



# The Ontario Gazette

# La Gazette de l'Ontario

Vol. 136-27  
Saturday, 5th July 2003

Toronto

ISSN 0030-2937  
Le samedi 5 juillet 2003

## Criminal Code Code criminel

### DESIGNATION OF QUALIFIED TECHNICIANS (BREATH SAMPLES)

NOTICE IS HEREBY GIVEN that pursuant to subsection 254(1) of the Criminal Code (Canada), the Honourable Robert Runciman, Minister of Public Safety and Security of Ontario, on the 24th day of June 2003, designated the following persons as being qualified to operate the approved instruments known as the Intoxilyzer® 5000C.

L'AVIS PRESENT est donné qu'en vertu du paragraphe 254(1) du Code Criminel du Canada, l'honorable Robert Runciman, Ministre de la Sûreté et de la Sécurité publique de l'Ontario, le 24 juin 2003, désigna les personnes suivantes comme étant qualifiées pour manipuler les alcootest approuvé connu sous de nom de Intoxilyzer® 5000C.

Chip Anderson  
Dan Armstrong  
Stephanie Baldwin  
Michael Bib  
Kyle B. Bildfell  
Sandro Bortot  
Gordon J. Bruce  
Ryan Burney  
Kevin Bylsma  
James J. Chauvin  
Jody-Lynn deHaas  
Jason Gagné  
Sarah Gray  
Richard Hampel  
Randy Hosken  
Rich Howitt  
Ryan R. Jones  
Brent MacDonald  
James Markham  
Jason Majkot  
Wade Maksymchuk  
Cheryl M<sup>c</sup>Vicar  
Robert Medeiros  
Drew Nesbitt

Leamington Police Service  
Oxford Community Police Service  
Essex Police Service  
Essex Police Service  
Essex Police Service  
Greater Sudbury Police Service  
Ontario Provincial Police  
Essex Police Service  
Oxford Community Police Service  
Essex Police Service  
North Bay Police Service  
Greater Sudbury Police Service  
Essex Police Service  
North Bay Police Service  
Greater Sudbury Police Service  
Windsor Police Service  
Windsor Police Service  
Greater Sudbury Police Service  
Ontario Provincial Police  
Greater Sudbury Police Service  
Greater Sudbury Police Service  
Chatham-Kent Police Service  
Deep River Police Service  
Greater Sudbury Police Service

Gediminas Poderys  
Michael J. Primeau  
Patrick M. Rainville  
Michelle Reardon  
John E. Ryan  
Richard Savard  
Chhieu Seng  
Nawzad Sinjari  
Cameron Smith  
Ian Stibbard  
Susan Strohm  
C. Adam Walden  
Ian West  
Robert M.A. Weston  
Raymond V. Wouters  
Michael Jason Younan

(6795) 27

Sault Ste. Marie Police Service  
Essex Police Service  
West Nipissing Police Service  
Oxford Community Police Service  
Windsor Police Service  
West Nipissing Police Service  
Leamington Police Service  
LaSalle Police Service  
Leamington Police Service  
Leamington Police Service  
Essex Police Service  
Greater Sudbury Police Service  
Thunder Bay Police Service  
Greater Sudbury Police Service  
Ontario Provincial Police  
Ontario Provincial Police

## Proclamations

(Great Seal of Ontario)

JOHN MORDEN

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

*GOVERNMENT EFFICIENCY ACT, 2002*

We, by and with the advice of the Executive Council of Ontario, name August 29, 2003 as the day on which section 21 of Schedule P of the *Government Efficiency Act, 2002*, c. 18, which amends the *Highway Traffic Act*, comes into force.

WITNESS:

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Publié par Ministère des Services aux consommateurs  
et aux entreprises

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1741



THE HONOURABLE  
JOHN MORDEN  
JUSTICE OF THE COURT OF APPEAL FOR ONTARIO

ADMINISTRATOR OF THE GOVERNMENT  
OF OUR PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on June 25, 2003.

*BY COMMAND*

DAVID H. TSUBOUCHI  
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

JOHN MORDEN

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 L'EFFICIENCE DU GOUVERNEMENT*

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le 29 août 2003 comme le jour où entre en vigueur l'article 21 de l'annexe P de la *Loi de 2002 sur l'efficacité du gouvernement*, chap. 18, qui modifie le *Code de la route*.

*TÉMOIN :*

L'HONORABLE  
JOHN MORDEN  
JUGE DE LA COUR D'APPEL DE L'ONTARIO

ADMINISTRATEUR DU GOUVERNEMENT DE  
NOTRE PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 25 juin 2003.

*PAR ORDRE*

DAVID H. TSUBOUCHI  
Président du Conseil de gestion du gouvernement

(6797) 27

(Great Seal of Ontario)

JOHN MORDEN

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

*NUTRIENT MANAGEMENT ACT, 2002*

We, by and with the advice of the Executive Council of Ontario, name July 1, 2003 as the day on which the *Nutrient Management Act, 2002*, c. 4 comes into force.

*WITNESS:*

THE HONOURABLE  
JOHN MORDEN  
JUSTICE OF THE COURT OF APPEAL FOR ONTARIO

ADMINISTRATOR OF THE GOVERNMENT  
OF OUR PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on June 25, 2003.

*BY COMMAND*

DAVID H. TSUBOUCHI  
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

JOHN MORDEN

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 GESTION DES ÉLÉMENTS NUTRITIFS*

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le 1er juillet 2003 comme le jour où entre en vigueur la *Loi de 2002 sur la gestion des éléments nutritifs*, chap. 4.

*TÉMOIN :*

L'HONORABLE  
JOHN MORDEN  
JUGE DE LA COUR D'APPEL DE L'ONTARIO

ADMINISTRATEUR DU GOUVERNEMENT DE  
NOTRE PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 25 juin 2003.

*PAR ORDRE*

DAVID H. TSUBOUCHI  
Président du Conseil de gestion du gouvernement

(6798) 27

(Great Seal of Ontario)

JOHN MORDEN

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

*ROAD SAFETY ACT, 1996 (NO. 2)*

We, by and with the advice of the Executive Council of Ontario, name June 30, 2003 as the day on which the following provisions of the *Road Safety Act, 1996 (No. 2)*, c. 33, come into force:

1. Section 12, which amends the *Highway Traffic Act*.
2. Sections 36 and 37.

*WITNESS:*

THE HONOURABLE  
JOHN MORDEN  
JUSTICE OF THE COURT OF APPEAL FOR ONTARIO

ADMINISTRATOR OF THE GOVERNMENT  
OF OUR PROVINCE OF ONTARIO

GIVEN at Toronto, Ontario, on June 25, 2003.

BY COMMAND

DAVID H. TSUBOUCHI  
Chair of the Management Board of Cabinet

(Great Seal of Ontario)

JOHN MORDEN

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 Common-  
wealth, Défenseur de la Foi.

PROCLAMATION

LOI DE 1996 SUR LA SÉCURITÉ ROUTIÈRE (N<sup>o</sup> 2)

Sur l'avis du Conseil exécutif de l'Ontario, nous désignons le 30 juin

2003 comme le jour où entrent en vigueur les dispositions suivantes de  
la *Loi de 1996 sur la sécurité routière (n<sup>o</sup> 2)*, chap. 33 :

1. L'article 12, qui modifie le *Code de la route*.
2. Les articles 36 et 37.

TÉMOIN :

L'HONORABLE  
JOHN MORDEN  
JUGE DE LA COUR D'APPEL DE L'ONTARIO

ADMINISTRATEUR DU GOUVERNEMENT DE  
NOTRE PROVINCE DE L'ONTARIO

FAIT à Toronto (Ontario) le 25 juin 2003.

PAR ORDRE

DAVID H. TSUBOUCHI  
Président du Conseil de gestion du gouvernement

(6799) 27

## 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>2003-05-09</b>	
GREEN VALLEY (INTERNATIONAL) INVESTMENT & MANAGEMENT LTD. ....	1083190
1182003 ONTARIO LIMITED. ....	1182003
1286718 ONTARIO INC. ....	1286718
<b>2003-05-12</b>	
EMILY & SONS ENTERPRISES LTD. ....	796318
FREY SIGNS LIMITED ....	317666
HELEN MACLAREN INC. ....	1048206
<b>2003-05-19</b>	
LEE & SUM INVESTMENTS INC. ....	1140866
<b>2003-05-20</b>	
L. & J. COLLINS GROUP HOMES LIMITED ....	309882
SICO FOODS LIMITED/LES ALIMENTS SICO LIMITEE ....	114292
1037149 ONTARIO INC. ....	1037149
770136 ONTARIO INC. ....	770136
939534 ONTARIO INC. ....	939534
<b>2003-05-23</b>	
JANWIN INVESTMENTS LIMITED. ....	154586
<b>2003-05-26</b>	
WILLIAM ROSS HARDWARE LTD. ....	712239
1183979 ONTARIO INC. ....	1183979
972731 ONTARIO INC. ....	972731

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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<b>2003-05-27</b>	
FROOD SAFETY COMPANY LIMITED. ....	231073
<b>2003-06-03</b>	
ROSIN ADVERTISING LTD. ....	910396
<b>2003-06-04</b>	
ROUGE VALLEY THERAPY CENTRE INC. ....	1022479
1109615 ONTARIO LIMITED. ....	1109615
1323280 ONTARIO INC. ....	1323280
<b>2003-06-05</b>	
CHINA-CAN INTERNATIONAL SCHOOL LTD. ....	1035803
<b>2003-06-06</b>	
ELMIDAN HOLDINGS LTD. ....	481204
MARIAN PILLACH INC. ....	403749
1270544 ONTARIO INC. ....	1270544
1466687 ONTARIO INC. ....	1466687
<b>2003-06-07</b>	
CANPATENT OFFICE SERVICES INC. ....	879514
<b>2003-06-09</b>	
J.J. VAN DINTER REAL ESTATE LTD. ....	288336
<b>2003-06-11</b>	
LOGIMACS TECHNOLOGIES INC. ....	1405831
689960 ONTARIO LIMITED. ....	689960
809124 ONTARIO INC. ....	809124
<b>2003-06-12</b>	
CHEDOKE BUSINESS SERVICES PRINTERS & LITHOGRAPHERS LTD. ....	407634
<b>2003-06-13</b>	
DRUMBO INVESTMENTS INC. ....	924539
JAPAN RESOURCES GROUP INC. ....	1528358
LYCROWN INTERNATIONAL (CANADA) LTD. ....	960848
ROYAL CHOICE COFFEE HOUSE CORPORATION ....	1520107
TRIUMPH CONSULTANTS (CANADA) LTD. ....	1514154
1134675 ONTARIO LIMITED. ....	1134675
1196677 ONTARIO INC. ....	1196677
1283442 ONTARIO LTD. ....	1283442
1297270 ONTARIO LIMITED. ....	1297270
952661 ONTARIO INC. ....	952661

Name of Corporation:	Ontario Corporation Number
Dénomination sociale	Numéro de la
de la compagnie :	compagnie en Ontario

**2003-06-16**

L. FALLIS CONSTRUCTION LIMITED . . . . .	343086
MAN KEE LIMITED . . . . .	1062337
RIVERHILL DEVELOPMENTS LIMITED . . . . .	213445
SAI IT CONSULTANTS INC. . . . .	1424730
SASS PRODUCTIONS INC. . . . .	1031257
SILVA SECURITY CONSULTANTS INC. . . . .	2006351
TROPICAL CHILDREN'S WEAR INC. . . . .	1006166
UNION CURRENCY SERVICES LTD. . . . .	708563
1034134 ONTARIO LIMITED. . . . .	1034134
1341023 ONTARIO INC. . . . .	1341023
541640 ONTARIO INC. . . . .	541640
687925 ONTARIO INC. . . . .	687925

**2003-06-17**

ANKOR INTERNATIONAL LTD. . . . .	978592
ARDAWAN REALTY LTD . . . . .	561625
DARGAVEL INVESTMENTS LIMITED . . . . .	432163
LISKO INVESTMENTS LTD. . . . .	221700
LITHOTYPE PRINTING INC. . . . .	1326271
LORCEL INVESTMENTS LIMITED . . . . .	1053296
SUPERFINE AUTO INC. . . . .	1346885
TRICOT INVESTMENTS LIMITED . . . . .	287606
931282 ONTARIO LTD. . . . .	931282

**2003-06-18**

AVIDEM HOLDINGS LIMITED . . . . .	458742
EURO/CANADIAN ACCOUNTING LTD. . . . .	1427960
FLS MILJO CANADA INC. . . . .	1118392
HOSTPRO ACQUISITION CANADA INC. . . . .	1411125
OCEAN CREST ENTERPRISES LTD. . . . .	648794
609062 ONTARIO LIMITED. . . . .	609062

**2003-06-19**

AMAZON INTERNATIONAL GROUP INC. . . . .	1231323
BBDV ONTARIO LTD. . . . .	1280084
BOUCHER'S BUILDING SUPPLIERS LIMITED . . . . .	792183
FISCOM CONSULTING INC. . . . .	1210751
FWB MANAGEMENT INC. . . . .	1043356
KARGOLD TRADING INTERNATIONAL INC. . . . .	1314271
1068092 ONTARIO INC. . . . .	1068092
378462 ONTARIO LIMITED. . . . .	378462
72938 ONTARIO LIMITED . . . . .	72938

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

27/03

### Erratum Avis d'Erreur

Vide Ontario Gazette, Vol. 136-24 dated June 14, 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 ELBURZ INVESTMENTS INC. was issued in error and is null and void.

Cf. Gazette de l'Ontario, Vol. 136-24 datee du Juin 14, 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 ELBURZ INVESTMENTS 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

27/03

### 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:	Ontario Corporation Number
Dénomination sociale	Numéro de la
de la compagnie :	compagnie en Ontario

**2003-06-20**

BATCHAWANA BAY WILDERNESS CAMPS NORTH LIMITED . . . . .	1188080
416 MOTORING LTD. . . . .	1540566
1540253 ONTARIO INC. . . . .	1540253
1540421 ONTARIO INC. . . . .	1540421
1540770 ONTARIO INC. . . . .	1540770
1540774 ONTARIO LIMITED. . . . .	1540774
1540775 ONTARIO LIMITED. . . . .	1540775
1541271 ONTARIO INC. . . . .	1541271
2015609 ONTARIO INC. . . . .	2015609

**2003-06-23**

BENTLEY MOTORS LIMITED . . . . .	1308913
MEDIA REQUEST ADVERTISING & PROMOTION INC. . . . .	1105396
PRO ATHLETIC WEAR MANUFACTURING LTD. . . . .	1139883
SPORTZ BEARZ INC. . . . .	1139882

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

27/03

### Cancellation of Certificates of Incorporation (Business Corporations Act) Annulation de certificats de constitution en personne morale (Loi sur les sociétés par actions)

NOTICE IS HEREBY GIVEN that by orders under subsection 241 (4) of the *Business Corporations Act*, the certificates of incorporation set out hereunder have been cancelled and corporation(s) have been dissolved. The effective date of cancellation precedes the corporation listing.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (4) de la *Loi sur les sociétés par actions*, les certificats présentés ci-dessous ont été annulés et les compagnies ont été dissoutes. La dénomination sociale des compagnies concernées est précédée de la date de prise d'effet de l'annulation.

