixation, en application de l'article 16 ou 17, du montant de l'indemnité accordée à chaque auteur d'une demande.

**Admissibilité et montant de l'indemnité**

16. (1) Le procureur général ou la personne qu'il désigne examine toutes les demandes que des municipalités et des organismes publics ont produites au plus tard à l'échéance de production et :

- a) d'une part, établit l'admissibilité à une indemnité de chaque auteur d'une demande;
- b) d'autre part, fixe le montant de l'indemnité à verser à chaque auteur d'une demande admissible.

(2) La municipalité ou l'organisme public qui présente une demande est admissible à une indemnité prélevée sur le compte spécial si la demande est produite conformément à l'article 14 et qu'elle convainc le procureur général ou la personne qu'il désigne de ce qui suit :

- a) l'auteur de la demande a subi, par suite de l'activité illégale, des pertes pécuniaires qui constituent des frais engagés pour remédier aux effets de l'activité illégale;
- b) les pertes peuvent être quantifiées;
- c) d'autres sources n'ont pas indemnisé intégralement l'auteur de la demande des pertes qu'il a subies ni ne doivent le faire.

(3) Lorsqu'il établit l'admissibilité à une indemnité d'une municipalité ou d'un organisme public qui présente une demande et qu'il fixe le montant de l'indemnité à verser à une telle municipalité ou à un tel organisme public qui est admissible, le procureur général ou la personne qu'il désigne tient compte de toutes les circonstances pertinentes, y compris tout comportement de l'auteur de la demande qui peut avoir contribué directement ou indirectement aux pertes pécuniaires.

(4) Même si la municipalité ou l'organisme public qui présente une demande est admissible à une indemnité fixée en application des paragraphes (2) et (3), le procureur général ou la personne qu'il désigne peut refuser de la lui verser si, à son avis :

- a) soit le montant de l'indemnité serait trop petit pour justifier les frais d'administration liés à son versement;
- b) soit le lien entre les pertes subies par l'auteur de la demande et l'activité illégale est ténue.

**Montant de l'indemnité lorsque les demandes sont supérieures au solde du compte**

17. (1) Si le montant total des indemnités qui seraient versées par ailleurs, en application de l'article 16, aux municipalités et organismes publics admissibles qui présentent une demande est supérieur au solde du compte spécial, l'indemnité qui serait versée par ailleurs à chaque municipalité ou organisme public qui présente une demande est réduite proportionnellement selon le rapport qui existe entre le solde et ce montant.

(2) Le procureur général ou la personne qu'il désigne peut refuser de verser les indemnités visées au paragraphe (1) s'il est d'avis que l'indemnité versée, en application de ce paragraphe, à chaque municipalité et organisme public qui présentent une demande serait trop petite pour justifier les frais d'administration liés à son versement.

**Requête en révision judiciaire**

18. La requête en révision judiciaire d'une décision que le procureur général ou la personne qu'il désigne prend en application du présent article doit être déposée au plus tard 30 jours après la remise de l'avis de la décision en cause.

**Paiements provenant d'autres sources**

19. (1) L'indemnité qui serait versée par ailleurs, en application de l'article 16 ou 17, à la municipalité ou l'organisme public qui présente une demande est réduite de l'indemnité que toute autre source qui verse des indemnités lui a versée ou doit lui verser.

(2) La municipalité ou l'organisme public qui a présenté une demande et qui, après avoir reçu un versement en application de l'article 16 ou 17, est indemnisé pour la totalité ou une partie des mêmes pertes par une autre source que ne précise pas la demande ou selon un montant supérieur à celui qui y est précisé en informe le procureur général et rembourse au ministre des Finances la somme reçue de l'autre source qui lui a également été versée par prélèvement sur le compte spécial.

(3) Le ministre des Finances peut recouvrer devant un tribunal compétent, à titre de créance de la Couronne, la somme que l'auteur d'une demande a reçue d'une autre source en indemnisation des pertes à l'égard desquelles il a reçu une indemnité prélevée sur le compte spécial.

(4) Le ministre des Finances dépose le montant de toute somme remboursée ou recouvrée dans le compte spécial sur lequel elle a été prélevée.

AIDE AUX VICTIMES ET PRÉVENTION DES ACTIVITÉS ILLÉGALES  
(DISPOSITION 2 DU PARAGRAPHE 6 (3) DE LA LOI,  
DISPOSITION 2 DU PARAGRAPHE 11 (3) DE LA LOI,  
DISPOSITION 1 DU PARAGRAPHE 15 (3) DE LA LOI)

**Fonds**

**20.** (1) Le procureur général peut prélever des fonds sur un compte spécial pour verser des subventions à toute personne ou tout organisme afin d'aider les victimes d'activités illégales et pour prévenir des activités illégales qui entraînent la victimisation.

(2) Le procureur général établit des critères et des lignes directrices qui régissent le versement des subventions, notamment l'admissibilité de personnes et d'organismes.

ENTRÉE EN VIGUEUR

**Entrée en vigueur**

**21. Le présent règlement entre en vigueur le dernier en date du jour de son dépôt et du 1<sup>er</sup> juillet 2003.**

25/03

**ONTARIO REGULATION 234/03**

made under the

**REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL  
ACTIVITIES ACT, 2001**

Made: June 4, 2003  
Filed: June 6, 2003

Amending O. Reg. 91/02  
(General)

Note: Ontario Regulation 91/02 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 18, 2003.

**1. Ontario Regulation 91/02 is amended by adding the following French version:**

**DISPOSITIONS GÉNÉRALES**

ORDONNANCE DE PAIEMENT DES FRAIS JURIDIQUES CONCERNANT UN BIEN FAISANT  
L'OBJET D'UNE ORDONNANCE INTERLOCUTOIRE  
(ARTICLES 5 ET 10 DE LA LOI)

**Fin prescrite**

**1.** L'ordonnance visée à l'article 5 ou 10 de la Loi ne peut s'appliquer qu'aux frais juridiques raisonnables engagés dans le cadre d'une instance prévue par la Loi en vue de faire reconnaître un intérêt sur un bien.

**Financement**

**2.** Lorsque la Cour supérieure de justice rend une ordonnance de paiement des frais juridiques raisonnables en vertu de l'article 5 ou 10 de la Loi, elle peut également modifier l'ordonnance interlocutoire rendue en vertu de l'article 4 ou 9 de la Loi, selon le cas, pour permettre au procureur général de convertir le bien en argent afin de respecter l'ordonnance de paiement.

**Limites pécuniaires**

**3.** Les paiements prévus par une ordonnance visée à l'article 5 ou 10 de la Loi et concernant un bien qui fait l'objet d'une instance sont assujettis aux limites pécuniaires suivantes :

1. Le montant maximal qui peut être affecté au paiement des frais juridiques raisonnables figure à la colonne 2 du tableau du présent article, en regard du montant de la colonne 1 qui s'applique au bien.
2. Le montant visé à la disposition 1 est le maximum dont peuvent se prévaloir toutes les personnes qui revendiquent un intérêt sur le même bien.
3. Ne constituent des frais juridiques que les honoraires d'avocat, les débours, les honoraires pour les services des clerks, stagiaires et enquêteurs ainsi que les frais de déplacement.
4. Les honoraires d'avocat sont calculés selon le nombre d'heures travaillées que le tribunal juge raisonnable et en fonction du taux horaire indiqué dans la partie I de l'annexe 2 du Règlement de l'Ontario 107/99 pris en application de la *Loi de 1998 sur les services d'aide juridique*.
5. Les frais de déplacement sont calculés conformément au numéro 23 de la partie IV de l'annexe 2 du règlement visé à la disposition 4, avec les adaptations nécessaires.
6. Les honoraires pour les services sont calculés selon le nombre d'heures travaillées que le tribunal juge raisonnable et en fonction du taux horaire indiqué dans l'annexe 3 du règlement visé à la disposition 4.
7. Les débours sont calculés conformément à l'annexe 6 du règlement visé à la disposition 4, avec les adaptations nécessaires.

TABLEAU

Colonne 1	Colonne 2
Montant total détenu (bien qui est une somme d'argent ou qui a été converti en somme d'argent)	Maximum pouvant être affecté aux frais juridiques raisonnables
99,99 \$ et moins	Zéro
De 100 \$ à 100 000 \$, exclusivement	25 pour cent du total
De 100 000 \$ à 1 000 000 \$, exclusivement	25 000 \$ + 15 pour cent (le total – 1 000 \$)
1 000 000 \$ et plus	160 000 \$ + 10 pour cent (le total – 1 000 000 \$)

AVIS PUBLIC CONCERNANT UNE INSTANCE FONDÉE SUR UN COMLOT  
(ARTICLE 13 DE LA LOI)

**Avis**

4. (1) Dès qu'il introduit une instance en application de l'article 13 de la Loi, le procureur général en publie un avis dans la *Gazette de l'Ontario* et dans le *Recueil de jurisprudence de l'Ontario*.
- (2) Le procureur général peut également publier l'avis de toute autre façon qui portera l'instance à l'attention du public.
- (3) Le procureur général peut, par motion avec préavis, demander des directives à la Cour supérieure de justice pour l'application du paragraphe (2).

RENSEIGNEMENTS PERSONNELS  
(ARTICLE 19 DE LA LOI)

**Organisme d'examen**

5. Pour l'application des paragraphes 19 (4) et (5) de la Loi, l'organisme d'examen est le conseiller en confiscation du Bureau des avocats de la Couronne — Droit criminel du ministère du Procureur général.

**Institutions, catégories de personnes et circonstances**

6. (1) Les institutions indiquées à la colonne 1 du tableau du présent article sont prescrites pour l'application de la disposition 1 du paragraphe 19 (4) de la Loi.
- (2) Les catégories de personnes indiquées à la colonne 2 du tableau du présent article sont prescrites pour l'application de la disposition 2 du paragraphe 19 (4) de la Loi.
- (3) Les circonstances indiquées à la colonne 3 du tableau du présent article sont prescrites pour l'application de la disposition 3 du paragraphe 19 (4) de la Loi.

TABLEAU

Numéro	Colonne 1	Colonne 2	Colonne 3
	Institution	Catégorie de personnes	Circonstances
1.	Ministère de l'Agriculture et de l'Alimentation	Les employés de l'institution nommés directeurs, sous-directeurs, inspecteurs en chef et inspecteurs pour l'application des lois suivantes : <i>Loi sur les animaux destinés à la recherche</i> <i>Loi sur la commercialisation des bovins de boucherie</i> <i>Loi sur les cadavres d'animaux</i> <i>La sur le classement et la vente des produits agricoles</i> <i>Loi sur le bétail et les produits de bétail</i> <i>Loi sur la vente à l'encan du bétail</i> <i>Loi sur les médicaments pour le bétail</i> <i>Loi sur l'inspection des viandes (Ontario)</i>	Dans le cadre de l'emploi
2.	Ministère de l'Agriculture et de l'Alimentation	Les vétérinaires nommés inspecteurs pour l'application de la <i>Loi sur la vente à l'encan du bétail</i> , qui ne sont pas des employés de l'institution	L'exercice des fonctions et des pouvoirs
3.	Ministère de l'Agriculture et de l'Alimentation	Les inspecteurs nommés pour l'application de la <i>Loi sur l'inspection des viandes (Ontario)</i> qui ne sont pas des employés de l'institution	L'exercice des fonctions et des pouvoirs
4.	Ministère de l'Agriculture et de l'Alimentation	Les employés de l'institution nommés directeurs et sous-directeurs pour l'application de la <i>Loi sur le lait</i>	Dans le cadre de l'emploi
5.	Ministère de l'Agriculture et de l'Alimentation	Les employés de l'institution nommés inspecteurs itinérants pour l'application de la <i>Loi sur le lait</i>	Dans le cadre de l'emploi
6.	Ministère de l'Agriculture et de l'Alimentation	Les inspecteurs itinérants nommés pour l'application de la <i>Loi sur le lait</i> par un directeur nommé par le ministre, qui ne sont pas des employés de l'institution	L'exercice des fonctions et des pouvoirs
7.	Ministère de l'Agriculture et de l'Alimentation	Les employés de l'institution qui sont des inspecteurs et inspecteurs en chef nommés pour l'application de la <i>Loi sur les produits oléagineux comestibles</i>	Dans le cadre de l'emploi
8.	Ministère de l'Agriculture et de l'Alimentation	Les analystes nommés pour l'application de la <i>Loi sur les produits oléagineux comestibles</i> qui ne sont pas des employés de l'institution	L'exercice des fonctions et des pouvoirs
9.	Commission de protection financière des éleveurs de bétail	Les personnes qui agissent comme secrétaire de la Commission	L'exercice des fonctions de secrétaire de la Commission
10.	Commission de protection financière des producteurs de céréales	Les personnes qui agissent comme secrétaire de la Commission	L'exercice des fonctions de secrétaire de la Commission
11.	Ministère des Affaires civiques	Les sous-ministres adjoints	Dans le cadre de l'emploi
12.	Ministère des Services aux consommateurs et aux entreprises	Les enquêteurs	Dans le cadre de l'emploi
13.	Commission des alcools et des jeux de l'Ontario	Le commandant de bureau — Bureau des enquêtes et de l'application de la loi	Dans le cadre de l'emploi
14.	Ministère de l'Éducation	Les sous-ministres adjoints	Dans le cadre de l'emploi
15.	Ministère de l'Environnement et de l'Énergie	Les inspecteurs désignés en vertu de la <i>Loi sur le rendement énergétique</i>	Dans le cadre de l'emploi
16.	Ministère de l'Environnement et de l'Énergie	Le sous-ministre adjoint — Division de l'énergie	Dans le cadre de l'emploi
17.	Ministère de l'Environnement et de l'Énergie	Les inspecteurs, les enquêteurs et le personnel chargé de l'application de la loi	Dans le cadre de l'emploi
18.	Ministère de l'Environnement et de l'Énergie	Les directeurs nommés en vertu des lois suivantes : <i>La Loi sur les évaluations environnementales</i> <i>La Loi sur la protection de l'environnement</i> <i>La Loi sur les ressources en eau de l'Ontario</i> <i>La Loi sur les pesticides</i>	Dans le cadre de l'emploi

Numéro	Colonne 1	Colonne 2	Colonne 3
	Institution	Catégorie de personnes	Circonstances
19.	Société indépendante de gestion du marché de l'électricité	Les dirigeants, les administrateurs et les membres du comité de surveillance du marché	Dans le cadre de l'emploi ou dans l'exercice des fonctions d'administrateur et de membre
20.	Commission de l'énergie de l'Ontario	Les inspecteurs et les enquêteurs	Dans le cadre de l'emploi
21.	Commission de l'énergie de l'Ontario	Le directeur des permis et tous les autres employés liés à l'octroi des permis	Dans le cadre de l'emploi
22.	Commission des services financiers de l'Ontario	Tous les employés et mandataires	Dans le cadre du suivi, des examens ou des enquêtes liés à la conformité aux lois administrées par l'institution Dans le cadre de l'administration du Fonds d'indemnisation des victimes d'accidents de véhicules automobiles
23.	Secrétariat du Conseil de gestion	Le sous-ministre adjoint — Division des services internes du ministère	Dans le cadre de l'emploi
24.	Société immobilière de l'Ontario	Le directeur financier	Dans le cadre de l'emploi
25.	Ministère des Ressources naturelles	Le directeur de l'application des règlements Le chef — Unité des évaluations et des services spéciaux Le chef — Unité des services sur le terrain	Dans le cadre de l'emploi
26.	Ministère de la Sûreté et de la Sécurité publique	Les personnes qui sont des agents de police au sens de la <i>Loi sur les services policiers</i>	Dans le cadre de l'emploi
27.	Ministère de la Sûreté et de la Sécurité publique	Le directeur — Service de renseignements criminels Ontario	Dans le cadre de l'emploi
28.	Ministère de la Sûreté et de la Sécurité publique	Les agents des services correctionnels, les agents de probation, les agents de libération conditionnelle et les enquêteurs spéciaux	Dans le cadre de l'emploi
29.	Ministère de la Formation, des Collèges et des Universités	Les sous-ministres adjoints	Dans le cadre de l'emploi
30.	Ministère des Transports	Les agents d'exécution des règlements de la route	Dans le cadre de l'emploi
31.	Ministère des Transports	Les inspecteurs de la sécurité des transporteurs routiers	Dans le cadre de l'emploi
32.	Ministère des Transports	Les administrateurs des vérifications des installations	Dans le cadre de l'emploi
33.	Ministère des Transports	Les conseillers en application des lois relatives aux transporteurs	Dans le cadre de l'emploi
34.	Ministère des Transports	Les chefs d'équipe	Dans le cadre de l'emploi
35.	Ministère des Transports	Les coordonnateurs régionaux de l'application des lois	Dans le cadre de l'emploi
36.	Ministère des Transports	Les chefs de secteur — Immatriculation et permis de conduire	Dans le cadre de l'emploi
37.	Ministère des Transports	Les agents d'administration des tribunaux	Dans le cadre de l'emploi
38.	Ministère des Transports	Le chef de l'application des normes relatives au programme du BSET	Dans le cadre de l'emploi
39.	Ministère des Transports	Les administrateurs de l'évaluation de la sécurité des transporteurs	Dans le cadre de l'emploi
40.	Ministère des Transports	Les analystes de l'immatriculation UVU	Dans le cadre de l'emploi
41.	Ministère des Transports	Les coordonnateurs des examens de conduite	Dans le cadre de l'emploi
42.	Ministère des Transports	Les superviseurs des centres d'examen de conduite	Dans le cadre de l'emploi
43.	Ministère des Transports	Les administrateurs des bureaux de délivrance	Dans le cadre de l'emploi
44.	Ministère des Transports	Les registrateurs adjoints des véhicules automobiles	Dans le cadre de l'emploi
45.	Toute institution visée par la <i>Loi sur l'accès à l'information municipale et la protection de la vie privée</i>	Les personnes qui sont des agents de police au sens de la <i>Loi sur les services policiers</i>	Dans le cadre de l'emploi

#### Conditions

7. Les conditions suivantes sont prescrites pour l'application du paragraphe 19 (5) de la Loi :

1. Les dispositions 1, 2 et 3 du paragraphe 19 (4) de la Loi ont été respectées.

2. Le paragraphe 19 (8) de la Loi a été respecté.
3. Il est raisonnable de croire que les renseignements divulgués seraient utiles à une fin prévue au paragraphe 19 (1) de la Loi.
4. L'intérêt public l'emporte sur le droit de la personne concernée par les renseignements à la protection de sa vie privée, compte tenu de ce qui suit :
  - i. les objets énoncés à l'article 1 de la Loi;
  - ii. l'importance de respecter les rapports dont le caractère privilégié est reconnu par la loi;
  - iii. l'espoir raisonnable de la personne que la confidentialité des renseignements sera préservée;
  - iv. tout autre facteur que l'organisme d'examen juge pertinent.