Name of Corporation: Dénomination sociale de la compagnie :	Ontario Corporation Number Numéro de la compagnie en Ontario
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<b>2002-12-13</b>	
BELAIRE BROTHERS CORP. ....	1534527
<b>2003-01-17</b>	
1541104 ONTARIO LIMITED.....	1541104
<b>2003-01-29</b>	
1559523 ONTARIO INC. ....	1559523
<b>2003-02-06</b>	
ALL PRO ASSESSMENT CENTRE INC. ....	1560397
<b>2003-02-14</b>	
1562373 ONTARIO LTD.....	1562373
<b>2003-02-21</b>	
NEW CONCEPT APPAREL INC. ....	1563458
VUKOSAVIC CONSULTING LTD. ....	1563446

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

27/03

## 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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ALEX CANADA INC. ....	608804
BATHURST MANOR SERVICE CENTRE (1986) LTD. ....	665740
C&C CASH & CARRY INC. ....	654132
DORCHESTER COMMUNICATIONS BUILDING LIMITED .....	635632
FIRE RETROFIT SERVICES GROUP INC. ....	1184168
GOLDLIL INVESTMENTS LIMITED .....	682832
H. TNV SALES INC. ....	608624
HOMELIFE/RIVER OAKS REALTY INC. ....	650756
JAMES V. FINDLAY ASSOCIATES INC. ....	683452
JOHN SMIRLE & ASSOCIATES INC. ....	1117389
K.M.S. ELECTRIC LTD. ....	619124
LA PLANTE LITHOGRAPHING COMPANY LIMITED ...	60451
LETHBRIDGE ADJUSTING LIMITED .....	629400
MANNACO INVESTMENTS INC. ....	622236
MARCO BRAMBILLA PRODUCTIONS INC. ....	618980
NECTAR DESIGN INC. ....	658820
P.D. FOLEY ENGINEERING LTD. ....	661472
PALM BEACH GARDENS GENERAL PARTNER INC. ....	1118202
PALM BEACH GARDENS INVESTMENT CORPORATION .....	1118203
RICK PAV INVESTMENTS LTD. ....	616149
SALES PROMO NEWS CORP. ....	633788
SITEON INVESTMENTS LTD. ....	601893
SPECTRUM DENTAL LABORATORIES INC. ....	635240
WAKEHOOD X-RAY CLINIC INC. ....	623228
596672 ONTARIO LIMITED .....	596672
616876 ONTARIO INC. ....	616876
618508 ONTARIO LIMITED .....	618508
625920 ONTARIO INC. ....	625920
630079 ONTARIO LIMITED .....	630079
647108 ONTARIO LTD. ....	647108
655201 ONTARIO LIMITED .....	655201
656412 ONTARIO LTD. ....	656412
658012 ONTARIO LIMITED .....	658012
658800 ONTARIO LIMITED .....	658800
661464 ONTARIO LTD. ....	661464
661514 ONTARIO INC. ....	661524
666188 ONTARIO LIMITED .....	666188
674904 ONTARIO LIMITED .....	674904
679604 ONTARIO LIMITED .....	679604
889691 ONTARIO LIMITED .....	889691

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

27/03

## Ministry of Finance—Interest Rates Ministère des Finances—Taux d'intérêt

### NOTICE

#### CHANGE OF INTEREST RATES

- Effective July 1, 2003, the rate of interest payable on tax underpayments, Electricity Act payments, and amounts payable with respect to small business development grants administered by the Ministry of Finance, will be 8%. The general rate of interest on overpayment of taxes and Electricity Act payments will be 3%. These rates apply to the following statutes:

*Commercial Concentration Tax Act*  
*Corporations Tax Act*  
*Electricity Act, 1998 (Parts V.1 & VI)*  
*Employer Health Tax Act*  
*Fuel Tax Act\**

*Gazoline Tax Act\**  
*Land Transfer Tax Act*  
*Mining Tax Act*  
*Provincial Land Tax Act*  
*Race Tracks Tax Act*

*Retail Sales Tax Act*  
*Small Business Development Corporations Act*  
*Succession Duty Act*  
*Tobacco Tax Act*

Also effective July 1, 2003, the rate of interest will be 5% on amounts refunded or credited after an objection or appeal of Commercial Concentration Tax, Corporations Tax, Employer Health Tax, Gasoline Tax\*, Fuel Tax\*, Land Transfer Tax, Mining Tax, Retail Sales Tax, Tobacco Tax or Electricity Act payments. Under retroactive regulation changes that came into force in September 1999, the rate of interest on amounts refunded or credited after successful objections or appeals is increased by two points over the general rate on refunds, applicable to periods after 1998 for Commercial Concentration Tax, Gasoline Tax, Fuel Tax, Land Transfer Tax, Retail Sales Tax, and Tobacco Tax, and to taxation years ending after 1997 for Corporations Tax, Employer Health Tax, Mining Tax and Electricity Act payments.

\* The rates in this Notice do not apply to International Fuel Tax Agreement (IFTA) matters, as that agreement contains distinct provisions for setting interest rates.

2. The tables below show the respective rates of interest applicable to past periods of time in the five years ending June 30, 2003, and the new rates now in effect.

#### INTEREST RATES

Time Period	Payable on Underpayments & Small Business Development Grants %	Payable on Overpayments (where applicable)	
		General Rate %	Appeals Rate %
Jul. 1/98 — Sep. 30/98	10	5	7
Oct. 1/98 — Dec. 31/98	10	5	7
Jan. 1/99 — Mar. 31/99	10	5	7
Apr. 1/99 — Jun. 30/99	10	5	7
Jul. 1/99 — Sep. 30/99	10	5	7
Oct. 1/99 — Dec. 31/99	9	4	6
Jan. 1/00 — Mar. 31/00	9	4	6
Apr. 1/00 — Jun. 30/00	10	5	7
Jul. 1/00 — Sep. 30/00	10	5	7
Oct. 1/00 — Dec. 31/00	11	6	8
Jan. 1/01 — Mar. 31/01	11	6	8
Apr. 1/01 — Jun. 30/01	11	6	8
Jul. 1/01 — Sep. 30/01	10	5	7
Oct. 1/01 — Dec. 31/01	9	4	6
Jan. 1/02 — Mar. 31/02	8	3	5
Apr. 1/02 — Jun. 30/02	7	2	4
Jul. 1/02 — Sep. 30/02	7	2	4
Oct. 1/02 — Dec. 31/02	7	2	4
Jan. 1/03 — Mar. 31/03	8	3	5
Apr. 1/03 — Jun. 30/03	8	3	5
Jul. 1/03 —	8	3	5

Dated at Oshawa, this 3rd day of June, 2003.

Ministry of Finance  
Tax Revenue Division  
Marion E. Crane  
Assistant Deputy Minister

#### AVIS DE CHANGEMENT DANS LES TAUX D'INTÉRÊT

1. À compter du 1<sup>er</sup> juillet 2003, le taux d'intérêt sur les paiements en moins de taxes et d'impôts, les paiements au titre de la Loi sur l'électricité, et les montants payables relativement aux subventions pour l'expansion des petites entreprises administrées par le ministère des Finances sera de 8%. Le taux d'intérêt général sur les paiements en trop de taxes et d'impôts, et les paiements au titre de la Loi sur l'électricité sera de 3%. Ces taux s'appliquent aux lois suivantes :

*Loi sur la taxe de vente au détail*

*Loi de la taxe sur le tabac*

*Loi de la taxe sur le pari mutuel*

*Loi de la taxe sur l'essence\**

*Loi de 1998 sur l'électricité (parties V.1 et VI)*

*Loi sur l'imposition des corporations*

*Loi sur l'impôt foncier provincial*

*Loi de l'impôt sur l'exploitation minière*

*Loi sur les droits successoraux*

*Loi de la taxe sur les carburants\**

*Loi sur les droits de cession immobilière*

*Loi sur l'impôt-santé des employeurs*

*Loi de l'impôt sur les concentrations  
commerciales*

et

*Loi sur les sociétés pour l'expansion des petites entreprises.*

Également à compter du 1<sup>er</sup> juillet 2003, le taux d'intérêt sur les montants remboursés ou crédités après une opposition ou un appel de l'impôt sur les concentrations commerciales, l'impôt des compagnies, l'impôt-santé des employeurs, la taxe sur l'essence\*, la taxe sur les carburants\*, les droits de cession immobilière, l'impôt sur l'exploitation minière, la taxe de vente au détail, la taxe sur le tabac ou les paiements au titre de la Loi sur l'électricité sera de 5%. Selon les changements au règlement rétroactif entrés en vigueur en septembre 1999, le taux d'intérêt accordé sur les montants remboursés ou crédités après qu'une opposition ou un appel ait été accueilli, augmente de deux points par rapport au taux d'intérêt général accordé sur les remboursements, applicable aux périodes après 1998 pour l'impôt sur les concentrations commerciales, la taxe sur l'essence, la taxe sur les carburants, les droits de cession immobilière, la taxe de vente au détail et la taxe sur le tabac, et aux années d'imposition prenant fin après 1997 pour l'impôt des compagnies, l'impôt-santé des employeurs, l'impôt sur l'exploitation minière et les paiements au titre de la Loi sur l'électricité.

\* Les taux d'intérêts publiés dans le présent avis ne s'appliquent pas aux questions liées à l'accord international relatif aux taxes sur les carburants, car cet accord renferme des dispositions distinctes pour l'établissement des taux d'intérêt.

2. Le tableau ci-après donne les taux d'intérêt respectifs applicables aux périodes antérieures dans les cinq ans prenant fin le 30 juin 2003 et les nouveaux taux en vigueur.

## TAUX D'INTÉRÊT

Période	sur les paiements en moins et les subventions pour l'expansion des petites entreprises %	sur les paiements en trop (s'il y a lieu)	
		Taux général %	Taux des appels %
1 <sup>er</sup> juil. 1998 — 30 sept. 1998	10	5	7
1 <sup>er</sup> oct. 1998 — 31 déc. 1998	10	5	7
1 <sup>er</sup> janv. 1999 — 31 mars 1999	10	5	7
1 <sup>er</sup> avr. 1999 — 30 juin 1999	10	5	7
1 <sup>er</sup> juil. 1999 — 30 sept. 1999	10	5	7
1 <sup>er</sup> oct. 1999 — 31 déc. 1999	9	4	6
1 <sup>er</sup> janv. 2000 — 31 mars 2000	9	4	6
1 <sup>er</sup> avr. 2000 — 30 juin 2000	10	5	7
1 <sup>er</sup> juil. 2000 — 30 sept. 2000	10	5	7
1 <sup>er</sup> oct. 2000 — 31 déc. 2000	11	6	8
1 <sup>er</sup> janv. 2001 — 31 mars 2001	11	6	8
1 <sup>er</sup> avr. 2001 — 30 juin 2001	11	6	8
1 <sup>er</sup> juil. 2001 — 30 sept. 2001	10	5	7
1 <sup>er</sup> oct. 2001 — 31 déc. 2001	9	4	6
1 <sup>er</sup> janv. 2002 — 31 mars 2002	8	3	5
1 <sup>er</sup> avr. 2002 — 30 juin 2002	7	2	4
1 <sup>er</sup> juil. 2002 — 30 sept. 2002	7	2	4
1 <sup>er</sup> oct. 2002 — 31 déc. 2002	7	2	4
1 <sup>er</sup> janv. 2003 — 31 mars 2003	8	3	5
1 <sup>er</sup> avr. 2003 — 30 juin 2003	8	3	5
À compter du 1 <sup>er</sup> juil 2003	8	3	5

Préparé à Oshawa, ce 3<sup>e</sup> jour de juin 2003.

Ministère des finances  
Division du revenu fiscal  
Marion E. Crane  
Sous-ministre adjointe

(6789) 27

## Financial Services Commission of Ontario Commission des services financiers de l'Ontario

*Statement of Priorities  
June 2003*

### Introduction

Section 11 of the *Financial Services Commission of Ontario (FSCO) Act, 1997*, requires FSCO to deliver to the Minister of Finance and publish by June 30<sup>th</sup> of each year a statement setting out its proposed priorities for the year ahead. This is FSCO's sixth Statement of Priorities. It outlines proposed Strategic Priorities, identifies the key challenges facing FSCO, highlights initiatives and notes recent progress on significant FSCO projects. It also identifies how progress on selected priorities will be measured.

FSCO is comprised of three key parts: the Commission or Board; the Financial Services Tribunal (Tribunal); and the Superintendent and staff. FSCO regulates insurance, pension plans, loan and trust companies, credit unions/caisses populaires, mortgage brokers and co-operative corporations in Ontario.

Each year FSCO works together with stakeholders, including representatives from the regulated sectors and consumers, to identify projects that in their view should be included in our Statement of Priorities.

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**Our Mandate** To protect the public interest and enhance public confidence in the regulated sectors, FSCO provides regulatory services that protect consumers and support a healthy and competitive financial services industry.

**Our Vision** We are committed to being a vigilant, fair minded and forward looking regulatory agency with a constructive and responsive presence in Ontario's financial services marketplace.

-----  
**Key Challenges**

• **Convergence and Harmonization**

The effects of globalization, convergence and consolidation continue to have a profound impact on the financial services sector. Markets are searching for ways to take advantage of rapidly disappearing limitations on what, when, where and how business can take place worldwide. As the pressure for convergence increases, regulators are moving to harmonize operations and offer the financial sectors a more efficient and cost effective regulatory regime.

The challenge is to work together with other regulators and stakeholder groups to harmonize regulation across borders and across sectors. We will continue to work with the Ontario Securities

Commission (OSC) on initiatives to coordinate our regulatory activities and on the proposed creation of a new regulatory structure.

- **Market Conditions**

While there exists an element of economic uncertainty, both the Canadian and Ontario financial outlooks remain strong. The regulated sectors are working toward finding innovative, long-term solutions to sometimes difficult market conditions. It is essential that FSCO have a thorough understanding of the realities putting pressure on their industries. These pressures include: rising costs; increased competition; changing demographics; the impact of technology; and the costs and complexities of regulatory structures.

The challenge is to work together with the regulated sectors to respond effectively to current market realities.

- **Regulatory Issues**

The goal of maintaining healthy and dynamic markets while protecting consumers through relevant regulation is central to FSCO. This regulatory responsibility must take into consideration both the realities of an uncertain market and the demands of an effective consumer protection regime.

The challenge is to develop regulatory policy that adequately deals with the complex financial issues facing the regulated sectors while protecting the consumer.

- **Technology**

Changes in technology continue to influence the financial services sector. The sectors regulated by FSCO are making use of advances in electronic communication to better serve their customers. FSCO has a responsibility to maintain our technological expertise in order to provide our stakeholders with reliable and secure electronic service delivery.

The challenge is to enhance the ability of FSCO staff to meet the demands of the regulated sectors for electronic service delivery and that FSCO is in a position to address these demands.

- **The Consumer**

The profile of the financial services consumer has changed with the growing influence of technology and the availability of increasingly sophisticated information. Many consumers have assumed a greater role in the decision making process for their financial services. This shift in responsibility provides a strong incentive for consumers to understand both the markets as well as the role of the regulator. Public confidence in aspects of the financial markets has been shaken in recent years; today's consumer expects the regulator to maintain the integrity of the system.