25/03

## ONTARIO REGULATION 235/03

made under the

### PROHIBITING PROFITING FROM RECOUNTING CRIMES ACT, 2002

Made: June 4, 2003

Filed: June 6, 2003

#### GENERAL

##### DEFINITION OF AGENT (SECTION 2 OF ACT)

###### Substantial connection

1. For the purpose of clause (c) of the definition of "agent" in section 2 of the Act, a person convicted of or charged with a designated crime has a substantial connection to a corporation if,
  - (a) the person has a beneficial interest in the corporation;
  - (b) the person exercises or may exercise control either directly or indirectly over the corporation; or
  - (c) the person has provided or received financing either directly or indirectly to or from the corporation.

##### DEFINITION OF DESIGNATED CRIME (SECTION 2 OF ACT)

###### Serious property offences

2. For the purpose of clause (c) of the definition of "designated crime" in section 2 of the Act, the offences under the *Criminal Code* (Canada) listed in Table 1 are prescribed as serious property offences.

##### ORDERS FOR PAYMENT OF LEGAL EXPENSES RE CERTAIN MONEY OR OTHER PROPERTY (SECTION 8 OF ACT)

###### Prescribed purpose

3. An order under section 8 of the Act may apply only to reasonable legal expenses incurred in a proceeding under the Act for the purpose of establishing the person's claim to an interest in the money or other property.

###### Funding

4. When the Superior Court of Justice makes an order under section 8 of the Act for payment of reasonable legal expenses out of money or other property that is subject to an order for the preservation of property made under section 5 or 6 of the Act, the court may also vary the order made under section 5 or 6 of the Act, to allow the Attorney General to convert property to money in order to comply with the payment order.

###### Monetary limits

5. Payments under orders made under section 8 of the Act in respect of money or other property that is paid into court in a proceeding commenced under section 4 or 6 of the Act or subject to an order for the preservation of property made under section 5 or 6 of the Act are subject to the following monetary limits:

1. The maximum amount that is available to pay reasonable legal expenses is the amount shown in Column 2 of Table 2 opposite the amount in Column 1 that applies to the property.
2. The amount referred to in paragraph 1 is the maximum that is available for all claimants in respect of the same property.
3. Legal expenses may only be for lawyers' fees, disbursements, fees for services of law clerks, articled students and investigators, and costs for travel time.
4. Lawyers' fees shall be calculated based on a number of hours worked that the court finds to be reasonable and on the hourly rate set out in Part I of Schedule 2 to Ontario Regulation 107/99 made under the *Legal Aid Services Act, 1998*.
5. Costs for travel time shall be calculated in accordance with Item 23 of Part IV of Schedule 2 to the regulation referred to in paragraph 4, with necessary modifications.
6. Fees for services shall be calculated based on a number of hours worked that the court finds to be reasonable and on the hourly rate set out in Schedule 3 to the regulation referred to in paragraph 4.
7. Disbursements shall be calculated in accordance with Schedule 6 to the regulation referred to in paragraph 4, with necessary modifications.

PERSONAL INFORMATION  
(SECTION 11 OF ACT)

**Personal information**

6. Subsection 11 (4) of the Act applies to information described in that subsection that is acquired by a person,
- (a) in the course of his or her employment; or
  - (b) in connection to the performance of his or her duties.

COMMENCEMENT

**Commencement**

- 7. This Regulation comes into force on the later of the day it is filed and the day subsection 13 (1) of the Act is proclaimed in force.**

TABLE 1

SERIOUS PROPERTY OFFENCES UNDER THE *CRIMINAL CODE* (CANADA)  
(SECTION 2 OF REGULATION)

Paragraph 46 (2) (b) – Treason in relation to information  
 Section 52 – Sabotage  
 Section 57 – Forgery or uttering of a forged passport  
 Section 74 – Piracy  
 Paragraph 77 (c) – Causing damage to an aircraft  
 Paragraph 77 (d) – Placement of things likely to endanger an aircraft  
 Paragraph 77 (e) – Damage or interference with any air navigation facility  
 Paragraph 77 (f) – Causing serious damage to facilities of a international civil aviation airport  
 Paragraphs 78.1 (2) (b-d) – Damage or destruction of a ship, cargo or fixed platform  
 Section 80 – Breach of duty of care re: explosives  
 Paragraphs 81 (1) (a), (c), (d) – Using explosives (in relation to damaging property)  
 Subsection 82 (1) – Possession of explosive substance  
 Subsection 82 (2) – Possession of an explosive substance in association with a criminal organization  
 Section 83.02 – Providing or collecting property for certain activities  
 Section 83.03 – Providing, making available property or services for terrorist purposes  
 Section 83.04 – Using or possessing property for terrorist purposes  
 Sections 83.08, 83.1, 83.11 and 83.12 – Offences in relation to freezing, disclosure or auditing of terrorist property

Subsections 86 (1) and (3) – Careless storage of a firearm  
Subsection 86 (2) – Contravention of regulations in relation to shipping, etc. of a firearm  
Subsections 88 (1) and (2) – Possession of a weapon for a dangerous purpose  
Subsections 90 (1) and (2) – Carrying a concealed weapon  
Subsection 91 (2) – Unauthorized possession of a firearm  
Subsections 92 (1) and (2) – Possession of a firearm knowing that its possession is unauthorized  
Subsections 93 (1) and (2) – Possession of a firearm at unauthorized place  
Section 94 – Unauthorized possession in a motor vehicle  
Subsections 96 (1) and (2) – Possession of a weapon obtained by commission of an offence  
Subsections 99 (1) and (2) – Weapons trafficking  
Subsections 100 (1) and (2) – Possession of a weapon for purposes of trafficking  
Subsections 101 (1) and (2) – Transfer without authority  
Subsections 102 (1) and (2) – Altering or manufacturing of automatic firearm  
Subsections 103 (1) and (2) – Importing or exporting firearms, etc. knowing that it is unauthorized  
Subsections 104 (1) and (2) – Unauthorized importing or exporting firearm, etc.  
Subsections 105 (1) and (2) – Failure to report lost or found firearms, etc.  
Subsections 106 (1) and (2) – Failure to report destroyed firearm, etc.  
Subsections 107 (1) and (2) – False statement about a lost or stolen firearm, etc.  
Subsections 108 (1) and (2) – Tampering with the serial number of a firearm, etc.  
Subsections 117.01 (1), (2) and (3) – Possession of a firearm, etc. contrary to order  
Subsection 119 (1) – Bribery of a judicial officer  
Section 120 – Bribery of officers  
Section 121 – Frauds on government  
Section 122 – Breach of trust by public officer  
Section 123 – Municipal corruption  
Section 124 – Selling or purchasing office  
Section 125 – Influencing or negotiating appointments or dealing in offices  
Section 131 – Perjury as it relates to property  
Section 137 – Fabricating evidence where it relates to property  
Subsection 139 (2) – Obstructing justice by bribery and other means  
Subsection 140 (1) – Public mischief (in relation to property offences)  
Section 142 – Corruptly taking reward for recovery of goods  
Subsection 163.1 (2) – Make, print, publish or possess for the purpose of publication child pornography  
Subsection 163.1 (3) – Import, distribute, sell or possess for distribution child pornography  
Subsection 163.1 (4) – Possession of child pornography  
Section 170 – Parent or guardian procuring sexual activity  
Section 171 – Householder permitting sexual activity  
Subsection 184 (1) – Interception of communications using a device  
Subsection 184.5 (1) – Interception of radio based telephone communications  
Subsection 212 (1) – Procuring  
Subsection 212 (2) – Procuring a person under 18 years

Subsection 212 (4) – Communication for prostitution of person under 18 years  
Subsection 251 (1) – Unseaworthy vessel or unsafe aircraft  
Section 300 – Publishing a defamatory libel known to be false  
Section 302 – Extortion by libel  
Section 318 – Advocating genocide  
Sections 322 and 334 – Theft  
Section 324 and Paragraph 334 (a) – Theft by bailee of things under seizure  
Section 326 and Paragraph 334 (a) – Theft of telecommunications service  
Section 328 and Paragraph 334 (a) – Theft by or from person having special property or interest  
Sections 330 and 334 – Theft by person required to account  
Sections 331 and 334 – Theft by person holding power of attorney  
Sections 332 and 334 – Misappropriation of money held under direction  
Section 336 – Criminal breach of trust  
Section 337 – Public servant refusing to deliver property  
Section 338 – Fraudulently taking cattle or defacing brand  
Subsection 339 (1) – Taking possession, etc. of drift timber  
Section 340 – Destroying documents of title, etc.  
Subsection 342 (1) – Theft, forgery of credit card  
Section 342.01 – Making, having or dealing in instruments for forging or falsifying credit cards  
Section 342.1 – Unauthorized use of computer  
Section 345 – Stopping mail with intent  
Section 346 and Subsection 346 (1.1) – Extortion  
Section 347 – Criminal interest rate  
Section 348 – Breaking and entering with intent, committing offence or breaking out  
Section 349 – Being unlawfully in a dwelling house  
Section 351 – Possession of break – in instrument  
Section 354 and Paragraph 355 (a) – Possession of property obtained by crime  
Section 356 – Theft from mail  
Section 357 – Bringing into Canada property obtained by crime  
Section 362 – False pretence or false statement  
Section 363 – Obtaining execution of valuable security by fraud  
Sections 366 and 367 – Forgery  
Section 368 – Uttering forged document  
Section 369 – Exchequer bill paper, public seals, etc.  
Section 370 – Counterfeiting proclamation  
Section 371 – Telegram in another person's name used to defraud  
Section 374 – Drawing document without authority  
Section 375 – Obtaining, etc., by instrument based on forged document  
Section 376 – Counterfeiting stamp/mark  
Section 377 – Damaging official documents (vital statistics and elections)  
Section 378 – Offences in relation to registers

Subsection 380 (1) – Fraud  
Subsection 380 (2) – Affecting public market  
Section 382 – Fraudulent manipulation of stock exchange transactions  
Section 383 – Gaming in stocks or merchandise  
Section 384 – Broker reducing stock by selling for his own account  
Section 386 – Fraudulent registration of titles  
Section 394 – Fraud in relation to valuable minerals  
Section 394.1 – Possession of stolen or fraudulently obtained valuable mineral  
Section 396 – Offences in relation to mines and oil wells  
Section 397 – Falsification of Books and Documents  
Section 399 – False return by public officer  
Section 400 – False prospectus, etc.  
Section 403 – Personation with intent  
Section 405 – Acknowledging instrument in false name  
Section 418 – Selling defective stores to Her Majesty  
Section 420 – Offences in relation to sale, etc. of military stores  
Section 422 – Criminal breach of contract  
Paragraph 423 (1) (d) – Intimidation by hiding any tools, clothes, or other property owned or used by other person or deprives her or hinders her from using them  
Paragraph 423 (1) (g) – Intimidation by blocking a highway  
Section 426 – Secret commissions  
Section 430 – Mischief related offences  
Subsection 431.2 (2) – Delivery, etc. of explosive or other lethal device to a public place  
Section 433 – Arson – disregard for human life  
Section 434 – Arson – damage to property  
Section 434.1 – Arson – own property  
Section 435 – Arson for fraudulent purpose  
Section 436 – Arson by negligence  
Section 436.1 – Possession of incendiary device  
Subsection 438 (1) – Preventing or impeding the saving of a wrecked, stranded, abandoned vessel  
Section 441 – Possessor injuring building belonging to a mortgagee or owner  
Section 443 – Interfering with international boundary marks  
Section 444 – Injuring or endangering cattle  
Section 449 – Making counterfeit money  
Section 450 – Possession, etc., of counterfeit money  
Section 451 – Having clippings  
Section 452 – Uttering, etc., counterfeit money  
Section 455 – Clipping and uttering clipped coin  
Section 458 – Making, having or dealing in instruments for counterfeiting  
Section 459 – Conveying instruments for coining out of mint  
Section 460 – Advertising and dealing in counterfeit money, etc.  
Subsection 467.11 (1) – Participation in activities of a criminal organization

Section 467.12 – Commission of offence for criminal organization

Section 467.13 – Instructing commission of offence for criminal organization

TABLE 2

MAXIMUM AMOUNT FOR LEGAL EXPENSES  
(SECTION 5 OF REGULATION)

Column 1	Column 2
Total Amount Held (property that is money or has been converted to money)	Maximum Available for Reasonable Legal Expenses
\$99.99 or less	Nil
\$100 or more but less than \$100,000	25 per cent of total
\$100,000 or more but less than \$1,000,000	\$25,000 plus 15 per cent of (total – 100,000)
\$1,000,000 or more	\$160,000 plus 10 per cent of (total – 1,000,000)

**RÈGLEMENT DE L'ONTARIO 235/03**

pris en application de la

**LOI DE 2002 INTERDISANT LES GAINS  
TIRÉS DU RÉCIT D'ACTES CRIMINELS**

pris le 4 juin 2003  
déposé le 6 juin 2003

**DISPOSITIONS GÉNÉRALES**

DÉFINITION DE MANDATAIRE  
(ARTICLE 2 DE LA LOI)

**Lien étroit**

1. Pour l'application de l'alinéa c) de la définition de «mandataire» à l'article 2 de la Loi, une personne accusée ou déclarée coupable d'un acte criminel désigné a un lien étroit avec une personne morale si, selon le cas :

- a) elle a un intérêt bénéficiaire dans la personne morale;
- b) elle contrôle ou peut contrôler, directement ou indirectement, la personne morale;
- c) elle a, directement ou indirectement, fourni un financement à la personne morale ou reçu un financement de celle-ci.

DÉFINITION D'ACTE CRIMINEL DÉSIGNÉ  
(ARTICLE 2 DE LA LOI)

**Infraction grave contre les biens**

2. Pour l'application de l'alinéa c) de la définition de «acte criminel désigné» à l'article 2 de la Loi, les infractions visées par le *Code criminel* (Canada) qui figurent au tableau 1 sont prescrites comme étant des infractions graves contre les biens.

ORDONNANCES DE PAIEMENT DES FRAIS JURIDIQUES  
CONCERNANT UNE SOMME D'ARGENT OU UN BIEN  
(ARTICLE 8 DE LA LOI)

**Fins prévues**

3. L'ordonnance visée à l'article 8 de la Loi ne peut s'appliquer qu'aux frais juridiques raisonnables engagés dans le cadre d'une instance prévue par la Loi en vue de faire reconnaître un intérêt sur un bien, notamment une somme d'argent.

**Financement**

4. Lorsque la Cour supérieure de justice rend, en vertu de l'article 8 de la Loi, une ordonnance de prélèvement des frais juridiques raisonnables sur un bien, notamment une somme d'argent, qui fait l'objet d'une ordonnance de conservation d'un

bien rendue en vertu de l'article 5 ou 6 de la Loi, elle peut également modifier cette dernière ordonnance pour permettre au procureur général de convertir le bien en argent afin de respecter l'ordonnance de paiement.

#### Limites pécuniaires

5. Sont assujettis aux limites pécuniaires suivantes les paiements prévus par une ordonnance rendue en vertu de l'article 8 de la Loi et concernant un bien, notamment une somme d'argent, qui est consigné au tribunal dans le cadre d'une instance introduite en application de l'article 4 ou 6 de la Loi ou qui fait l'objet d'une ordonnance de conservation d'un bien rendue en vertu de l'article 5 ou 6 de la Loi :

1. Le montant maximal qui peut être affecté au paiement des frais juridiques raisonnables figure à la colonne 2 du tableau 2, en regard du montant de la colonne 1 qui s'applique au bien.
2. Le montant visé à la disposition 1 est le maximum dont peuvent se prévaloir toutes les personnes qui revendiquent un intérêt sur le même bien.
3. Ne constituent des frais juridiques que les honoraires d'avocat, les débours, les honoraires pour les services des clerks, stagiaires et enquêteurs ainsi que les frais de déplacement.
4. Les honoraires d'avocat sont calculés selon le nombre d'heures travaillées que le tribunal juge raisonnable et en fonction du taux horaire indiqué dans la partie I de l'annexe 2 du Règlement de l'Ontario 107/99 pris en application de la *Loi de 1998 sur les services d'aide juridique*.
5. Les frais de déplacement sont calculés conformément au numéro 23 de la partie IV de l'annexe 2 du règlement visé à la disposition 4, avec les adaptations nécessaires.
6. Les honoraires pour les services sont calculés selon le nombre d'heures travaillées que le tribunal juge raisonnable et en fonction du taux horaire indiqué dans l'annexe 3 du règlement visé à la disposition 4.
7. Les débours sont calculés conformément à l'annexe 6 du règlement visé à la disposition 4, avec les adaptations nécessaires.