### *What this Means to FSCO*

In order to meet the challenges listed above, clear priorities must be set. As well, initiatives need to be identified to complete these priorities.

FSCO has identified the following priorities for the coming year. As each is significant for FSCO, they are not ranked in any particular order:

- I. Promote a coordinated national approach to regulatory issues.
- II. Apply risk-based approaches when designing operational policies and procedures.
- III. Amend operational policies and procedures and propose amendments to legislation and regulations to keep up with changes in the marketplace.
- IV. Make effective use of technology in delivering services.

FSCO believes that each of the four key priorities for 2003-2004, and the initiatives associated with them, will have a positive impact on consumers. By pursuing these priorities and initiatives, we are confident that we will meet the needs of well informed financial services consumers.

### *Our Strategic Priorities*

#### **I. Promote a coordinated national approach to regulatory issues**

*We will undertake the following key initiatives toward achieving this outcome:*

- Play a significant role in the following Joint Forum of Financial Market Regulators' (Joint Forum), Canadian Association of Pension Supervisory Authorities' (CAPSA) and Canadian Council of Insurance Regulators' (CCIR) initiatives:

#### Joint Forum -

- ▶ work toward the further harmonization of the securities and insurance regulatory frameworks for mutual funds and individual variable insurance contracts (IVICs), particularly as they relate to point of sale disclosure requirements;
- ▶ work toward the implementation of harmonized national guidelines for capital accumulation plans (CAPs) across the pension, insurance and securities sectors;
- ▶ conduct consultations on the Principles and Practices for the Sale of Products and Services in the Financial Sector document, which discusses the Joint Forum's project to develop a common set of principles and practices for the sale of products and services by all financial intermediaries operating in more than one sector;
- ▶ work with the industry to further enhance the operation of the Financial Services OmbudsNetwork (FSO);

#### CAPSA -

- ▶ continue work on regulatory principles for a model pension law;
- ▶ work toward the continued development of a revised reciprocal agreement for multi-jurisdictional pension plans;
- ▶ work toward the implementation of harmonized guidelines for governance of pension plans;
- ▶ conduct consultations on recommended changes to the rules governing the investment of pension funds;

#### CCIR -

- ▶ increase inter-provincial harmonization in the regulation of agents and brokers;
- ▶ assess whether changes are required in the law to protect the confidentiality of information related to critical self assessment audits conducted by insurance companies;
- ▶ develop the harmonized minimum capital test for property and casualty insurance companies in Ontario; and
- ▶ implement national harmonized classes of insurance and definitions.

- Work toward the harmonization of "Prudent Portfolio" initiatives with the Office of the Superintendent of Financial Institutions (OSFI) and other provinces.
- Work with OSFI on discounting requirements and instructions to financial services institutions.
- Work with the Ministry of Finance to respond to plans by the credit union system to become more efficient on a national basis.

*We will measure success in achieving this outcome by the following:*

- There will be progress in the coordination and streamlining of regulatory processes across jurisdictions and across sectors.

#### **II. Apply risk-based approaches when designing operational policies and procedures**

*We will undertake the following key initiatives toward achieving this outcome:*

- Develop a risk-based approach to pension fund investment monitoring.
- Develop Dynamic Capital Adequacy Testing (DCAT) requirements and oversee the implementation of Appointed Actuary requirements by Ontario incorporated companies.
- Continue the risk-based approach to licensing, market conduct, monitoring and enforcement in the regulation of insurance companies, credit unions/caisses populaires, and intermediaries.
- Enhance monitoring and evaluation of the Designated Assessment Centres (DAC) System.
- Increase enforcement addressing abuse in the automobile insurance system.

*We will measure success in achieving this outcome by the following:*

- There will be a more effective and timely response to high risk situations in the regulated sectors.

### III. Amend operational policies and procedures and propose amendments to legislation and regulations to keep up with changes in the marketplace

*We will undertake the following key initiatives toward achieving this outcome:*

- Work with stakeholders on the development of a database for the Standard Invoice and build an infrastructure to monitor the effectiveness of automobile insurance reforms.
- Make improvements to the DAC System by updating and developing new DAC guidelines and implementing a self-audit program.
- Undertake a review of the automobile insurance risk classification system and underwriting rules.
- Establish a regulatory process for paralegals and monitor the implementation of a regulatory scheme.
- Update both the Automobile Statistical Plan and the Ontario Statutory Accident Benefits Statistical Plan.
- Update the Dispute Resolution Practice Code, forms and relevant procedures to address marketplace pressures and legislative/regulatory changes.
- Continue to work with the Ministry and stakeholders to develop a regulatory regime for viatical settlements.
- Continue to work with the Ministry of Finance and the sector in both identifying and recommending changes to the *Mortgage Brokers Act*.
- Add resources and design enhanced operational policies and procedures to address backlogs in pension plan reviews.
- Continue to work with the co-operative sector in both identifying and recommending changes to update the current legislation.
- Work with the Ministry of Finance and stakeholders to consider removal of occupational restrictions for insurance agents and ownership restrictions for insurance agents.
- Work with the Ministry of Finance to consider the incorporation of Life Licence Qualification Program (LLQP) requirements in regulation.
- Work with the Deposit Insurance Corporation of Ontario (DICO) to enhance the governance of credit unions. This includes ensuring clarity of roles and responsibilities so that the credit union is operated in the best interests of its members and an effective system to resolve disputes within credit unions is in place.
- Work with DICO, its members, industry associations and the Ministry of Finance to consider DICO's responsibilities with respect to solvency of member institutions.

*We will measure success in achieving this outcome by the following:*

- The sectors will see advances in proposals to change legislation and regulations as well as actual amendments to FSCO operational policies and procedures.

### IV. Make effective use of technology in delivering services

*We will undertake the following key initiatives toward achieving this outcome:*

- Improve stakeholder access to information through the continued redesign of FSCO's web site.
- Implement a link from the FSCO public web site to key fields of the pension plans database.
- Phase out the printed paper version of the FSCO Pension Bulletin and provide stakeholders with electronic, on-line access to its contents on FSCO's redesigned web site.
- Convert the existing DAC reporting system to a web-based system.
- Introduce E-filing for Dispute Resolution forms.
- Develop Phase III of the Internet Application System (IAS), which will allow for E-licensing of other FSCO regulated intermediaries.
- Move the Automated Rates and Classification Technical Information Communication System (ARCTICS) from a pilot project to full production for use by all automobile insurance companies to submit electronic filings.

*We will measure success in achieving this outcome by the following:*

- Customer service to FSCO stakeholders will be improved through the increased availability of electronic services.

### FSCO Funding

Under Section 25 of the *FSCO Act, 1997*, the Lieutenant Governor-in-Council may assess all entities that form part of a regulated sector with respect to all expenses and expenditures that the Ministry of Finance, the Commission and the Tribunal have incurred. The Minister of Finance is also authorized to establish fees with respect to these regulated sectors for services provided by FSCO.

Currently, FSCO collects fees from two regulated sectors: pensions and mortgage brokers. In addition, assessments are made with respect to three of the sectors regulated by FSCO: insurance; credit unions/caisses populaires; and loan and trust.

In determining the administration of the funding system, FSCO has established that it will:

- be fair;
- reflect the use of FSCO resources;
- enable reasonable predictability of regulatory costs;
- be simple to administer; and
- be flexible and easily modified.

FSCO has also made a commitment to the following principles in carrying out its funding system:

- revenues will not exceed forecasted expenditures for each sector;
- disruption will be minimized and changes will take into account the effect of fees on the marketplace; and
- FSCO will be accountable to its stakeholders for the efficiency and quality of the services delivered.

### Statement of Priorities – 2002

#### Report on Key Initiatives

#### The Regulatory Framework

- FSCO worked with the Ministry of Finance and industry stakeholders on the implementation of changes to the automobile insurance system. An Implementation Steering Committee and individual working groups were established to deal with the following:
  - ▶ the update of automobile insurance forms;
  - ▶ the framework for administering a filing process for paralegals;
  - ▶ pre-approved framework guidelines for whiplash associated disorders;
  - ▶ changes to DAC processes and guidelines; and
  - ▶ communication and training issues.

- FSCO established the role of the appointed actuary in insurance companies through changes to the *Insurance Act*.
- FSCO established a role for the Motor Vehicle Accident Claims Fund (MVACF) in delivering Statutory Accident Benefits (SABs) payable by an insurer in respect of which a wind up order has been made through changes to the *Insurance Act* and the *MVACF Act*.
- FSCO expanded the risk-based approach to pension supervision through the initiation of the Investment Monitoring Project.
- FSCO conducted a pilot of the DACs self-audit.

#### A National Approach to Regulatory Issues

- The Joint Forum released for consultation a statement of Principles and Practices for the Sale of Products and Services in the Financial Sector.
- The Joint Forum developed proposals to harmonize and update the regulation of mutual funds and IVICs, and released the Point of Sale Disclosure Consultation Paper on February 13, 2003.
- The Joint Forum and its constituent groups approved revised principles for investment disclosure in CAPs. Proposed guidelines to implement the principles were developed with the assistance of an industry task force for a consultation targeted for April 2003.
- The Joint Forum worked with the industries in the financial services sector to launch the Financial Services OmbudsNetwork (FSON) - a national, one-step service to assist financial services consumers with complaints. In support of FSON, FSCO modified its Insurance Ombudsman services process.
- CAPSA approved revised principles and guidelines for pension plan governance. An implementation tool was developed with the assistance of an industry task force for approval by CAPSA.
- CAPSA continued to develop proposed principles for a model pension law in preparation for a consultation targeted for 2003.
- CAPSA developed recommendations for changes to the federal investment regulations for a consultation targeted for 2003.
- CCIR and the Canadian Insurance Services Regulatory Organizations (CISRO) implemented the LLQP on a mandatory basis across Canada in January 2003.
- CCIR conducted a national survey on E-commerce.
- CCIR agreed on national harmonized classes of insurance and definitions. Ontario intends to implement the new classes and definitions in 2003.

#### Effective Use of Technology

- FSCO developed and pilot-tested ARCTICS, a web-based electronic filing system for automobile insurance filings.
- FSCO introduced Phase II of the IAS. Phase II enables insurance company staff to initiate the licensing process for prospective new agents, or to transfer or terminate an agent's sponsorship, via the Internet.
- FSCO introduced the development of E-filing for Dispute Resolution Services (DRS).
- The Automobile Insurance Division (AID) and the Licensing and Compliance Division (L&C) at FSCO, were each awarded Silver Certificates at the Public Service Quality Fair in Toronto. The awards recognized ARCTICS for AID and Phase II of IAS for L&C.

#### The Financial Services Tribunal

The Financial Services Tribunal (Tribunal) is an independent, adjudicative body composed of nine to 15 members (12 members, as at March 31, 2003), including the Chair and two Vice-Chairs of the Commission. The Tribunal has exclusive jurisdiction to exercise the powers conferred under the *FSCO Act, 1997* and other Acts that confer powers on or assign duties to the Tribunal. It also has exclusive jurisdiction to determine all questions of fact or law that arise in any proceeding before it. As well, the Tribunal has authority to make rules for the practice and procedure to be observed in a proceeding before it, and to order a party to a proceeding before it to pay the costs of another party or the Tribunal's costs of the proceeding.

For the year ahead the Tribunal has identified the following priorities:

- complete the review of the Tribunal's Rules of Practice and Procedure;

- continue to review and revise forms, practice directions for applications and reconsideration of financial hardship matters;
- review and develop forms and practice directions to respond to needs/issues arising in other types of Tribunal hearings (other than pension, insurance, mortgage broker, credit union/cassie populaire, as required);
- develop a code of conduct and finalize guidelines regarding conflict of interest affecting Tribunal members;
- review and update the Tribunal hearing manual;
- continue developing Tribunal performance service standards; and
- create and maintain an index of all Tribunal decisions by subject, issues, relevant sections of respective Acts.

#### Conclusion

This statement has outlined FSCO's proposed Strategic Priorities for the coming year. We look forward to working with our many stakeholders to achieve our objectives and thereby sustain a fair, efficient and effective financial services marketplace where consumers are protected and competition thrives.

Bryan P. Davies  
Chief Executive Officer,  
Financial Services Commission  
of Ontario and  
Superintendent of Financial Services

Martha Milczynski  
Chair,  
Financial Services Commission  
of Ontario and  
Chair, Financial Services Tribunal

#### Énoncé des priorités Juin 2003

#### Introduction

En vertu de l'article 11 de la *Loi de 1997 sur la Commission des services financiers de l'Ontario*, la Commission des services financiers de l'Ontario (CSFO) est tenue de présenter au ministre des Finances et de publier, au plus tard le 30 juin de chaque année, un énoncé des priorités qu'elle se propose de suivre pendant l'exercice financier suivant. Le présent document constitue le sixième énoncé des priorités de la CSFO. Il décrit les priorités d'ordre stratégique, identifie les principaux défis qui se posent à la CSFO, souligne les initiatives prévues pour l'exercice à venir et fait état des récents progrès réalisés dans le cadre des projets importants. Il établit également de quelle manière on prévoit mesurer les progrès réalisés dans le cas de priorités désignées.

Trois éléments principaux composent la CSFO : le Conseil, le Tribunal des services financiers (TSF) et le surintendant et son équipe. La CSFO réglemente les assurances, les régimes de retraite, les sociétés de prêt et de fiducie, les *credit unions*, les caisses populaires, les courtiers en prêts hypothécaires et les coopératives de l'Ontario.

Chaque année, la CSFO travaille de concert avec des intervenants, y compris des représentants des secteurs réglementés et des consommateurs, afin de déterminer les projets qui, selon eux, devraient faire partie de l'Énoncé des priorités.

-----

**Notre mandat** Afin de protéger l'intérêt public et d'accroître la confiance du public dans les secteurs réglementés, la CSFO fournit des services réglementaires qui protègent les consommateurs et appuient un secteur des services financiers sain et concurrentiel.

**Notre vision** La CSFO s'engage à demeurer un organisme de réglementation vigilant, équitable et proactif et à adopter une approche constructive et réceptive à l'égard du marché des services financiers de l'Ontario.

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**Principaux défis**

- **La convergence et l'harmonisation**

Les effets de la mondialisation, de la convergence et de la consolidation continuent d'avoir d'importantes répercussions sur le secteur des services financiers. Les marchés cherchent des moyens de tirer profit des limites disparaissant rapidement qui régissent les types d'entreprises qu'il est possible de constituer à l'échelle mondiale, ainsi que le moment, l'endroit et la façon de les constituer. Au fur et à mesure que la pression à l'égard de la convergence s'intensifie, les autorités de réglementation prennent des mesures pour harmoniser les opérations et offrir aux secteurs financiers un régime de réglementation plus efficace et rentable.

Le défi est de travailler de concert avec d'autres autorités de réglementation et groupes d'intervenants pour harmoniser la réglementation des compétences et secteurs. La CSFO continuera de collaborer avec la Commission des valeurs mobilières de l'Ontario (CVMO) à des projets visant la coordination des activités de réglementation et la création suggérée d'un nouveau cadre réglementaire.