#### RENSEIGNEMENTS PERSONNELS (ARTICLE 11 DE LA LOI)

##### Renseignements personnels

6. Le paragraphe 11 (4) de la Loi s'applique aux renseignements qui y sont décrits et dont une personne prend connaissance :

- a) dans le cadre de son emploi;
- b) dans le cadre de l'exercice de ses fonctions.

#### ENTRÉE EN VIGUEUR

##### Entrée en vigueur

7. **Le présent règlement entre en vigueur le dernier en date du jour de son dépôt et du jour de la proclamation en vigueur du paragraphe 13 (1) de la Loi.**

#### TABLEAU 1

#### INFRACTIONS GRAVES CONTRE LES BIENS VISÉES PAR LE CODE CRIMINEL (CANADA) (ARTICLE 2 DU RÈGLEMENT)

Alinéa 46 (2) b) – Trahison relative aux renseignements

Article 52 – Sabotage

Article 57 – Faux ou usage de faux en matière de passeport

Article 74 – Piraterie

Alinéa 77 c) – Causer des dommages à un aéronef

Alinéa 77 d) – Placer des choses susceptibles de porter atteinte à la sécurité d'un aéronef

Alinéa 77 e) – Causer des dommages à une installation servant à la navigation aérienne ou nuire à son fonctionnement

Alinéa 77 f) – Causer des dommages graves aux installations d'un aéroport servant à l'aviation civile internationale

Alinéas 78.1 (2) b) à d) – Endommager ou détruire un navire, sa cargaison ou une plate-forme fixe

Article 80 – Manquer à l'obligation de prendre des précautions à l'égard d'explosifs

Alinéas 81 (1) a), c), d) – Usage d'explosifs (à l'égard de dommages à la propriété)

Paragraphe 82 (1) – Possession d'une substance explosive

Paragraphe 82 (2) – Possession d'une substance explosive liée aux activités d'une organisation criminelle

Article 83.02 – Fournir ou réunir des biens en vue de certains actes

Article 83.03 – Fournir ou rendre disponibles des biens ou services à des fins terroristes

Article 83.04 – Utiliser ou avoir en sa possession des biens à des fins terroristes

Articles 83.08, 83.1, 83.11 et 83.12 – Infraction : blocage des biens appartenant à des terroristes, communication ou vérification

Paragraphe 86 (1) et (3) – Entreposage négligent d'une arme à feu

Paragraphe 86 (2) – Contravention des règlements régissant l'expédition d'une arme à feu

Paragraphe 88 (1) et (2) – Possession d'une arme dans un dessein dangereux

Paragraphe 90 (1) et (2) – Port d'une arme dissimulée

Paragraphe 91 (2) – Possession non autorisée d'une arme à feu

Paragraphe 92 (1) et (2) – Possession non autorisée d'une arme à feu – infraction délibérée

Paragraphe 93 (1) et (2) – Possession d'une arme à feu dans un lieu non autorisé

Article 94 – Possession non autorisée dans un véhicule automobile

Paragraphe 96 (1) et (2) – Possession d'une arme obtenue lors de la perpétration d'une infraction

Paragraphe 99 (1) et (2) – Trafic d'armes

Paragraphe 100 (1) et (2) – Possession d'une arme en vue de faire le trafic d'armes

Paragraphe 101 (1) et (2) – Cession illégale

Paragraphe 102 (1) et (2) – Modification ou fabrication d'une arme automatique

Paragraphe 103 (1) et (2) – Importation ou exportation non autorisées d'armes à feu – infraction délibérée

Paragraphe 104 (1) et (2) – Importation ou exportation non autorisées d'armes à feu

Paragraphe 105 (1) et (2) – Omission de signaler qu'une arme à feu a été perdue ou trouvée

Paragraphe 106 (1) et (2) – Omission de signaler la destruction d'une arme à feu

Paragraphe 107 (1) et (2) – Fausse déclaration concernant la perte ou le vol d'une arme à feu

Paragraphe 108 (1) et (2) – Modification du numéro de série d'une arme à feu

Paragraphe 117.01 (1), (2) et (3) – Possession d'une arme à feu en contravention d'une ordonnance d'interdiction

Paragraphe 119 (1) – Corruption d'un fonctionnaire judiciaire

Article 120 – Corruption de fonctionnaires

Article 121 – Fraudes envers le gouvernement

Article 122 – Abus de confiance par un fonctionnaire public

Article 123 – Actes de corruption dans les affaires municipales

Article 124 – Achat ou vente d'une charge

Article 125 – Influencer ou négocier une nomination ou en faire commerce

Article 131 – Parjure concernant des biens

Article 137 – Fabrication de preuve concernant des biens

Paragraphe 139 (2) – Entrave à la justice par pots-de-vin ou autres moyens

Paragraphe 140 (1) – Méfait public (dans le cadre d'infractions relatives aux biens)

Article 142 – Acceptation vénale d'une récompense pour le recouvrement d'effets

Paragraphe 163.1 (2) – Production, impression, publication ou possession en vue de la publication de la pornographie juvénile

Paragraphe 163.1 (3) – Importation, distribution, vente ou possession en vue de la distribution de la pornographie juvénile

Paragraphe 163.1 (4) – Possession de la pornographie juvénile

Article 170 – Père, mère ou tuteur qui sert d'entremetteur

Article 171 – Maître de maison qui permet des actes sexuels interdits

Paragraphe 184 (1) – Interception des communications au moyen d'un dispositif

Paragraphe 184.5 (1) – Interception de communications radiotéléphoniques

Paragraphe 212 (1) – Proxénétisme

Paragraphe 212 (2) – Proxénétisme à l'égard d'une personne de moins de 18 ans

Paragraphe 212 (4) – Communication en vue de la prostitution d'une personne de moins de 18 ans

Paragraphe 251 (1) – Bateau innavigable ou aéronef en mauvais état

Article 300 – Publication d'un libelle diffamatoire délibérément faux

Article 302 – Extorsion par libelle

Article 318 – Encouragement au génocide

Articles 322 et 334 – Vol

Article 324 et alinéa 334 a) – Vol par dépositaire de choses frappées de saisie

Article 326 et alinéa 334 a) – Vol de service de télécommunication

Article 328 et alinéa 334 a) – Vol par une personne ou d'une personne ayant un droit de propriété ou un intérêt spécial

Articles 330 et 334 – Vol par une personne tenue de rendre compte

Articles 331 et 334 – Vol par une personne détenant une procuration

Articles 332 et 334 – Distraction de fonds détenus en vertu d'instructions

Article 336 – Abus de confiance criminel

Article 337 – Employé public qui refuse de remettre des biens

Article 338 – Prendre frauduleusement des bestiaux ou enlever les marques

Paragraphe 339 (1) – Prise de possession, etc., de bois en dérive

Article 340 – Destruction de titres

Paragraphe 342 (1) – Vol ou falsification de cartes de crédit

Article 342.01 – Fabrication ou possession d'instruments destinés à fabriquer ou à falsifier des cartes de crédit

Article 342.1 – Utilisation non autorisée d'ordinateur

Article 345 – Fait d'arrêter la poste avec intention de vol

Article 346 et paragraphe 346 (1.1) – Extorsion

Article 347 – Taux d'intérêt criminel

Article 348 – Introduction par effraction dans un dessein criminel

Article 349 – Présence illégale dans une maison d'habitation

Article 351 – Possession d'outils de cambriolage

Article 354 et alinéa 355 a) – Possession de biens criminellement obtenus

Article 356 – Vol de courrier

Article 357 – Apporter au Canada des objets criminellement obtenus

Article 362 – Faux semblant ou fausse déclaration

Article 363 – Obtention par fraude de la signature d'une valeur

Articles 366 et 367 – Faux

Article 368 – Emploi d'un document contrefait

- Article 369 – Papier de bons du Trésor, sceaux publics, etc.
- Article 370 – Proclamation contrefaite
- Article 371 – Envoi de télégrammes sous le nom d'une autre personne avec l'intention de frauder
- Article 374 – Rédaction non autorisée d'un document
- Article 375 – Obtenir, etc., au moyen d'un instrument fondé sur un document contrefait
- Article 376 – Contrefaçon de timbres et de marques
- Article 377 – Documents officiels endommagés (registres d'état civil et documents d'élection)
- Article 378 – Infractions relatives aux registres
- Paragraphe 380 (1) – Fraude
- Paragraphe 380 (2) – Influence sur le marché public
- Article 382 – Manipulations frauduleuses d'opérations boursières
- Article 383 – Agiotage sur les actions ou marchandises
- Article 384 – Courtier réduisant le nombre d'actions en vendant pour son propre compte
- Article 386 – Enregistrement frauduleux de titre
- Article 394 – Fraudes relatives aux minéraux précieux
- Article 394.1 – Possession de minéraux précieux volés ou obtenus illégalement
- Article 396 – Infractions relatives aux mines et aux puits de pétrole
- Article 397 – Falsification de livres et documents
- Article 399 – Faux relevé fourni par un fonctionnaire public
- Article 400 – Faux prospectus, etc.
- Article 403 – Supposition intentionnelle de personne
- Article 405 – Reconnaissance d'un instrument sous un faux nom
- Article 418 – Vente d'approvisionnements défectueux à Sa Majesté
- Article 420 – Infractions relatives à la vente d'approvisionnements militaires
- Article 422 – Violation criminelle de contrat
- Alinéa 423 (1) d) – Intimidation par le fait de cacher des outils, vêtements ou autres biens possédés ou employés par une autre personne, ou par le fait d'en priver cette personne ou de faire obstacle à l'usage qu'elle en fait
- Alinéa 423 (1) g) – Intimidation par le fait de bloquer une grande route
- Article 426 – Commissions secrètes
- Article 430 – Infractions relatives au méfait
- Paragraphe 431.2 (2) – Livrer un engin explosif ou un autre engin meurtrier dans un lieu public
- Article 433 – Incendie criminel : danger pour la vie humaine
- Article 434 – Incendie criminel : dommages matériels
- Article 434.1 – Incendie criminel : biens propres
- Article 435 – Incendie criminel : intention frauduleuse
- Article 436 – Incendie criminel par négligence
- Article 436.1 – Possession de dispositifs incendiaires
- Paragraphe 438 (1) – Empêcher ou entraver le sauvetage d'un navire naufragé, échoué ou abandonné
- Article 441 – Occupant qui détériore un bâtiment qui appartient à un créancier hypothécaire ou à un propriétaire
- Article 443 – Déplacer des bornes internationales
- Article 444 – Tuer ou blesser des bestiaux
- Article 449 – Fabrication de monnaie contrefaite

Article 450 – Possession, etc., de monnaie contrefaite

Article 451 – Possession de limailles

Article 452 – Mise en circulation, etc., de monnaie contrefaite

Article 455 – Rogner et mettre en circulation une pièce de monnaie

Article 458 – Fabrication, possession ou commerce d'instruments pour contrefaire de la monnaie

Article 459 – Retirer d'un hôtel de la Monnaie, des instruments, etc.

Article 460 – Faire le commerce de la monnaie contrefaite, etc.

Paragraphe 467.11 (1) – Participation aux activités d'une organisation criminelle

Article 467.12 – Infraction au profit d'une organisation criminelle

Article 467.13 – Charger une personne de commettre une infraction au profit d'une organisation criminelle

## TABLEAU 2

### MONTANT MAXIMAL POUR FRAIS JURIDIQUES (ARTICLE 5 DU RÈGLEMENT)

Colonne 1	Colonne 2
Montant total détenu (bien qui est une somme d'argent ou qui a été converti en somme d'argent)	Maximum pouvant être affecté aux frais juridiques raisonnables
99,99 \$ et moins	Zéro
De 100 \$ à 100 000 \$, exclusivement	25 pour cent du total
De 100 000 \$ à 1 000 000 \$, exclusivement	25 000 \$ + 15 pour cent (le total – 100 000 \$)
1 000 000 \$ et plus	160 000 \$ + 10 pour cent (le total – 1 000 000 \$)

25/03

## ONTARIO REGULATION 236/03

made under the

### PROHIBITING PROFITING FROM RECOUNTING CRIMES ACT, 2002

Made: June 4, 2003

Filed: June 6, 2003

## SPECIAL PURPOSE ACCOUNTS

### GENERAL

#### Definitions

1. In this Regulation,

“adjudicator” means a person appointed by the Lieutenant Governor in Council under section 3; (“arbitre”)

“direct victim” means a person who suffered pecuniary or non-pecuniary losses, including losses recoverable under Part V of the *Family Law Act*, as a result of a crime that is the subject of a contract for recounting crime; (“victime directe”)

“final day for filing” means the date named in a notice published under section 4 on or before which all claims for the compensation pursuant to the notice must be filed; (“échéance de production”)

“special purpose account” means an account established under section 9 of the Act. (“compte spécial”)

#### Priority of payments from special purpose accounts

2. (1) Money shall be paid out of a special purpose account established under section 9 of the Act as follows:

1. First, to compensate direct victims of the crime that is the subject of the contract for recounting crime pursuant to which money is deposited into the special purpose account, in accordance with sections 3 to 10.
2. If any money remains after payment under paragraph 1, or if no money is paid under paragraph 1, then to assist victims of crime, in accordance with section 11.
  - (2) Any money deposited to a special purpose account after compensation has been determined or paid under paragraph 1 of subsection (1) shall be applied to payments from the account under paragraph 2 of subsection (1), but shall not be applied to payments or be considered in determining or altering compensation under paragraph 1 of subsection (1).
  - (3) Subsection (2) does not apply to royalties or other money deposited to a special purpose account that was determined by the adjudicator to be part of a direct victim claimant's compensation.

#### COMPENSATION TO DIRECT VICTIMS OF CRIME

##### Adjudicator

3. (1) The Lieutenant Governor in Council may appoint one or more persons to act as adjudicator of the claims made by direct victim claimants under this Regulation.
  - (2) An adjudicator shall receive remuneration and expenses as determined by the Lieutenant Governor in Council.
  - (3) The Attorney General may assign one or more employees of the Ministry of the Attorney General to assist an adjudicator in carrying out his or her duties under this Regulation.

##### Notice

4. (1) Within one year after the first deposit of money into a special purpose account, the Attorney General shall give notice in accordance with this section.
  - (2) The notice shall be published in *The Ontario Gazette* and may also be published in any other way or ways that, in the opinion of the Attorney General or his or her designate, will bring the right to make a claim for compensation to the attention of direct victims of the crime to which the special purpose account relates.
  - (3) The notice shall,
    - (a) identify the proceeding under the Act as a result of which the money was deposited into the special purpose account;
    - (b) state that any person who suffered pecuniary or non-pecuniary losses as a result of the crime that is the subject of the contract for recounting crime respecting which the proceeding was commenced is entitled to make a claim for compensation;
    - (c) describe the steps to be taken to make a claim;
    - (d) name the final day for filing, which shall not be earlier than six months after the first publication of the notice in *The Ontario Gazette* or later than nine months after that first publication;
    - (e) state that a claim that does not comply with this Regulation will be denied;
    - (f) give an address and telephone number to which inquiries about potential claims may be directed;
    - (g) give an address where claims should be filed;
    - (h) include any other information that the Attorney General considers appropriate.
  - (4) If the Attorney General or his or her designate is of the opinion, having regard to the number of potential direct victim claimants for compensation from a special purpose account and the amount available for compensation from the account, that the payment to each direct victim claimant would be too small to justify the administrative costs of adjudicating the claims, the Attorney General or his or her designate, as the case may be, may decide that no compensation will be paid to any direct victim claimant from the special purpose account and, in that case, the Attorney General shall not give notice in accordance with this section.

##### Claim

5. (1) A direct victim claimant shall use the claim form provided by the Attorney General.
  - (2) The claim shall include a description of the claimant's pecuniary losses and documentary evidence of the losses, including receipts and invoices.
  - (3) If the claim is also for non-pecuniary losses, it shall include a description of the claimant's non-pecuniary losses and documentary evidence of the losses.
  - (4) The claim shall identify any other sources from which compensation for the losses claimed by the claimant under this section have been paid or are payable to the claimant, and the amount of that compensation.
  - (5) The claim shall be filed on or before the final day for filing.

(6) The claimant shall revise the information required under subsection (4) as the information changes or as more such information becomes available to the claimant, even after receiving compensation from the special purpose account under section 7 or 8.

**No payments made until all claims are adjudicated**

6. No payments shall be made out of the special purpose account to direct victim claimants until all the claims filed by direct victim claimants in accordance with section 5 have been adjudicated and the amount of compensation to each claimant is determined under section 7 or 8.

**Determination of eligibility and amount of compensation**

7. (1) The adjudicator shall review all the direct victim claims filed on or before the final day for filing and shall determine,

- (a) each direct victim claimant's eligibility for compensation; and
- (b) the amount of compensation to be paid to each eligible direct victim claimant.

(2) A direct victim claimant is eligible for compensation from the special purpose account if the claim is filed in accordance with section 5 and if the adjudicator is satisfied by the claim and by any other information obtained by the adjudicator under section 11 of the Act that,

- (a) the claimant suffered pecuniary or non-pecuniary losses as a result of the unlawful activity;
- (b) the amount of the losses can be quantified; and
- (c) full compensation for the losses has not been paid or is not payable to the claimant from other sources.

(3) In determining whether a direct victim claimant is eligible for compensation and the amount of compensation to be paid to an eligible direct victim claimant, the adjudicator shall have regard to all relevant circumstances, including any behaviour of the claimant that may have directly or indirectly contributed to the claimant's losses.