- **Les conditions du marché**

Malgré l'incertitude économique qui règne, les perspectives financières du Canada et de l'Ontario demeurent vigoureuses. Les secteurs réglementés cherchent à élaborer des solutions novatrices et à long terme pour répondre aux conditions du marché parfois difficiles. Il est primordial que la CSFO comprenne parfaitement les réalités qui exercent des contraintes sur les industries de ces secteurs. Au nombre des contraintes figurent la hausse des coûts, l'évolution démographique, l'incidence de la technologie et les coûts et la complexité des structures de réglementation.

Le défi est de travailler de concert avec les secteurs réglementés pour répondre de manière efficace aux réalités actuelles du marché.

- **Les questions réglementaires**

L'objectif de préserver la santé et le dynamisme des marchés tout en protégeant les consommateurs par le biais d'une réglementation appropriée constitue l'élément pivot de la CSFO. Cette responsabilité réglementaire doit tenir compte à la fois des réalités d'un marché incertain et des exigences d'un régime de protection des consommateurs éprouvé.

Le défi est d'élaborer une politique réglementaire qui répond convenablement aux questions complexes d'ordre financier auxquelles font face les secteurs réglementés tout en protégeant le consommateur.

- **La technologie**

L'évolution technologique continue d'avoir une incidence sur le secteur des services financiers. Les secteurs réglementés par la CSFO s'appuient sur les progrès réalisés dans le domaine des communications électroniques pour mieux servir leurs clients. Il incombe à la CSFO de mettre à niveau l'expertise technique dont elle dispose afin d'offrir aux intervenants la prestation de services électroniques efficaces et sûrs.

Le défi est d'améliorer la capacité du personnel de la CSFO de répondre aux demandes formulées par les secteurs réglementés en matière de prestation de services électroniques et que la CSFO soit en mesure de répondre à ces demandes.

- **Le consommateur**

Le profil du consommateur de services financiers a évolué grâce à l'influence grandissante que procure la technologie et à l'accessibilité de renseignements de plus en plus complets. Bon nombre de consommateurs ont joué un plus grand rôle dans le processus décisionnel lié à l'achat de leurs services financiers. Ce revirement de responsabilité procure aux consommateurs un incitatif de taille pour comprendre à la fois les marchés et le rôle de l'autorité de réglementation. Au cours des dernières années, la confiance du public à l'égard des aspects des marchés financiers a été ébranlée; le consommateur d'aujourd'hui attend de l'autorité de réglementation qu'elle préserve l'intégrité du système.

**Enjeux pour la CSFO**

Dans le but de relever les défis susmentionnés, il faut établir des priorités bien définies et déterminer les initiatives nécessaires à leur réalisation.

La CSFO a établi les priorités suivantes pour l'année à venir. Puisque chacune d'elles est importante aux yeux de la CSFO, elles ne sont pas énumérées dans un ordre particulier :

- I. Promouvoir et coordonner une approche nationale à l'égard des questions d'ordre réglementaire.
- II. Appliquer des approches fondées sur le risque dans l'élaboration des politiques et procédures opérationnelles.
- III. Amender les politiques et procédures opérationnelles et proposer des modifications à la législation et aux règlements afin de suivre le rythme de l'évolution des marchés.
- IV. Employer judicieusement la technologie pour assurer la prestation des services.

La CSFO considère que les priorités fondamentales qu'elle s'est donnée pour l'an 2002-2003 et les initiatives prévues en lien avec ces priorités auront une répercussion positive sur les consommateurs. La poursuite de ces priorités et initiatives nous donne confiance de combler le besoin des consommateurs d'être bien renseignés sur nos services financiers.

**Priorités stratégiques de la CSFO**

- I. **Promouvoir une approche nationale coordonnée aux questions réglementaires**

*Afin d'atteindre cet objectif, la CSFO s'engage à entreprendre les initiatives suivantes :*

- Jouer un rôle prépondérant dans le cadre des initiatives suivantes du Forum conjoint des autorités de réglementation du marché financier (Forum conjoint), de l'Association canadienne des organismes de contrôle des régimes de retraite (ACOR) et du Conseil canadien des responsables de la réglementation d'assurance (CCRRA):

Forum conjoint -

- ▶ travailler à l'harmonisation plus poussée des cadres de travail réglementaires des valeurs mobilières et de l'assurance qui touchent les fonds communs de placement et les contrats individuels à capital variable (CICV), plus particulièrement en ce qui a trait aux exigences en matière de divulgation des points de vente;
- ▶ travailler à l'instauration de lignes directrices sur les régimes de capitalisation (RC), harmonisées à l'échelle nationale, pour les secteurs des régimes de retraite, de l'assurance et des valeurs mobilières;
- ▶ tenir des consultations sur le document intitulé «Principes et pratiques relatifs à la vente de produits et services dans le secteur financier» qui traite du projet du Forum conjoint d'élaborer un ensemble de principes et de pratiques communs relatifs à la vente de produits et services par tous les intermédiaires financiers présents dans plus d'un secteur d'activité;
- ▶ collaborer avec les représentants de l'industrie afin d'améliorer davantage les activités du Réseau de conciliation du secteur financier (RCSF);

ACOR -

- ▶ continuer de travailler sur les principes réglementaires en vue de proposer un modèle de loi sur les régimes de retraite;
- ▶ travailler à l'élaboration continue d'un accord de réciprocité révisé pour les régimes de retraite comptant des participants dans plusieurs provinces;

- ▶ travailler à la mise en oeuvre de lignes directrices harmonisées relativement à la gouvernance des régimes de retraite;
- ▶ tenir des consultations sur les modifications recommandées aux règles qui régissent le placement des caisses de retraite;

#### CCRRRA -

- ▶ accroître l'harmonisation inter-provinciale dans la réglementation qui touche les agents et les courtiers;
  - ▶ évaluer s'il y a lieu de modifier la loi afin de protéger la confidentialité des renseignements liés aux vérifications d'auto-évaluation réalisées par les compagnies d'assurance;
  - ▶ instaurer le Test du capital minimal harmonisé au sein des compagnies d'assurance multirisques de l'Ontario; et
  - ▶ mettre en place des catégories d'assurance et des définitions harmonisées à l'échelle nationale.
- Travailler, avec le Bureau du surintendant des institutions financières (BSFI) et les autres provinces, à l'harmonisation de projets de «gestion prudente du portefeuille».
  - Collaborer avec le BSIF en vue de réduire les exigences et les directives à l'endroit des établissements de services financiers.
  - Coordonner avec le Ministère des Finances l'initiative es projets des *credit unions* d'étendre leur expertise à l'échelle nationale.

*Nous mesurerons l'atteinte de ces résultats par :*

- Les progrès réalisés en matière de coordination et de rationalisation des processus réglementaires dans les compétences et les secteurs.

## II. Application d'approches fondées sur le risque lors de l'élaboration de politiques et de procédures opérationnelles

*Afin d'atteindre cet objectif, la CSFO s'engage à entreprendre les initiatives suivantes :*

- Élaborer une approche fondée sur le risque en matière de surveillance des placements de caisses de retraite.
- Établir les exigences relatives à l'Examen dynamique de suffisance du capital et surveiller la mise en oeuvre des exigences touchant les actuaires nommés par les sociétés constituées sous la juridiction de l'Ontario.
- Poursuivre l'approche fondée sur le risque en matière de délivrance des permis, de conduite sur le marché, de surveillance et de mise en application en ce qui a trait à la réglementation des compagnies d'assurance, des *credit unions* et des caisses populaires et des intermédiaires.
- Améliorer la surveillance et l'évaluation du système des centres d'évaluation désignés.
- Accroître la mise en exécution des lois pour réagir aux abus à l'égard du système de l'assurance-automobile.

*L'atteinte de ces objectifs sera mesurée ainsi :*

- La réponse aux situations à risque élevé dans les secteurs réglementés sera plus efficace et opportune.

## III. Amender les politiques et procédures opérationnelles et proposer des modifications à la législation et aux règlements afin de suivre le rythme de l'évolution des marchés

*Afin d'atteindre cet objectif, la CSFO s'engage à entreprendre les initiatives suivantes :*

- Travailler de concert avec les intervenants à la création d'une base de données relativement à la facture standard d'assurance et mettre sur pied une infrastructure pour surveiller l'efficacité des réformes en matière d'assurance-automobile.
- Apporter des améliorations au système des centres d'évaluation désignés par la mise à jour et l'élaboration de nouvelles lignes directrices et l'instauration d'un programme d'auto-vérification.

- Entreprendre un examen du système de classification des risques et des règles de souscription du secteur de l'assurance-automobile.
- Établir une démarche réglementaire relativement aux services parajuridiques et surveiller la mise en oeuvre d'un régime de réglementation.
- Mettre à jour le plan statistique automobile et le plan statistique des indemnités d'accident légaux de l'Ontario.
- Mettre à jour le Code des pratiques pour le règlement des différends, les formulaires et les procédures connexes afin de répondre aux pressions exercées par les marchés et aux modifications apportées à la législation et aux règlements.
- Continuer de travailler avec le Ministère et les intervenants en vue de développer un régime de réglementation pour les escomptes de police d'assurance-vie.
- Continuer de travailler de concert avec le ministère des Finances et le secteur à l'identification de modifications à la Loi sur les courtiers en hypothèques et à l'élaboration de recommandations à cet égard.
- Ajouter des ressources supplémentaires et concevoir des politiques et procédures opérationnelles améliorées pour régler les retards dans l'étude des régimes de retraite.
- Continuer de travailler avec les représentants du secteur coopératif en vue d'établir et de recommander les changements à apporter à la législation actuelle.
- Collaborer avec le ministère des Finances et les intervenants pour étudier la suppression des restrictions liées à l'occupation et à la propriété à l'intention des agents d'assurance.
- Travailler de concert avec le ministère des Finances en vue de considérer l'intégration des exigences du Programme de qualification du permis d'assurance-vie à la réglementation.
- Travailler avec la Société ontarienne d'assurance-dépôts (SOAD) afin d'améliorer la gestion des *credit unions*. Cela implique de s'assurer que les rôles et responsabilités sont clairement définis de sorte que les *credit unions* sont opérés dans les meilleurs intérêts de leurs membres et de la mise en place d'un système efficace de résolution des différends au sein des *credit unions*.
- Collaborer avec la SOAD, ses membres, les associations de l'industrie et le ministère des Finances afin de déterminer les responsabilités de la SOAD à l'égard de la solvabilité des institutions membres.

*L'atteinte de ces objectifs sera mesurée ainsi :*

- Les secteurs constateront les progrès réalisés à l'égard des changements à la législation et aux règlements proposés ainsi que les modifications réelles apportées aux politiques et procédures opérationnelles de la CSFO.

## IV. Employer judicieusement la technologie dans la prestation des services

*Afin d'atteindre cet objectif, la CSFO s'engage à entreprendre les initiatives suivantes :*

- Améliorer l'accès à l'information des intervenants par le biais de l'actualisation continue du site Web de la CSFO.
- Instaurer un lien pour assurer la liaison entre le site Web de la CSFO et certains champs de la base de données des régimes de retraite.
- Éliminer progressivement la version imprimée du *Bulletin sur les régimes de retraite* et offrir aux intervenants un accès électronique en direct au contenu des bulletins par le biais du site Web redessiné de la CSFO.
- Convertir le système actuel de rapport du Centre d'évaluation désigné (CED) en un système Web.
- Instaurer le classement électronique des formulaires de résolution de différends.
- Concevoir le troisième volet du Système d'application Internet (SAI) qui permettra la délivrance de permis en direct à d'autres intermédiaires réglementés par la CSFO.
- Faire passer le Système automatisé de communication de renseignements techniques à l'égard des taux et des classements (SACRTTC) du statut de projet pilote à celui de système entièrement mis en place de façon à ce que toutes les compagnies d'assurance-automobile l'emploient pour soumettre électroniquement leurs demandes.

*L'atteinte de ces objectifs sera mesurée ainsi :*

- Le service à la clientèle offert aux intervenants de la CSFO sera amélioré grâce à l'accessibilité accrue aux services électroniques.

### **Le financement de la CSFO**

En vertu de l'article 25 de la *Loi de 1997 sur la Commission des services financiers de l'Ontario*, le lieutenant-gouverneur en conseil peut imposer à toutes les entités qui font partie d'un secteur réglementé une cotisation relativement aux frais et dépenses que le ministère des Finances, la Commission ou le Tribunal auront engagés. Le ministre des Finances a également le pouvoir de déterminer le montant des cotisations à être remboursées par les secteurs réglementés pour les services fournis par la CSFO.

À l'heure actuelle, la CSFO perçoit les cotisations auprès de deux secteurs réglementés, soit ceux des régimes de retraite et des courtiers en hypothèques. De plus, les cotisations sont établies en tenant compte de trois des secteurs réglementés par la CSFO soit ceux des assurances, des *credit unions* et des caisses populaires, et des sociétés de prêt et de fiducie.

Dans l'établissement de l'administration des mécanismes de financement, la CSFO a établi qu'elle :

- serait équitable;
- refléterait l'utilisation des ressources de la CSFO;
- permettrait une prévisibilité raisonnable des frais réglementaires;
- serait simple à gérer; et
- serait souple et facile à modifier.

La CSFO s'est également engagée à respecter les principes suivants en mettant sur pied ses mécanismes de financement :

- les revenus ne doivent pas excéder les dépenses prévues pour chaque secteur;
- les coupures seront minimales et les modifications tiendront compte de l'effet des cotisations sur le marché; et
- la CSFO sera redevable auprès des intervenants pour l'efficacité et la qualité des services rendus.

### **Énoncé des priorités de 2002**

#### **Rapport sur les initiatives principales**

#### **Le cadre réglementaire**

- La CSFO a collaboré avec le ministère des Finances et des intervenants de l'industrie à la mise en oeuvre des modifications au régime d'assurance-automobile. Un comité directeur chargé de la mise en oeuvre et des groupes de travail individuels ont été créés pour s'attaquer :
  - ▶ à la mise à jour des formulaires relatifs à l'assurance-automobile;
  - ▶ au cadre de travail pour la gestion d'un processus de dépôt des demandes à l'intention des parajuridiques;
  - ▶ aux lignes directrices pré-approuvées du cadre en matière de troubles associés au coup de fouet cervical;
  - ▶ aux modifications aux procédures et aux lignes directrices du Centre d'évaluation désigné (CED); et
  - ▶ aux questions relatives à la communication et à la formation.
- La CSFO a défini le rôle de l'actuaire nommé dans les compagnies d'assurances en modifiant la *Loi sur les assurances*.
- La CSFO a défini le rôle du Fonds d'indemnisation des victimes d'accidents de véhicules automobiles (FIVAVA) relativement à l'indemnité d'accident légale que doit verser un assureur dans le cas où une décision de règlement aurait été rendue en vertu des modifications apportées à la *Loi sur les assurances* et à la *Loi sur le Fonds d'indemnisation des victimes d'accidents de véhicules automobiles*.

- La CSFO a étendu l'approche fondée sur le risque à la surveillance des régimes de retraite en mettant sur pied un projet de surveillance des placements.
- La CSFO a effectué un test pilote de l'auto-vérification des CED.

#### **Une approche nationale à l'égard des questions de réglementation**

- Le Forum conjoint a publié, à des fins de consultation, un énoncé des Principes et pratiques relatifs à la vente de produits et services dans le secteur financier.
- Le Forum conjoint a rédigé des propositions en vue d'harmoniser et de mettre à jour la réglementation sur les fonds communs de placement et les contrats individuels à capital variable. De plus, le 13 février 2003, il a publié un document de consultation sur la divulgation des points de vente.
- Le Forum conjoint et ses groupes constituants ont approuvé les Principes de réglementation révisés pour les régimes de capitalisation (RC). Les lignes directrices proposées pour la mise en oeuvre des principes ont été rédigées en collaboration avec un groupe de travail constitué de représentants de l'industrie. Une consultation est prévue en avril 2003.
- Le Forum conjoint a collaboré avec les industries du secteur des services financiers au lancement du Réseau de conciliation du secteur financier (RCSF). Il s'agit d'un service national en une seule étape qui vient en aide aux consommateurs de services financiers ayant des plaintes à formuler. Afin de soutenir le RCSF, la CSFO a apporté des changements à la démarche de service de l'ombudsman des assurances.
- L'ACOR a approuvé les principes et lignes directrices révisés en matière de gestion des régimes de retraite. Un outil de mise en oeuvre a été conçu avec l'aide d'un groupe de travail composé de représentants de l'industrie et sera soumis à l'ACOR aux fins d'approbation.
- L'ACOR a poursuivi l'élaboration des principes suggérés à l'égard d'un modèle de loi sur les régimes de retraite présentement en rédaction et qui devrait faire l'objet d'une consultation en 2003.
- L'ACOR a établi des recommandations en vue de modifier les règles d'investissement fédérales. La consultation est prévue en 2003.
- Le CCRRA CCIR et les Canadian Insurance Services Regulatory Organizations (CISRO) ont instauré le Programme de qualification du permis d'assurance-vie sur une base obligatoire à l'échelle du Canada, en janvier 2003.
- Le CCRRA a mené un sondage à l'échelle du pays sur le commerce électronique.
- Les membres du CCRRA se sont mis d'accord sur l'établissement de catégories d'assurance et de définitions harmonisées à l'échelle nationale. L'Ontario compte les instaurer en 2003.

#### **Utilisation efficace de la technologie**

- La CSFO a conçu le Système automatisé de communication de renseignements techniques à l'égard des taux et des classements (SACRTTC), un système Web de dépôt par voie électronique de demandes d'assurance-automobile, et elle en a fait l'essai, dans le cadre d'un test pilote.
- La CSFO a lancé le deuxième volet de son Système d'application Internet (SAI) qui permet aux employés des compagnies d'assurance d'amorcer la démarche de délivrance de permis des nouveaux agents d'assurance éventuels ou encore de transférer ou de mettre fin au parrainage d'un agent par le truchement d'Internet.
- La CSFO a présenté le classement électronique des services de résolution de différends.
- La Division de l'assurance-automobile (DAA) et la Direction de la conformité et de la délivrance des permis (DCDP) de la CSFO ont toutes deux reçu un Certificat argent lors de la foire de la fonction publique axée sur la qualité qui s'est déroulé à Toronto. Ces récompenses visaient la reconnaissance du système SACRTTC de la DAA et celle du deuxième volet du SAI de la DCDP.

#### **Le Tribunal des services financiers**

Le Tribunal des services financiers est un organisme d'arbitrage indépendant composé de 9 à 15 membres (le 31 mars 2003, on en comptait 12), y compris un président et deux vice-présidents. Le Tribunal détient la compétence exclusive d'exercer les pouvoirs que lui confère la *Loi de 1997 sur la Commission des services financiers de*

*l'Ontario* ainsi que les pouvoirs et les fonctions que lui confèrent d'autres lois. Il a également la compétence exclusive de régler toutes les questions de droit ou de fait soulevées au cours des instances. De plus, le Tribunal a le pouvoir d'établir les règles de pratique et de procédure à respecter au cours des instances et d'ordonner à une partie de rembourser les frais engagés par une autre partie ou par le Tribunal au cours d'une instance.

Le Tribunal a établi les priorités suivantes pour l'exercice financier 2003-2004 :

- terminer l'examen et la révision des règles de pratique et de procédure du TSF;
- poursuivre l'examen et la révision des formulaires et des directives de pratique à l'égard des demandes et de la remise en cause des difficultés financières;
- revoir, élaborer des formulaires et des instructions pour répondre aux besoins et questions soulevés dans d'autres catégories d'audiences du Tribunal (autres régimes de retraite, assurances, courtiers en prêts hypothécaires, credit unions, caisses populaires, au besoin);
- rédiger un code d'éthique et terminer l'établissement des lignes directrices relativement aux conflits d'intérêt touchant les membres du Tribunal;
- passer en revue le manuel des audiences du Tribunal et le mettre à jour ;
- poursuivre l'élaboration des normes de rendement et de service du Tribunal; et
- mettre sur pied et tenir à jour un index de toutes les décisions rendues par le Tribunal lesquelles seraient classées selon le sujet, la problématique et les sections pertinentes des lois respectives.

#### **Conclusion**

Sont énoncées dans le présent document les priorités stratégiques de la CSFO pour l'exercice à venir. Nous nous réjouissons à la perspective de collaborer avec l'industrie, les consommateurs et les autres intervenants du domaine à la poursuite de nos objectifs, et de favoriser ainsi un marché équitable, efficient et efficace des services financiers, marqué par une concurrence saine et une bonne protection des consommateurs.

Bryan P. Davies  
Directeur général,  
Commission des services  
financiers de l'Ontario  
et  
Surintendant des services financiers

Martha Milczynski  
Présidente  
Commission des services  
financiers de l'Ontario  
et  
Présidente, Tribunal des services financiers

(6800) 27

## **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**

### **772117 ONTARIO LTD.**

NOTICE IS HEREBY GIVEN that on behalf of GERMAINE QUINTAS, application will be made to the Legislative Assembly of the Province of Ontario for an Act for the revival of 772117 ONTARIO LTD.

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 Toronto, this 16th day of June, 2003

(4355) 26 to 29 LIPMAN, ZENER & WAXMAN LLP,  
ON BEHALF OF GERMAINE QUINTAS

### **ONTARIO CONFERENCE OF THE SEVENTH-DAY ADVENTIST CHURCH**

NOTICE IS HEREBY GIVEN that on behalf of the Ontario Conference of the Seventh-day Adventist Church application will be made to the Legislative Assembly of the Province of Ontario for an Act to extend the deadline for making complaints under the *Assessment Act* and the *Provincial Land Tax Act* with respect to the classification of the Church property located at 285 Atwell Drive, Toronto, Ontario.

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 Oshawa, Ontario this 25th day of June, 2003.

(4371) 27 to 30 Per:  
Barry W. Bussey  
1148 King Street East  
Oshawa, Ontario, L1H 1H8  
Legal Counsel for Ontario Conference of  
the Seventh-day Adventist Church

## **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

## Notice To Creditors Avis aux créanciers

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

## 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 the Superior Court of Justice at 3 DOMINION STREET, BRACEBRIDGE ONTARIO dated October 30, 2001, Court File Number 215-01, to me directed, against the real and personal property of IVER JOHN HANSEN and FAITH MARY HELEN HANSEN Defendant, at the suit of CHAMBERLAIN SAWMILL LTD., Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of IVER JOHN HANSEN & FAITH MARY HELEN HANSEN, Defendants, in and to:

Part of Lot 6, according to Registered Plan 15 for the Town of Gravenhurst, in the District Municipality of Muskoka and Part of Lot 25, Concession 4, in the Township of Muskoka, now in the Town of Gravenhurst, in the District Municipality of Muskoka, being designated as Part 2 on Plan 35R-5908.

All of which said right, title, interest and equity of redemption of IVER JOHN HANSEN AND FAITH MARY HELEN HANSEN, 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 AT 3 DOMINION STREET BRACEBRIDGE, ONTARIO

AUGUST 15-2003 AT 10:00 AM.

### 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 3 DOMINION STREET, BRACEBRIDGE, 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 25th day of June, 2003.

Sheriff, District of Muskoka  
Catherine Pellow  
3 Dominion Street,  
Bracebridge Ontario P1L 2E6

(4364) 27

UNDER AND BY VIRTUE of a Writ of Seizure and Sale issued out of the District Court of Ontario (now the Superior Court of Justice), at 21 Seventh Street, Chatham, Ontario, dated March 3<sup>rd</sup>, 1987, Court File Number D.C. 670/87, to me directed, against the real and personal property of EUGENE BISHOP (also known as GENE BISHOP) carrying on business as "Bishop's Cartage", Defendant, at the suit of William Yeck, carrying on business as "Yeck's Service" and "Yeck's Automotive", Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of Eugene Bishop (also known as Gene Bishop) carrying on business as "Bishop's Cartage", Defendant, in and to:

The Northwest one-half of Lot 64, North Talbot Road, in the geographic Township of Orford, formerly in the County of Kent, now in the Municipality of Chatham-Kent and more particularly described in Instrument No. 598389 for the Land Registry Office Kent (No. 24).

The property is municipally known as R.R.# 1, Muirkirk, Ontario N0L 1X0

The property is a vacant lot.

All of which said right, title, interest and equity of redemption of Eugene Bishop (also known as Gene Bishop) carrying on business as "Bishop's Cartage", 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, 21 Seventh Street, Chatham, Ontario on Wednesday, the 6<sup>th</sup> day of August, 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 the Sheriffs Office at the Court House in Chatham, 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 23rd day of June, 2003.

Sheriff, Municipality of Chatham-Kent  
21 Seventh Street, Chatham, Ontario

“Pour des renseignements en français composez le (519) 352-7740”

(4370) 27

**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  
OLIVER PAIPOONGE**

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 August 22, 2003, at the Municipal Office, P.O. Box 10, 4569 Oliver Rd., Murillo, Ontario P0T 2G0.

The tenders will then be opened in public on the same day at the Municipal Office, P.O. Box 10, 4569 Oliver Rd., Murillo, Ontario P0T 2G0.

Description of Land: Roll No. 58 08 080 003 10400. Island A in front of Lot 2, Concession 1 south of the Kaministiquia River. Surface Rights only. Geographic Township of Paipoonge, now Municipality of Oliver-Paipoonge, District of Thunder Bay (No. 55). File No. 01-01. Minimum Tender Amount: \$7,271.30

Description of Land: Roll No. 58 08 080 12100. East half of the West half of Lot 10, Concession D south of the Kaministiquia River. Surface Rights only. Geographic Township of Paipoonge, now Municipality of Oliver-Paipoonge, District of Thunder Bay (No. 55) as described in Instrument No. 1906. File No. 01-03. Minimum Tender Amount: \$4,555.55

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:

Linda Hamilton  
Treasurer  
The Corporation of the Municipality of  
Oliver Paipoonge  
Municipal Office  
P.O. Box 10, 4569 Oliver Rd.  
Murillo, Ontario P0T 2G0  
(807) 935-2613

(4365) 27

*Municipal Act, 2001*

SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE TOWNSHIP OF TINY**

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 30, 2003, at the Township of Tiny Administrative Building, at The Corporation of the Township of Tiny, R.R. #1, 130 Balm Beach Road West, Perkinsfield, Ontario L0L 2J0.

The tenders will then be opened in public on the same day at 3:30 p.m. in the Council Chambers for the The Corporation of the Township of Tiny:

Description of Land: Roll No. 4368-000-006-00200-0000. Firstly: Part of the North Half Lot 9, Concession 9, as in Instrument No. SC21749. Secondly: Part of the South Half of the North Half of Lot 10, Concession 9, as in Instrument No. SC21749. All in the Township of Tiny, County of Simcoe, Land Titles Division of Simcoe (No. 51) Minimum Tender Amount: \$18,912.42

Description of Land: Roll No. 4368-000-018-42300-0000. Lot 128, Plan 1385, Township of Tiny, County of Simcoe, Land Titles Division of Simcoe (No. 51). Minimum Tender Amount: \$4,955.07

Description of Land: Roll No. 4368-000-018-45601-0000. All of Lot 367, Registered Plan 1385, Township of Tiny, County of Simcoe, Land Titles Division of Simcoe (No. 51). Minimum Tender Amount: \$4,927.37

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, trust corporation or Province of Ontario Savings Office payable to The Corporation of the Township of Tiny and representing at least 20 per cent of the tender amount.

The Corporation of the Township of Tiny makes no representation regarding the title 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.

For further information regarding the regulations of this sale contact:

John Theriault,  
Treasurer  
The Corporation of the Township  
of Tiny  
R.R. #1  
130 Balm Beach Road West  
Perkinsfield, Ontario  
L0L 2J0  
(705) 526-4204

(4366) 27

*Municipal Act, 2001*

## SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE CITY OF ELLIOT LAKE**

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 Thursday, July 31, 2003 at 3:15 p.m.

The tenders will then be opened in public on the same day at Thursday July 31, 2003.

Description of Land: Parcel 5012 Algoma East Section, Part of Lot 26, Plan M-148, being Part 2 on Plan 1R-2643, 24 Timber Road, Elliot Lake, District of Algoma.

Minimum Tender Amount: \$17,642.15  
(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 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.

The land(s) does (do) not include the mobile homes situate on the land(s). (Strike out if not applicable.)

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:

Irene Gilroy  
Deputy Tax Collector  
The Corporation of the City of  
Elliot Lake  
45 Hillside Drive North  
Municipal Offices  
Elliot Lake, ON P5A 1X5

(4367) 27

*Municipal Act, 2001*

## SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE TOWNSHIP OF EAST ZORRA-TAVISTOCK**

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 Friday, July 25, 2003, at Township Office, 90 Loveys St. Hickson.

The tenders will then be opened in public on the same day at 3:00 p.m. in the Council Chambers.

Description of Land: Pt. Lot 7, Plan No. 35 on the West side of Blandford Street in the Township of East Zorra-Tavistock (formerly East Zorra) in the County of Oxford. Municipal address – 122 Blandford Street, Innerkip.

Minimum Tender Amount: \$12,343.30

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, trust corporation or Province of Ontario Savings Office 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.

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

Brenda Junker,  
Tax Collector  
Township of East Zorra-Tavistock  
PO Box 100, 90 Loveys St,  
Hickson ON N0J 1L0  
519-462-2697

(4368) 27

*Municipal Act, 2001*

## SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE CITY OF WELLAND**

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 23rd, 2003, at the Clerks Office, City of Welland, 411 East Main Street, Welland, Ontario.

The tenders will then be opened in public on the same day at 3:30 p.m. at City of Welland, Committee Room #1 411 East Main Street, Welland, Ontario.

Description of Land: Roll No. 2719 010 004 05900 0000, PIN 64085 – 0582 (LT), 651 Niagara Street N. Part Township Lot 240, Township of Crowland, now in the City of Welland, in the Regional Municipality of Niagara.

Minimum Tender Amount: \$194,513.31  
(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 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:

Bruno Silvestri  
City Treasurer  
The Corporation of the City  
of Welland  
411 East Main Street  
Welland, Ontario L3B 3X4  
905-735-1700 Ext. 240

(4369) 27

*Municipal Act, 2001*  
SALE OF LAND BY PUBLIC TENDER

**THE CORPORATION OF THE CITY OF OSHAWA**

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 6th day of August at Purchasing Services, Department of Corporate Services, 1st Floor, B Wing, City Hall, 50 Centre Street South, Oshawa, Ontario L1H 3Z7.