(4) Even if a direct victim claimant is eligible to receive compensation as determined under subsections (2) and (3), the adjudicator may decline to pay any compensation to the claimant if, in the adjudicator's opinion,

- (a) the amount of the compensation would be too small to justify the administrative costs of paying it; or
- (b) the losses suffered by the claimant are remote from the crime that is the subject of the contract for recounting crime.

**Amount of compensation where claims exceed balance of account**

8. If the total amount of the compensation that would otherwise be paid to all the eligible direct victim claimants under section 7 exceeds the balance available in the special purpose account, the amount of compensation shall be determined and paid as follows:

1. Compensation for pecuniary losses of direct victim claimants who are individuals shall be determined first.
2. If the total amount that would otherwise be paid to all the eligible individual direct victim claimants for pecuniary losses exceeds the balance available in the special purpose account, the amount that would otherwise be paid to each individual direct victim claimant for pecuniary losses shall be reduced pro-rata in the proportion that the balance of the special purpose account bears to the total amount that would otherwise be paid to all the eligible individual direct victim claimants for pecuniary losses.
3. If, in the adjudicator's opinion, the payment for pecuniary losses to each individual direct victim claimant would be too small to justify the administrative costs of paying them, the adjudicator may decline to pay any compensation under paragraph 1 or 2.
4. If there is any balance available in the special purpose account after compensation for the pecuniary losses is determined under paragraph 1 or 2, compensation for non-pecuniary losses of direct victim claimants who are individuals shall be determined.
5. If the total of the amount that would otherwise be paid to all the eligible individual direct victim claimants for non-pecuniary losses exceeds the balance available in the special purpose account after compensation for the pecuniary losses under paragraph 1 or 2 is paid, the amount that would otherwise be paid to each individual direct victim claimant for non-pecuniary losses shall be reduced pro-rata in the proportion that the balance of the special purpose account bears to the total amount that would otherwise be paid to all the eligible individual direct victim claimants for non-pecuniary losses.
6. If, in the adjudicator's opinion, the payment for non-pecuniary losses to each individual direct victim claimant would be too small to justify the administrative costs of paying them, the adjudicator may decline to pay any compensation under paragraph 4 or 5.

7. If there is any balance available in the special purpose account after compensation for the pecuniary and non-pecuniary losses of individual direct victim claimants is determined under paragraphs 1 to 6, compensation for pecuniary losses of direct victim claimants who are not individuals shall be determined.
8. If, in the adjudicator's opinion, the payment for pecuniary losses to each direct victim claimant who is not an individual would be too small to justify the administrative costs of paying them, the adjudicator may decline to pay any compensation under paragraph 7.

#### Judicial review

9. (1) A decision of the adjudicator under section 7 or 8 is final and not subject to appeal, and shall not be altered or set aside in an application for judicial review or in any other proceeding unless the decision is patently unreasonable.

(2) An application for judicial review from a decision of the adjudicator under section 7 or 8 must be filed within 30 days after being notified of the determination that is subject to review.

#### Payments from other sources

10. (1) The amount that would otherwise be paid to a direct victim claimant under section 7 or 8 shall be reduced by the amount of compensation paid or payable to the claimant from any other source.

(2) If, after receiving a payment under section 7 or 8, a direct victim claimant receives a payment as compensation for some or all of the same losses from another source that was not identified in the claimant's claim or in an amount exceeding the amount identified in the claimant's claim, the claimant shall report the payment to the adjudicator, or if the adjudicator is no longer acting in respect of the special purpose account, to the Attorney General, and shall reimburse the Minister of Finance for the amount of money received from the other source that was also paid to the claimant from the special purpose account.

(3) The Minister of Finance may recover the amount of money received by a claimant from another source as compensation for the same losses for which the claimant received money as compensation from the special purpose account in any court of competent jurisdiction as a debt due to the Crown.

(4) The Minister of Finance shall deposit any reimbursed or recovered money to the special purpose account from which it had been paid.

#### ASSISTING VICTIMS OF CRIME

11. (1) The Attorney General may pay grants out of a special purpose account to any person or organization in order to assist victims of crime.

(2) The Attorney General shall establish criteria and guidelines for the payment of the grants, including the eligibility of persons and organizations to receive grants.

#### COMMENCEMENT

#### Commencement

12. **This Regulation comes into force on the later of the day it is filed and the day subsection 13 (1) of the Act is proclaimed in force.**

### RÈGLEMENT DE L'ONTARIO 236/03

pris en application de la

### LOI DE 2002 INTERDISANT LES GAINS TIRÉS DU RÉCIT D'ACTES CRIMINELS

pris le 4 juin 2003  
déposé le 6 juin 2003

### COMPTES SPÉCIAUX

#### DISPOSITIONS GÉNÉRALES

#### Définitions

1. Les définitions qui suivent s'appliquent au présent règlement.

«arbitre» Personne que le lieutenant-gouverneur en conseil nomme en application de l'article 3. («adjudicator»)

«compte spécial» Compte constitué en application de l'article 9 de la Loi. («special purpose account»)

«échéance de production» La date indiquée dans un avis publié en application de l'article 4, à laquelle, au plus tard, toutes les demandes d'indemnisation découlant de l'avis doivent être produites. («final day for filing»)

«victime directe» Personne qui a subi des pertes pécuniaires ou extrapécuniaires, y compris les pertes recouvrables en vertu de la partie V de la *Loi sur le droit de la famille*, par suite d'un acte criminel visé par un contrat d'utilisation du récit d'un acte criminel. («direct victim»)

#### Ordre de priorité des prélèvements sur les comptes spéciaux

2. (1) Les prélèvements sur un compte spécial constitué en application de l'article 9 de la Loi se font de la manière suivante :

1. Premièrement, aux fins de l'indemnisation des victimes directes de l'acte criminel visé par le contrat d'utilisation du récit d'un acte criminel à l'égard duquel une somme est déposée dans le compte spécial, conformément aux articles 3 à 10.
2. S'il reste des fonds après les paiements effectués en application de la disposition 1, ou s'il n'en est effectué aucun, aux fins de l'aide aux victimes d'actes criminels, conformément à l'article 11.

(2) Les sommes déposées dans un compte spécial après que des indemnités ont été fixées ou versées en application de la disposition 1 du paragraphe (1) doivent être affectées aux prélèvements sur le compte visés à la disposition 2 de ce paragraphe. Toutefois, elles ne doivent pas être affectées aux prélèvements visés à la disposition 1 du même paragraphe, entrer dans le calcul des indemnités prévues à cette disposition ni servir à les modifier.

(3) Le paragraphe (2) ne s'applique pas aux droits d'auteur et autres sommes déposés dans un compte spécial que l'arbitre déclare faire partie de l'indemnité versée à une victime directe qui présente une demande.

#### INDEMNISATION DES VICTIMES DIRECTES D'ACTES CRIMINELS

##### Arbitre

3. (1) Le lieutenant-gouverneur en conseil peut nommer une ou plusieurs personnes pour agir comme arbitre des demandes présentées par des victimes directes en vertu du présent règlement.

(2) L'arbitre touche la rémunération et les indemnités que fixe le lieutenant-gouverneur en conseil.

(3) Le procureur général peut nommer un ou plusieurs employés de son ministère pour aider l'arbitre à s'acquitter des fonctions que lui attribue le présent règlement.

##### Avis

4. (1) Le procureur général donne un avis conformément au présent article au plus tard un an après le premier dépôt d'une somme dans un compte spécial.

(2) L'avis est publié dans la *Gazette de l'Ontario* et peut également être publié de toute autre façon qui, de l'avis du procureur général ou de la personne qu'il désigne, portera le droit de demander une indemnité à l'attention des victimes directes de l'acte criminel auquel se rapporte le compte spécial.

(3) L'avis :

- a) précise l'instance prévue par la Loi à l'issue de laquelle la somme a été déposée dans le compte spécial;
- b) indique que toute personne qui a subi des pertes pécuniaires ou extrapécuniaires par suite de l'acte criminel visé par le contrat d'utilisation du récit d'un acte criminel à l'égard duquel l'instance a été introduite a le droit de demander une indemnité;
- c) décrit les étapes à suivre pour présenter une demande;
- d) fixe l'échéance de production, laquelle ne doit pas tomber moins de six mois après la date de sa publication initiale dans la *Gazette de l'Ontario* ou plus de neuf mois après cette date;
- e) indique qu'une demande qui n'est pas conforme au présent règlement sera rejetée;
- f) indique l'adresse et le numéro de téléphone auxquels les demandes de renseignements visant des demandes éventuelles peuvent être présentées;
- g) indique l'adresse où les demandes doivent être produites;
- h) comprend les autres renseignements que le procureur général estime utiles.