A public tender opening will be on the same day at 3:15 p.m. (local time) at Oshawa City Hall, Boardroom 2B, immediately following the closing of tenders.

**Tax Sale File: 6 – 2002**

Description of Land: PIN No. 27056-0004 (LT). Unit 4, Level 1, Durham Condominium Plan No. 56, City of Oshawa, Regional Municipality of Durham, together with its appurtenant common interests. Land Titles Division of Durham (No. 40), Roll No. 030 006 031 04. Minimum Tender Amount: \$50,838.35  
(Set out the cancellation price as of the first day of advertising)

**Tax Sale File: 7 – 2002**

Description of Land: PIN No. 27056-0016 (LT). Unit 16, Level 1, Condominium Plan # 56, City of Oshawa, Regional Municipality of Durham, and its appurtenant common interests; together with an easement in over and upon Units 21, 22, 23 and 24, Level 1, Durham. Condominium No. 56, Roll No. 030 006 031 14. Minimum Tender Amount \$ 31,609.40  
(Set out the cancellation price as of the first day of advertising)

**Tax Sale File: 8 – 2002**

Description of Land: PIN No. 27056-0009 (LT) and 27056-0013 (LT), Unit 9, Level 1 and Unit 13, Level 1 Durham Condominium Plan No. 56, City of Oshawa, Regional Municipality of Durham, and their appurtenant common interests. Roll No. 030 006 031 09. Minimum Tender Amount \$ 84,415.27  
(Set out the cancellation price as of the first day of advertising)

**Tax Sale File: 9 – 2002**

Description of Land: PIN No. 27056-0007 (LT) , Unit 7, Level 1, Condominium Plan #56, PT LOTS 4 & 5, S WILLIAM ST, PT LT 5 , N Richmond St and PT BLK A, PL 8, PT 1, 40R-3599. More fully described in Schedule "A" of Declaration LTD49101 as amended by LT110240, City of Oshawa, Regional Municipality of Durham, and its appurtenant common interests; together with an easement in over and upon Units 21, 22, 23 and 24, Level 1, Durham Condominium No. 56. As in LT220467, Roll No. 030 006 031 07. Minimum Tender Amount \$ 32,540.31.  
(Set out the cancellation price as of the first day of advertising)

**Tax Sale File: 10 – 2002**

Description of Land: PIN No. 27056-0003 (LT), Unit 3, Level 1, Durham Condominium Plan 56, City of Oshawa, Regional Municipality of Durham, together with its appurtenant common interest, together with a right-of-way in the nature of an easement to enter on, along over and upon Units 21, 22, 23, and 24, Level 1, Durham. Condominium Plan No. 56 as in LT220467, Roll No. 030 006 031 03. Minimum Tender Amount \$2,052.91  
(Set out the cancellation price as of the first day of advertising)

**Tax Sale File: 32 – 2002**

Description of Land: PIN No. 16336-0303 (LT), Part Block B, Plan M-986. Now Part 3 on Plan 40R-1388, City of Oshawa, Regional Municipality of Durham, Roll No. 040 040 077 09. Minimum Tender Amount \$7,860.87  
(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 City of Oshawa and representing at least 20 percent of the tender amount.

Except as follows the City of Oshawa 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 accumulated realty taxes, the relevant land transfer tax and Goods & Services Taxes where applicable.

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 Timothy F. Dwyre, Manager of Revenue and Taxation. Sealed Tenders in the prescribed form must be addressed to:

Timothy F. Dwyre, A.M.C.T., C.M.T.C.  
Manager of Revenue and Taxation  
c/o John McNamara  
Manager, Purchasing Services  
The Corporation of the City of Oshawa  
50 Centre Street South  
Oshawa, ON L1H 3Z7  
Phone No. (905) 436-5656  
Fax No. (905) 436-5618  
Email Address: tdwyre@city.oshawa.on.ca

# Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2003—07—05

## ONTARIO REGULATION 248/03

made under the

### SAFE DRINKING WATER ACT, 2002

Made: June 11, 2003

Filed: June 16, 2003

## DRINKING-WATER TESTING SERVICES

### Definitions

1. (1) In paragraph 4 of subsection 75 (3) of the Act and in this Regulation,

“sub-contract with another person” includes, with respect to a sample submitted to a laboratory for testing, arranging with another person for the testing to be conducted at another laboratory, even if the two laboratories are owned or operated by the same person.

(2) In this Regulation,

“certified operator” has the same meaning as in Ontario Regulation 170/03 (Drinking-Water Systems);

“water quality analyst” has the same meaning as in Ontario Regulation 170/03.

### Tests at drinking-water systems that do not require drinking-water testing licence

2. (1) Tests for the following parameters are prescribed tests for the purpose of subsection 63 (2) of the Act:

1. Alkalinity.
2. Aluminium.
3. Chloride.
4. Chlorine dioxide.
5. Colour.
6. Copper.
7. Dissolved organic carbon.
8. Fluoride.
9. Free chlorine residual.
10. Free chlorine residual and total chlorine residual measured for the purpose of determining combined chlorine residual.
11. Hardness.
12. Iron.
13. Manganese.
14. Methane.
15. Odour.
16. Organic nitrogen.
17. pH.
18. Sulphate.
19. Sulphide.

20. Taste.
21. Temperature.
22. Total dissolved solids.
23. Turbidity.
24. Zinc.

(2) With respect to a test referred to in subsection (1), a person must have at least one of the following qualifications for the purpose of subsection 63 (2) of the Act:

1. The person must be a certified operator or a water quality analyst.
2. The person must, in the preceding 36 months, have successfully completed a course approved by the Director that relates to the operation and routine maintenance of drinking-water systems, including the conduct of the tests referred to in subsection (1).

(3) Subsection 11 (3) of the Act does not apply to an owner or operating authority of a drinking-water system with respect to a drinking-water testing service described in subsection 63 (2) of the Act.

**Drinking-water testing licence not required for inspectors, etc.**

3. Subsection 63 (1) of the Act does not apply to any of the following persons with respect to a test listed in subsection 2 (1) of this Regulation:

1. A provincial officer or a person acting under the supervision of a provincial officer.
2. A medical officer of health, a public health inspector within the meaning of the *Health Protection and Promotion Act*, or a person acting under the supervision of a public health inspector.
3. An inspector appointed under section 80 of the *Health Protection and Promotion Act*.
4. An inspector appointed under section 6 of the *Occupational Health and Safety Act*.
5. A professional engineer as defined in the *Professional Engineers Act*, or a person acting under the supervision of a professional engineer.

**Continuous monitoring equipment and microbiological in-line testing equipment**

4. (1) Subsections 11 (3) and 63 (1) of the Act do not apply with respect to tests for the following parameters that are conducted using continuous monitoring equipment that forms part of a drinking-water system:

1. Alkalinity.
2. Aluminium.
3. Chlorine dioxide.
4. Colour.
5. Fluoride.
6. Free chlorine residual.
7. Free chlorine residual and total chlorine residual measured for the purpose of determining combined chlorine residual.
8. Hardness.
9. Methane.
10. Odour.
11. pH.
12. Taste.
13. Temperature.
14. Turbidity.

(2) Subsections 11 (3) and 63 (1) of the Act do not apply with respect to tests for a microbiological parameter that are conducted using microbiological in-line testing equipment that forms part of a drinking-water system, if the Director is of the opinion that the testing method used by the equipment and the person operating the equipment is equivalent to a testing method for the parameter that is accredited by an accreditation body for drinking-water testing that is designated or established under the Act.

**Research and method development**

5. Subsections 11 (3) and 63 (1) of the Act do not apply with respect to tests that meet the following criteria:

1. The tests are conducted by a person who provides a drinking-water testing service at a laboratory.
2. The tests are conducted for the sole purpose of carrying out research or developing testing methods and the purpose is outlined in a written research proposal.
3. The tests are not paid for on a fee per test basis.

**List of out-of-province eligible laboratories**

6. The following requirements are prescribed for the purpose of clause 11 (5) (b) of the Act:

1. Written permission has been given for a provincial officer to inspect the laboratory before the laboratory is added to the list, if the permission is requested by the Director.
2. Written permission has been given for provincial officers to inspect the laboratory, on 24 hours notice, at any time after the laboratory is added to the list.
3. The person who will provide drinking-water testing services at the laboratory has agreed in writing,
  - i. not to sub-contract with another person to perform a drinking-water testing service at another laboratory in relation to a sample submitted for testing,
  - ii. to comply with,
    - A. sections 18, 67 and 69 of the Act,
    - B. sections 9 to 13 of this Regulation, and
    - C. Schedule 16 to Ontario Regulation 170/03 (Drinking-Water Systems), and
  - iii. to comply with the conditions in paragraphs 3 and 4 of section 8 of this Regulation as if the person held a drinking-water testing licence.
4. The Director is satisfied that,
  - i. drinking-water testing services will be provided at the laboratory in accordance with the agreement referred to in paragraph 3, and, for that purpose, the laboratory has suitable resources, including facilities, staff, technical resources and records management systems, and
  - ii. drinking-water testing services will be provided at the laboratory with competence, honesty and integrity.

**Expiry date of drinking-water testing licence**

7. (1) A drinking-water testing licence expires on a date set out in the licence that is not later than the fifth anniversary of the date it was issued or renewed.

(2) If a drinking-water testing licence is amended, the Director may extend the expiration date of the licence to a date that is not later than the fifth anniversary of the date of the amendment.

**Conditions of drinking-water testing licence**

8. The following conditions are prescribed for the purpose of paragraph 6 of subsection 75 (3) of the Act:

1. If the Director gives the licensee a certificate confirming that the licensee holds a licence, the licensee shall ensure that the certificate is conspicuously displayed so that it can be viewed by persons who go to the laboratory specified in the licence to submit samples for drinking-water tests.
2. The licensee shall not sub-contract with another person to perform a drinking-water testing service at another laboratory in relation to a sample submitted for testing unless the licensee gives the other person a copy of the record made under subsection 10 (2).
3. The licensee shall develop and maintain written policies and procedures for handling samples, conducting drinking-water tests and reporting the results.
4. If the Director submits samples to the licensee for the purpose of a performance evaluation, the licensee shall conduct such tests as are specified by the Director and shall report the results to the Director in such manner and within such time as is specified by the Director.

**Handling samples: directions to person who submits samples**

9. (1) If, before submitting samples for drinking-water tests, a person makes an arrangement with a person who provides drinking-water testing services,

- (a) the person who provides drinking-water testing services shall give the other person directions on the handling of the samples, including any directions that the person who provides drinking-water testing services considers appropriate with respect to,
    - (i) collection procedures,
    - (ii) the use of specified kinds of containers or of containers that are provided by the person who provides drinking-water testing services,
    - (iii) the labelling of samples,
    - (iv) the completion and submission of forms that are provided by the person who provides drinking-water testing services,
    - (v) methods of transporting samples, including temperature conditions that must be maintained during transportation, and
    - (vi) time periods for delivery of samples; or
  - (b) the person who provides drinking-water testing services shall review the other person's procedures for the handling of samples and direct the person to follow those procedures, subject to such modifications as the person who provides drinking-water testing services considers appropriate, including modifications with respect to the matters listed in clause (a).
- (2) A person who provides drinking-water testing services shall make a record of all directions given under subsection (1).

**Handling samples: by person who provides testing services**

**10.** (1) When a sample is submitted for a drinking-water test to a person who provides drinking-water testing services, the person who provides drinking-water testing services shall,

- (a) store the sample in a secure manner;
- (b) ensure that the analyte of interest in the sample does not degrade or undergo chemical or biological changes while in the person's custody;
- (c) appropriately label the sample;
- (d) track the custody of the sample at all times using chain of custody procedures approved in writing by the Director; and
- (e) retain the sample until the result of the drinking-water test has been reported in accordance with section 12.

(2) A person who provides drinking-water testing services shall not accept a sample for a drinking-water test without making a record of the acceptance of the sample in a form approved by the Director.

**Testing protocols**

**11.** (1) No person shall conduct a drinking-water test unless the test is conducted in accordance with a testing method that is,

- (a) designated as an acceptable testing method for that test in the document published by and available from the Ministry entitled "Protocol of Accepted Drinking-Water Testing Methods" and dated May 26, 2003, as amended from time to time; or
- (b) authorized for that test by a drinking-water testing licence that applies to the person.

(2) A person who is required to conduct drinking-water tests for more than one microbiological parameter,

- (a) shall conduct separate tests for each parameter; and
- (b) shall not infer the result for one parameter from a result obtained for another parameter.

**Test reports**

**12.** (1) After a drinking-water test is conducted by a person who provides drinking-water testing services, a person designated by the person who provides those services shall review the result of the test to determine whether to authorize the reporting of the result or to require the repetition of the test or other action.

(2) A person who provides drinking-water testing services shall, within 28 days after the reporting of a test result is authorized pursuant to subsection (1),

- (a) prepare a report on the result of the test in a form approved by the Director; and
- (b) send a copy of the report to the person named, on the form referred to in subsection 10 (2), as the person to whom the result should be sent.

(3) If a report prepared under subsection (2) relates to any of the following drinking-water tests, the person who prepared the report shall, within 28 days after the reporting of the test result is authorized pursuant to subsection (1), give a copy of the report to the Director in the manner approved by the Director:

1. A test required under Ontario Regulation 170/03 (Drinking-Water Systems).
2. A test required by an approval or order, including an order, direction or report in respect of a water works that was issued under the *Ontario Water Resources Act* before this Regulation came into force.
3. A test conducted by or pursuant to the direction of a provincial officer.

**Testing records**

**13.** (1) A person who provides drinking-water testing services shall ensure that the following documents are kept for at least five years:

1. All documents related to the submission, receipt, handling and testing of water samples for drinking-water tests, including the records made of directions given under section 9.
2. All results of drinking-water tests, and related supporting documents.
3. All reports on the results of drinking-water tests prepared under section 12, and all related supporting documents.
4. All documents relating to reports made under section 18 of the Act or Schedule 16 to Ontario Regulation 170/03 (Drinking-Water Systems), including transmittal records.
5. All documents related to staff training.
6. All documents related to policies and procedures for handling samples, conducting drinking-water tests and reporting the results.

(2) For the purpose of this section,

- (a) a reference in paragraph 1 or 2 of subsection (1) to drinking-water tests shall be deemed to include a reference to tests required under Ontario Regulation 459/00 (Drinking Water Protection — Larger Water Works) or Ontario Regulation 505/01 (Drinking Water Protection — Small Water Works Serving Designated Facilities);
- (b) a reference in paragraph 3 of subsection (1) to reports on the results of drinking-water tests prepared under section 12 shall be deemed to include a reference to reports prepared under subsection 7 (10) of Ontario Regulation 459/00 or subsection 10 (2) of Ontario Regulation 505/01.

**Transition: Ministry of Health and Long-Term Care laboratories**

**14.** (1) Ontario Ministry of Health and Long-Term Care laboratories are prescribed laboratories for the purpose of subsection 74 (4) of the Act and, with respect to those laboratories, membership in the College of Medical Laboratory Technologists of Ontario is the qualification that a person must have for the purpose of that subsection.

(2) Subsection (1) does not apply after September 30, 2004.

**Transition: Exemptions from requirement for drinking-water testing licence**

**15.** (1) Subsection 63 (1) of the Act does not apply to a person who provides a drinking-water testing service at a laboratory if,

- (a) before August 1, 2003, the person submitted an application for a drinking-water testing licence to the Director under section 72 of the Act; and
- (b) the only drinking-water tests conducted at the laboratory are tests for which the laboratory holds,
  - (i) an accreditation from the Standards Council of Canada, or
  - (ii) an accreditation that, in the Director's opinion, is equivalent to an accreditation from the Standards Council of Canada.

(2) Subsection (1) does not apply to a person after the Director makes a decision in respect of the person's application for a drinking-water testing licence.

(3) Subsection 63 (1) of the Act does not apply to a person who provides a drinking-water testing service at a laboratory if,

- (a) before August 1, 2003, the person submitted an application for a drinking-water testing licence to the Director under section 72 of the Act;
- (b) the Director refuses to issue a licence to the person and the person requires a hearing by the Tribunal under section 129 of the Act in respect of the refusal; and
- (c) the only drinking-water tests conducted at the laboratory are tests for which the laboratory holds,

- (i) an accreditation from the Standards Council of Canada, or
- (ii) an accreditation that, in the Director's opinion, is equivalent to an accreditation from the Standards Council of Canada.

(4) Subsection (3) does not apply to a person after the Tribunal's decision in respect of the Director's refusal to issue a licence to the person takes effect.

(5) Subsection (3) does not apply if the Chief Medical Officer of Health advises the Tribunal, the person and the Director in writing that, in his or her opinion, exempting the person from subsection 63 (1) of the Act would endanger, or likely endanger, public health.

(6) A person who is exempt from subsection 63 (1) of the Act pursuant to subsection (1) or (3) shall not conduct a drinking-water test unless the test is conducted in accordance with a testing method that is,

- (a) designated as an acceptable testing method for that test in the document published by and available from the Ministry entitled "Protocol of Accepted Drinking-Water Testing Methods" and dated May 26, 2003, as amended from time to time; or
- (b) approved in writing by the Director.

(7) A person who is exempt from subsection 63 (1) of the Act pursuant to subsection (1) or (3) shall comply with the conditions in paragraphs 4 to 6 of subsection 75 (3) of the Act as if the person held a drinking-water testing licence.

(8) Subsection 63 (1) of the Act does not apply to a person who conducts a test required by Schedule 8 or 9 to Ontario Regulation 170/03 (Drinking-Water Systems) if, pursuant to section 8-7 of Schedule 8 or section 9-8 of Schedule 9 to that regulation, the test may be conducted by any person.

(9) Subsection 11 (3) of the Act does not apply to an owner or operating authority of a drinking-water system with respect to a drinking-water testing service obtained from a person who, pursuant to this section, is exempt from subsection 63 (1) of the Act.

#### Commencement

**16. (1) Subject to subsections (2) to (4), this Regulation comes into force on the day section 63 of the *Safe Drinking Water Act, 2002* comes into force.**

**(2) Sections 1 and 13 come into force on the day this Regulation is filed.**

**(3) Sections 6, 7, 8 and 14 come into force on the day section 72 of the *Safe Drinking Water Act, 2002* comes into force.**

**(4) Sections 9 and 10 come into force on August 1, 2003.**

27/03

## ONTARIO REGULATION 249/03

made under the

### SAFE DRINKING WATER ACT, 2002

Made: June 11, 2003

Filed: June 16, 2003

Amending O. Reg. 170/03  
(Drinking-Water Systems)

Note: Ontario Regulation 170/03 has not previously been amended.

**1. (1) The definition of "distribution sample" in subsection 1 (1) of Ontario Regulation 170/03 is amended by striking out "the point at which treated water enters" and substituting "the point at which drinking water enters".**

**(2) Clause (b) of the definition of "public facility" in subsection 1 (1) of the Regulation is revoked and the following substituted:**

- (b) a place that operates primarily for the purpose of providing overnight accommodation to the travelling public,
- (b.1) a trailer park or campground,

**(3) The definition of “public facility” in subsection 1 (1) of the Regulation is amended by striking out the portion after clause (h).**

**(4) Clause (b) of the definition of “trained person” in subsection 1 (1) of the Regulation is revoked and the following substituted:**

- (b) a person who, in the preceding 36 months, successfully completed a course approved by the Director that relates to the operation and routine maintenance of drinking-water systems;

**(5) Subsection 1 (1) of the Regulation is amended by adding the following definition:**

“water quality analyst” means a person who,

- (a) has at least one year of experience working in a laboratory in a drinking-water system or in a laboratory that, in the Director’s opinion, is similar to a laboratory in a drinking-water system, and
- (b) has passed an examination approved by the Director that relates to water quality testing in drinking-water systems or, in the Director’s opinion, has education, training or experience indicating that the person has the skills tested by the examination.

**2. Section 3 of the Regulation is amended by adding the following subsection:**

(4) For the purposes of this Regulation, a place that is both a designated facility and a public facility is open on a day, despite subsections (1) to (3), if,

- (a) as a designated facility, it is open on that day, according to subsection (1) or (2), whichever is applicable; or
- (b) as a public facility, it is open on that day, according to subsection (3).

**3. (1) Paragraphs 3 and 4 of subsection 5 (1) of the Regulation are revoked and the following substituted:**

- 3. Sections 11-1, 11-2 and 11-4 of Schedule 11.
- 4. Sections 13-1, 13-3, 13-5, 13-6, 13-10 and 13-11 of Schedule 13.

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

- 2. Sections 11-1, 11-2 and 11-4 of Schedule 11.
- 3. Sections 13-1, 13-3, 13-5, 13-10 and 13-11 of Schedule 13.

**(3) Subsection 5 (3) of the Regulation is amended by striking out “system to which this Regulation that provides” in the portion before paragraph 1 and substituting “system to which this Regulation applies that provides”.**

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

- 2. Sections 12-1, 12-2 and 12-4 of Schedule 12.
- 3. Sections 14-1, 14-3, 14-8 and 14-9 of Schedule 14.

**4. (1) Clause 8 (1) (c) of the Regulation is amended by striking out “all water fountains” at the beginning and substituting “all drinking water fountains”.**

**(2) Clause 8 (1) (d) of the Regulation is amended by striking out “clauses (a), (b) and (c)” and substituting “clauses (a) and (c)”.**

**(3) Subsection 8 (3) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:**

- (3) Subsection (1) applies to a small non-municipal non-residential system only if,

**(4) Clause 8 (3) (b) of the Regulation is amended by adding “to which the general public has access” at the end.**

**5. The Regulation is amended by adding the following section:**

**Exemption from certified operator requirement of Act**

**8.1 (1)** Section 12 of the Act does not apply to a municipal drinking-water system unless the system is,

- (a) a large municipal residential system;
- (b) a small municipal residential system; or
- (c) a large municipal non-residential system.

(2) Section 12 of the Act does not apply to a large municipal non-residential system if, pursuant to section 6 or 7 of this Regulation, provisions of this Regulation do not apply to the system.

**6. Subsection 9 (1) of the Regulation is revoked and the following substituted:**

**Exemption from approval requirements of Act**

- (1) Subsection 31 (1) of the Act does not apply to a municipal drinking-water system unless the system is,
- (a) a large municipal residential system; or
  - (b) a small municipal residential system.

**7. Subsection 13 (2) of the Regulation is amended by adding the following paragraph:**

5. If the owner gave the Director a written statement by a professional engineer under subsection 21-2 (3) of Schedule 21, a copy of the OWRA approval referred to in that subsection.

**8. (1) Paragraph 1 of subsection 1-2 (2) of Schedule 1 to the Regulation is amended by striking out “being obtained or supplied” at the end and substituting “being supplied”.**

**(2) Paragraph 4 of subsection 1-2 (2) of Schedule 1 to the Regulation is revoked and the following substituted:**

4. If the drinking-water system’s water treatment equipment provides chlorination or chloramination for secondary disinfection, the equipment is operated so that, at all times and at all locations within the distribution system,
- i. the free chlorine residual is never less than 0.05 milligrams per litre, if the drinking-water system provides chlorination and does not provide chloramination, or
  - ii. the combined chlorine residual is never less than 0.25 milligrams per litre, if the drinking-water system provides chloramination.

**(3) Sections 1-3 and 1-4 of Schedule 1 to the Regulation are revoked and the following substituted:**

**Primary disinfection for ground water raw water supply**

**1-3.** The owner of a drinking-water system that obtains water from a raw water supply that is ground water shall ensure provision of water treatment equipment that is designed to be capable of achieving, at all times, primary disinfection in accordance with the Ministry’s *Procedure for Disinfection of Drinking Water in Ontario*, including at least 99 per cent removal or inactivation of viruses by the time water enters the distribution system.

**Filtration and primary disinfection for surface water raw water supply**

**1-4.** The owner of a drinking-water system that obtains water from a raw water supply that is surface water shall ensure provision of,

- (a) water treatment equipment that,
  - (i) is designed to be capable of chemically assisted filtration, and
  - (ii) is designed to be capable of achieving, at all times, primary disinfection in accordance with the Ministry’s *Procedure for Disinfection of Drinking Water in Ontario*, including at least 99 per cent removal or inactivation of *Cryptosporidium oocysts*, at least 99.9 per cent removal or inactivation of *Giardia* cysts and at least 99.99 per cent removal or inactivation of viruses by the time water enters the distribution system; or
- (b) other water treatment equipment that, in the Director’s opinion, is designed to be capable of producing water of equal or better quality than the equipment described in clause (a).

**(4) Section 1-6 of Schedule 1 to the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:**

**Primary disinfection equipment that does not use chlorination or chloramination**

**1-6.** If primary disinfection equipment that does not use chlorination or chloramination is provided by a drinking-water system, the owner of the system and the operating authority for the system shall ensure that the following standards are met:

**(5) Section 1-6 of Schedule 1 to the Regulation is amended by adding the following paragraph:**

4. In the case of a large municipal residential system, the disinfection equipment must have a recording device that continuously records the performance of the disinfection equipment.

**(6) Section 1-8 of Schedule 1 to the Regulation is amended by striking out “sections 1-2 to 1-6” in the portion after clause (b) and substituting “sections 1-3 to 1-6”.**

**(7) Subsection 1-9 (1) of Schedule 1 to the Regulation is amended by striking out “sections 1-2 to 1-6” and substituting “sections 1-3 to 1-6”.**

**9. (1) Paragraph 1 of subsection 2-2 (2) of Schedule 2 to the Regulation is amended by striking out “being obtained or supplied” at the end and substituting “being supplied”.**

**(2) Sections 2-3 and 2-4 of Schedule 2 to the Regulation are revoked and the following substituted:****Primary disinfection for ground water raw water supply**

**2-3.** The owner of a drinking-water system that obtains water from a raw water supply that is ground water shall ensure provision of water treatment equipment that is designed to be capable of achieving, at all times, primary disinfection in accordance with the Ministry's *Procedure for Disinfection of Drinking Water in Ontario*, including at least 99 per cent removal or inactivation of viruses by the time,

- (a) water leaves the point of entry treatment units, in the case of a drinking-water system to which, pursuant to section 3-2 of Schedule 3, section 2-5 does not apply; or
- (b) water enters the distribution system, in any other case.

**Filtration and primary disinfection for surface water raw water supply**

**2-4.** The owner of a drinking-water system that obtains water from a raw water supply that is surface water shall ensure provision of,

- (a) water treatment equipment that,
  - (i) is designed to be capable of chemically assisted filtration, and
  - (ii) is designed to be capable of achieving, at all times, primary disinfection in accordance with the Ministry's *Procedure for Disinfection of Drinking Water in Ontario*, including at least 99 per cent removal or inactivation of *Cryptosporidium* oocysts, at least 99.9 per cent removal or inactivation of *Giardia* cysts and at least 99.99 per cent removal or inactivation of viruses by the time,
    - (A) water leaves the point of entry treatment units, in the case of a drinking-water system to which, pursuant to section 3-2 of Schedule 3, section 2-5 does not apply, or
    - (B) water enters the distribution system, in any other case; or
- (b) other water treatment equipment that, in the opinion of a professional engineer, is designed to be capable of producing water of equal or better quality than the equipment described in clause (a).

**(3) Section 2-6 of Schedule 2 to the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:****Primary disinfection equipment that does not use chlorination or chloramination**

**2-6.** If primary disinfection equipment that does not use chlorination or chloramination is provided by a drinking-water system, the owner of the system and the operating authority for the system shall ensure that the following standards are met:

**(4) Section 2-6 of Schedule 2 to the Regulation is amended by adding the following paragraph:**

- 4. In the case of a drinking-water system that provides ultraviolet light disinfection equipment, any sensors that form part of the equipment's monitoring system must be checked and calibrated in accordance with the manufacturer's instructions.

**(5) Subsection 2-9 (1) of Schedule 2 to the Regulation is amended by striking out "commenced operation before August 1, 2000" and substituting "commenced operation before June 1, 2003".****10. Section 3-2 of Schedule 3 to the Regulation is revoked and the following substituted:****Point of entry treatment units**

**3-2.** Section 2-5 of Schedule 2 does not apply to a drinking-water system if the following criteria are met:

- 1. A point of entry treatment unit belonging to the owner of the drinking-water system is installed in the plumbing of every building and other structure served by the system, other than buildings and other structures to which water is supplied exclusively for,
  - i. agricultural operations,
  - ii. landscaping operations,
  - iii. industrial or manufacturing operations, including food manufacturing or processing operations, or
  - iv. swimming pool or skating rink maintenance operations.
- 2. If adjustments are required to a point of entry unit and access to the unit requires the permission of the occupants of the building or structure that is served by the unit, notice is given to the occupants informing them that access is required for that purpose.

3. The owner of the drinking-water system has access at all times to shut-off valves that enable the owner to shut off the supply of water to the plumbing in which point of entry treatment units are installed.

**11. Paragraph 2 of section 4-2 of Schedule 4 to the Regulation is revoked and the following substituted:**

2. Paragraphs 1 to 4 of subsection 1-2 (2) of Schedule 1.

**12. (1) Section 6-2 of Schedule 6 to the Regulation is amended by striking out “the point at which treated water enters” and substituting “the point at which water enters”.**

**(2) Paragraph 3 of subsection 6-5 (1) of Schedule 6 to the Regulation is amended by striking out “within 24 hours” in the portion before subparagraph i and substituting “within 72 hours”.**

**(3) Section 6-8 of Schedule 6 to the Regulation is revoked and the following substituted:**

**Sample handling**

**6-8.** If this Regulation or an approval or order, including an OWRA order, requires a water sample to be tested for a parameter by a laboratory, the owner of the drinking-water system and the operating authority for the system shall ensure that, subject to the other provisions of this Regulation, the sample is taken and handled in accordance with the directions of the laboratory to which the sample will be delivered for testing, including directions with respect to,

- (a) collection procedures;
- (b) the use of specified kinds of containers or of containers that are provided by the laboratory;
- (c) the labelling of samples;
- (d) the completion and submission of forms that are provided by the laboratory;
- (e) methods of transporting samples, including temperature conditions that must be maintained during transportation; and
- (f) time periods for delivery of samples.