(4) Si le procureur général ou la personne qu'il désigne est d'avis, eu égard au nombre de victimes directes qui pourraient présenter des demandes d'indemnisation sur un compte spécial ou aux fonds disponibles à cette fin, que le versement revenant à chaque victime directe qui présente une demande serait trop petit pour justifier les frais d'administrations liés au règlement des demandes, l'un ou l'autre, selon le cas, peut décider qu'aucune indemnité ne sera prélevée sur le compte

spécial pour être versée aux victimes directes qui présentent des demandes, auquel cas le procureur général ne doit pas donner l'avis prévu au présent article.

#### **Demande**

5. (1) La victime directe qui présente une demande utilise la formule de demande que fournit le procureur général.

(2) La demande comprend une description des pertes pécuniaires subies par son auteur, preuves documentaires, notamment reçus et factures, à l'appui.

(3) Si la demande vise également des pertes extrapécuniaires subies par son auteur, elle en comprend la description, preuves documentaires à l'appui.

(4) La demande précise les autres sources qui ont versé ou doivent verser à son auteur des indemnités pour les pertes dont il demande à être indemnisé en vertu du présent article, ainsi que le montant de ces indemnités.

(5) La demande est produite au plus tard à l'échéance de production.

(6) L'auteur de la demande révisé les renseignements exigés au paragraphe (4) à mesure qu'ils évoluent ou qu'il en apprend de nouveaux, même après avoir reçu une indemnité prélevée sur le compte spécial en application de l'article 7 ou 8.

#### **Aucun paiement avant le règlement de toutes les demandes**

6. Aucune somme prélevée sur le compte spécial ne doit être versée aux victimes directes qui présentent une demande avant le règlement de toutes les demandes qu'elles ont produites conformément à l'article 5 et la fixation, en application de l'article 7 ou 8, du montant de l'indemnité accordée à chaque auteur d'une demande.

#### **Admissibilité et montant de l'indemnité**

7. (1) L'arbitre examine toutes les demandes que des victimes directes ont produites au plus tard à l'échéance de production et :

- a) d'une part, établit l'admissibilité à une indemnité de chaque victime directe qui présente une demande;
- b) d'autre part, fixe le montant de l'indemnité à verser à chaque victime directe admissible qui présente une demande.

(2) La victime directe qui présente une demande est admissible à une indemnité prélevée sur le compte spécial si la demande est produite conformément à l'article 5 et que celle-ci et les autres renseignements obtenus par l'arbitre en vertu de l'article 11 de la Loi le convainquent de ce qui suit :

- a) l'auteur de la demande a subi des pertes pécuniaires ou extrapécuniaires par suite de l'activité illégale;
- b) les pertes peuvent être quantifiées;
- c) d'autres sources n'ont pas indemnisé intégralement l'auteur de la demande des pertes qu'il a subies ni ne doivent le faire.

(3) Lorsqu'il établit l'admissibilité à une indemnité d'une victime directe qui présente une demande et qu'il fixe le montant de l'indemnité à verser à une telle victime qui est admissible, l'arbitre tient compte de toutes les circonstances pertinentes, y compris tout comportement de l'auteur de la demande qui peut avoir contribué directement ou indirectement aux pertes qu'il a subies.

(4) Même si la victime directe qui présente une demande est admissible à une indemnité fixée en application des paragraphes (2) et (3), l'arbitre peut refuser de la lui verser si, à son avis :

- a) soit le montant de l'indemnité serait trop petit pour justifier les frais d'administration liés à son versement;
- b) soit le lien entre les pertes subies par l'auteur de la demande et l'acte criminel visé par le contrat d'utilisation du récit d'un acte criminel est ténu.

#### **Montant de l'indemnité lorsque les demandes sont supérieures au solde du compte**

8. Si le montant total des indemnités qui seraient versées par ailleurs, en application de l'article 7, aux victimes directes admissibles qui présentent une demande est supérieur au solde du compte spécial, les indemnités sont fixées et versées comme suit :

1. Les indemnités pour pertes pécuniaires subies par des victimes directes qui présentent une demande et qui sont des particuliers sont fixées en premier.
2. Si le montant total des indemnités pour pertes pécuniaires qui seraient versées par ailleurs aux victimes directes admissibles qui présentent une demande et qui sont des particuliers est supérieur au solde du compte spécial, l'indemnité pour pertes pécuniaires qui serait versée par ailleurs à chaque victime directe qui présente une demande et qui est un particulier est réduite proportionnellement selon le rapport qui existe entre le solde et ce montant.

3. L'arbitre peut refuser de verser les indemnités visées à la disposition 1 ou 2 s'il est d'avis que l'indemnité pour pertes pécuniaires versée à chaque victime directe qui présente une demande et qui est un particulier serait trop petite pour justifier les frais d'administration liés à son versement.
4. Les indemnités pour pertes extrapécuniaires subies par des victimes directes qui présentent une demande et qui sont des particuliers sont fixées si le compte spécial affiche un solde après que les indemnités pour pertes pécuniaires ont été fixées en application de la disposition 1 ou 2.
5. Si le montant total des indemnités pour pertes extrapécuniaires qui seraient versées par ailleurs aux victimes directes admissibles qui présentent une demande et qui sont des particuliers est supérieur au solde du compte spécial après le versement des indemnités pour pertes pécuniaires visées à la disposition 1 ou 2, l'indemnité pour pertes extrapécuniaires qui serait versée par ailleurs à chaque victime directe qui présente une demande et qui est un particulier est réduite proportionnellement selon le rapport qui existe entre le solde et ce montant.
6. L'arbitre peut refuser de verser les indemnités visées à la disposition 4 ou 5 s'il est d'avis que l'indemnité pour pertes extrapécuniaires versée à chaque victime directe qui présente une demande et qui est un particulier serait trop petite pour justifier les frais d'administration liés à son versement.
7. Les indemnités pour pertes pécuniaires subies par des victimes directes qui présentent une demande et qui ne sont pas des particuliers sont fixées si le compte spécial affiche un solde après que les indemnités pour pertes pécuniaires et extrapécuniaires subies par les victimes directes qui présentent une demande et qui sont des particuliers ont été fixées en application des dispositions 1 à 6.
8. L'arbitre peut refuser de verser les indemnités visées à la disposition 7 s'il est d'avis que l'indemnité pour pertes pécuniaires versée à chaque victime directe qui présente une demande et qui n'est pas un particulier serait trop petite pour justifier les frais d'administration liés à son versement.

#### **Requête en révision judiciaire**

**9.** (1) Les décisions que l'arbitre prend en application de l'article 7 ou 8 sont définitives, ne sont pas susceptibles d'appel et ne doivent pas être modifiées ni annulées dans le cadre d'une requête en révision judiciaire ou de toute autre instance à moins d'être manifestement déraisonnables.

(2) La requête en révision judiciaire d'une décision que l'arbitre prend en application de l'article 7 ou 8 doit être déposée au plus tard 30 jours après la remise de l'avis de la décision en cause.

#### **Paiements provenant d'autres sources**

**10.** (1) L'indemnité qui serait versée par ailleurs, en application de l'article 7 ou 8, à la victime directe qui présente une demande est réduite de l'indemnité que toute autre source lui a versée ou doit lui verser.

(2) La victime directe qui a présenté une demande et qui, après avoir reçu un versement en application de l'article 7 ou 8, est indemnisée pour la totalité ou une partie des mêmes pertes par une autre source que ne précise pas la demande ou selon un montant supérieur à celui qui y est précisé en informe l'arbitre, ou, s'il n'agit plus à l'égard du compte spécial, le procureur général, et rembourse au ministre des Finances la somme reçue de l'autre source qui lui a également été versée par prélèvement sur le compte spécial.

(3) Le ministre des Finances peut recouvrer devant un tribunal compétent, à titre de créance de la Couronne, la somme que l'auteur d'une demande a reçue d'une autre source en indemnisation des pertes à l'égard desquelles il a reçu une indemnité prélevée sur le compte spécial.

(4) Le ministre des Finances dépose le montant de toute somme remboursée ou recouvrée dans le compte spécial sur lequel elle a été prélevée.

#### **AIDE AUX VICTIMES D'ACTES CRIMINELS**

**11.** (1) Le procureur général peut prélever des fonds sur un compte spécial pour verser des subventions à toute personne ou tout organisme afin d'aider les victimes d'actes criminels.

(2) Le procureur général établit des critères et des lignes directrices qui régissent le versement des subventions, notamment l'admissibilité de personnes et d'organismes.

#### **ENTRÉE EN VIGUEUR**

#### **Entrée en vigueur**

**12. Le présent règlement entre en vigueur le dernier en date du jour de son dépôt et du jour de la proclamation en vigueur du paragraphe 13 (1) de la Loi.**

25/03

**CORRECTION**

**Ontario Regulation 48/03 under the *Securities Act* published in the March 15, 2003 issue of *The Ontario Gazette*.**

**The note which appears at the end of the regulation should have read as follows:**

**Note: The rule made by the Ontario Securities Commission on January 28, 2003 entitled "Ontario Securities Commission Rule 13-502 *Fees*" comes into force on March 31, 2003.**

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