**(4) Subsection 6-9 (1) of Schedule 6 to the Regulation is revoked and the following substituted:**

**Testing by laboratories**

(1) The owner of a drinking-water system and the operating authority for the system shall ensure that every test for a parameter that is required by this Regulation, or by an approval or order, including an OWRA order,

- (a) is conducted by an accredited laboratory for the parameter; or
- (b) in the case of a radiological parameter for which there is no accredited laboratory in Ontario, is conducted by a laboratory that, in the Director’s opinion, is capable of conducting the test.

**(5) Subsection 6-9 (1) of Schedule 6 to the Regulation, as remade by subsection (4), is revoked.**

**(6) Subsection 6-9 (2) of Schedule 6 to the Regulation is revoked.**

**(7) Subsection 6-9 (3) of Schedule 6 to the Regulation is amended by striking out “within 14 days after completing the test, prepare a report on the results of the test and send a copy” in the portion before clause (a) and substituting “within 28 days after completing the test, prepare a report on the results of the test and give a copy”.**

**(8) Subsection 6-9 (3) of Schedule 6 to the Regulation, as amended by subsection (7), is revoked.**

**(9) Subsection 6-9 (5) of Schedule 6 to the Regulation is amended by striking out “or” at the end of clause (b) and by revoking clause (c) and substituting the following:**

- (c) testing for fluoride, for turbidity, for free chlorine residual or for free chlorine residual and total chlorine residual measured for the purpose of determining combined chlorine residual, if the testing is conducted in the drinking-water system, or in a facility served by the system, by,
  - (i) a certified operator,
  - (ii) a trained person,
  - (iii) a water quality analyst, or
  - (iv) a provincial officer or person acting under the supervision of a provincial officer; or
- (d) testing required by Schedule 8 or 9 if, pursuant to section 8-7 of Schedule 8 or section 9-8 of Schedule 9, the testing may be conducted by any person.

**(10) Subsection 6-9 (5) of Schedule 6 to the Regulation, as amended by subsection (9), is revoked.**

**(11) Subsections 6-9 (7) to (9) of Schedule 6 to the Regulation are revoked.**

**(12) Schedule 6 to the Regulation is amended by adding the following section:**

**OWRA approvals**

**6-12.** (1) If an OWRA approval requires more stringent sampling or testing than a provision of this Schedule or Schedules 7 to 15, the OWRA approval prevails.

(2) If an OWRA approval requires less stringent sampling or testing than a provision of this Schedule or Schedules 7 to 15, the provision of this Schedule or Schedules 7 to 15 prevails.

**13. (1) Subsection 7-2 (1) of Schedule 7 to the Regulation is amended by striking out “at a location” and substituting “at or near a location”.**

**(2) Subsection 7-2 (2) of Schedule 7 to the Regulation is amended by striking out “at a location” and substituting “at or near a location”.**

**(3) Subsection 7-3 (1) of Schedule 7 to the Regulation is amended by striking out “and is tested for turbidity” at the end and substituting “and is tested immediately for turbidity”.**

**(4) Section 7-5 of Schedule 7 to the Regulation is revoked and the following substituted:**

**Testing by certified operators or water quality analysts**

**7-5.** (1) The owner of a drinking-water system and the operating authority for the system shall ensure that every test required by this Schedule is conducted by a certified operator or a water quality analyst.

(2) Subsection (1) does not apply to tests conducted by continuous monitoring equipment.

**14. (1) Section 8-2 of Schedule 8 to the Regulation is revoked and the following substituted:**

**Equipment maintenance**

**8-2.** (1) If a report that complies with section 21-5 of Schedule 21 has been prepared in respect of a drinking-water system in accordance with that Schedule, the owner of the system and the operating authority for the system shall ensure that the maintenance schedule referred to in clause 21-5 (d) of Schedule 21 is complied with by a certified operator.

(2) If subsection (1) does not apply but a manufacturer of a drinking-water system's water treatment equipment has given instructions with respect to the checking or maintenance of the equipment, the owner of the system and the operating authority for the system shall ensure that the instructions are complied with by a certified operator.

(3) If subsections (1) and (2) do not apply and a drinking-water system provides chlorination or chloramination, the owner of the system and the operating authority for the system shall ensure that all water treatment equipment is checked at least once every week by a certified operator to confirm proper functioning.

(4) If subsections (1), (2) and (3) do not apply, the owner of a drinking-water system and the operating authority for the system shall ensure that all water treatment equipment is checked at least once every three months by a certified operator to confirm proper functioning.

(5) The owner of the drinking-water system and the operating authority for the system shall ensure that a record is made of the date and time of every action taken under subsections (1) to (4), the name of the person who took the action and the results of the action.

**(2) Subsection 8-3 (1) of Schedule 8 to the Regulation is amended by striking out “at a location” and substituting “at or near a location”.**

**(3) Subsection 8-3 (2) of Schedule 8 to the Regulation is amended by striking out “at a location” and substituting “at or near a location”.**

**(4) Section 8-3 of Schedule 8 to the Regulation is amended by adding the following subsection:**

(4) Subsection (3) does not apply if,

(a) the owner complies with section 2-3 or 2-4 of Schedule 2, whichever is applicable; and

(b) all parts of the drinking-water system and of the plumbing connected to the drinking-water system that are downstream of the equipment provided in accordance with section 2-3 or 2-4 of Schedule 2 are enclosed in a building or other protective structure.

**(5) Section 8-4 of Schedule 8 to the Regulation is revoked and the following substituted:**

**Turbidity**

**8-4.** (1) The owner of a drinking-water system that obtains water from a raw water supply that is ground water, and the operating authority for the system, shall ensure that a water sample is taken at least once every month, from a location that is before raw water enters the treatment system, and is tested immediately for turbidity.

(2) If, with respect to a drinking-water system that obtains water from a raw water supply that is surface water, continuous monitoring equipment is required to comply with section 2-4 of Schedule 2, the owner of the system shall ensure that sampling and testing for turbidity is conducted by continuous monitoring equipment on each filter effluent line.

(3) If subsection (2) does not apply to a drinking-water system that obtains water from a raw water supply that is surface water, the owner of the system, and the operating authority for the system, shall ensure that a water sample is taken at least once every day on each filter effluent line and is tested immediately for turbidity.

(4) Subsections (2) and (3) do not apply to a drinking-water system until the equipment required to ensure compliance with Schedule 2 commences operation.

**(6) Subsection 8-5 (1) of Schedule 8 to the Regulation is amended by striking out “by a certified operator” at the end and substituting “by a certified operator or a water quality analyst”.**

**(7) Section 8-7 of Schedule 8 to the Regulation is revoked and the following substituted:**

**Transition: certified operators**

**8-7.** If the owner of a drinking-water system is not required to comply with sections 2-2 to 2-6 of Schedule 2 until after June 1, 2003, a reference in this Schedule to a certified operator shall be deemed, with respect to that system, to be a reference to any person until the equipment required to ensure compliance with Schedule 2 commences operation.

**15. (1) Section 9-2 of Schedule 9 to the Regulation is revoked and the following substituted:**

**Equipment maintenance**

**9-2.** (1) If a report that complies with section 21-5 of Schedule 21 has been prepared in respect of a drinking-water system in accordance with that Schedule, the owner of the system and the operating authority for the system shall ensure that the maintenance schedule referred to in clause 21-5 (d) of Schedule 21 is complied with by a trained person.

(2) If subsection (1) does not apply but a manufacturer of a drinking-water system's water treatment equipment has given instructions with respect to the checking or maintenance of the equipment, the owner of the system and the operating authority for the system shall ensure that the instructions are complied with by a trained person.

(3) If subsections (1) and (2) do not apply and a drinking-water system provides chlorination or chloramination, the owner of the system and the operating authority for the system shall ensure that all water treatment equipment is checked at least once every week by a trained person to confirm proper functioning.

(4) If subsections (1), (2) and (3) do not apply, the owner of a drinking-water system and the operating authority for the system shall ensure that all water treatment equipment is checked at least once every three months by a trained person to confirm proper functioning.

(5) The owner of the drinking-water system and the operating authority for the system shall ensure that a record is made of the date and time of every action taken under subsections (1) to (4), the name of the person who took the action and the results of the action.

**(2) Subsection 9-3 (1) of Schedule 9 to the Regulation is amended by striking out “at a location” and substituting “at or near a location”.**

**(3) Subsection 9-3 (2) of Schedule 9 to the Regulation is amended by striking out “at a location” and substituting “at or near a location”.**

**(4) Section 9-3 of Schedule 9 to the Regulation is amended by adding the following subsection:**

(4) Subsection (3) does not apply if,

(a) the owner complies with section 2-3 or 2-4 of Schedule 2, whichever is applicable; and

(b) all parts of the drinking-water system and of the plumbing connected to the drinking-water system that are downstream of the equipment provided in accordance with section 2-3 or 2-4 of Schedule 2 are enclosed in a building or other protective structure.

**(5) Section 9-4 of Schedule 9 to the Regulation is revoked and the following substituted:**

**Turbidity**

**9-4.** (1) If, with respect to a drinking-water system that obtains water from a raw water supply that is surface water, continuous monitoring equipment is required to comply with section 2-4 of Schedule 2, the owner of the system shall ensure that sampling and testing for turbidity is conducted by continuous monitoring equipment on each filter effluent line.

(2) If subsection (1) does not apply to a drinking-water system that obtains water from a raw water supply that is surface water, the owner of the system, and the operating authority for the system, shall ensure that a water sample is taken at least once every day on each filter effluent line and is tested immediately for turbidity.

(3) Subsections (1) and (2) do not apply until the equipment required to ensure compliance with Schedule 2 commences operation.

**(6) Subsection 9-5 (1) of Schedule 9 to the Regulation is amended by striking out “by a trained person” at the end and substituting “by a trained person or a water quality analyst”.**

**(7) Section 9-6 of Schedule 9 to the Regulation is revoked and the following substituted:****Exceptions**

**9-6.** (1) Sections 9-2 to 9-4 do not apply to a small municipal non-residential system or a small non-municipal non-residential system on days on which all designated facilities and all public facilities served by the system are not open.

(2) Sections 9-2 to 9-4 do not apply to a non-municipal seasonal residential system during a period of 60 or more consecutive days when the system is not in operation.

**(8) Section 9-8 of Schedule 9 to the Regulation is revoked and the following substituted:****Transition: trained persons**

**9-8.** If the owner of a drinking-water system is not required to comply with sections 2-2 to 2-6 of Schedule 2 until after June 1, 2003, a reference in this Schedule to a trained person shall be deemed, with respect to that system, to be a reference to any person until the equipment required to ensure compliance with Schedule 2 commences operation.

**16. (1) Subsection 11-2 (3) of Schedule 11 to the Regulation is revoked and the following substituted:**

- (3) The frequency of sampling under subsection (1) may be reduced to the frequency set out in subsection (4) if,
- (a) samples have been taken with the frequency set out in subsection (1) and tested in accordance with subsection (2) for a period of 24 consecutive months and, during that period, not more than one of the test results obtained under paragraph 2 of section 18-5 and paragraph 1 of section 18-6 of Schedule 18 to this Regulation exceeds the standard prescribed for *Escherichia coli*, fecal coliforms or total coliforms by Schedule 1 to the Ontario Drinking-Water Quality Standards; and
  - (b) the owner of the drinking-water system or the operating authority for the system has given the Director at least seven days notice in writing of the intention to reduce the frequency of sampling.

**(2) Section 11-2 of Schedule 11 to the Regulation is amended by adding the following subsections:**

(6) If a drinking-water system uses point of entry treatment units, the samples taken under subsection (1) shall be taken from locations downstream of the point of entry treatment units and shall be taken on a rotational basis so that, after a sample is taken from a location downstream of a particular point of entry treatment unit, another sample is not taken from a location downstream of that unit until samples have been taken from locations downstream of all the other point of entry treatment units.

(7) For the purpose of subsections (3) and (5),

- (a) samples taken and tested for microbiological parameters before June 1, 2003 in accordance with clause 7 (1) (a) of Ontario Regulation 459/00 (Drinking Water Protection — Larger Water Works) shall be deemed to be samples taken with the frequency set out in subsection (1) and tested in accordance with subsection (2);
- (b) samples taken and tested before June 1, 2003 in accordance with subsection 8 (1) of Ontario Regulation 505/01 (Drinking Water Protection — Smaller Water Works Serving Designated Facilities) shall be deemed to be samples taken with the frequency set out in subsection (1) and tested in accordance with subsection (2);
- (c) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 1 of Schedule 6 to Ontario Regulation 459/00 shall be deemed to be test results obtained under paragraph 2 of section 18-5 of Schedule 18 to this Regulation;
- (d) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 2 of Schedule 1 to Ontario Regulation 505/01 shall be deemed to be test results obtained under paragraph 2 of section 18-5 of Schedule 18 to this Regulation;
- (e) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 2 of Schedule 6 to Ontario Regulation 459/00 shall be deemed to be test results obtained under paragraph 1 of section 18-6 of Schedule 18 to this Regulation; and
- (f) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 3 of Schedule 1 to Ontario Regulation 505/01 shall be deemed to be test results obtained under paragraph 1 of section 18-6 of Schedule 18 to this Regulation.

**(3) Section 11-5 of Schedule 11 to the Regulation is revoked.****17. (1) Subsection 12-2 (4) of Schedule 12 to the Regulation is revoked and the following substituted:**

- (4) The frequency of sampling under subsection (1) may be reduced to the frequency set out in subsection (5) if,
- (a) samples have been taken with the frequency set out in subsection (1) and tested in accordance with subsection (2) for a period of 24 consecutive months and, during that period, not more than one of the test results obtained under paragraph 2 of section 18-5 and paragraph 1 of section 18-6 of Schedule 18 to this Regulation exceeds the standard prescribed for

*Escherichia coli*, fecal coliforms or total coliforms by Schedule 1 to the Ontario Drinking-Water Quality Standards; and

- (b) the owner of the drinking-water system or the operating authority for the system has given the Director at least seven days notice in writing of the intention to reduce the frequency of sampling.

**(2) Clause 12-2 (5) (a) of Schedule 12 to the Regulation is amended by striking out “every two weeks” and substituting “every four weeks”.**

**(3) Clause 12-2 (5) (b) of Schedule 12 to the Regulation is amended by striking out “every week” and substituting “every two weeks”.**

**(4) Section 12-2 of Schedule 12 to the Regulation is amended by adding the following subsections:**

(7) If a drinking-water system uses point of entry treatment units, the samples taken under subsection (1) shall be taken from locations downstream of the point of entry treatment units and shall be taken on a rotational basis so that, after a sample is taken from a location downstream of a particular point of entry treatment unit, another sample is not taken from a location downstream of that unit until samples have been taken from locations downstream of all the other point of entry treatment units.

(8) For the purpose of subsections (4) and (6),

- (a) samples taken and tested for microbiological parameters before June 1, 2003 in accordance with clause 7 (1) (a) of Ontario Regulation 459/00 (Drinking Water Protection — Larger Water Works) shall be deemed to be samples taken with the frequency set out in subsection (1) and tested in accordance with subsection (2);
- (b) samples taken and tested before June 1, 2003 in accordance with subsection 8 (1) of Ontario Regulation 505/01 (Drinking Water Protection — Smaller Water Works Serving Designated Facilities) shall be deemed to be samples taken with the frequency set out in subsection (1) and tested in accordance with subsection (2);
- (c) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 1 of Schedule 6 to Ontario Regulation 459/00 shall be deemed to be test results obtained under paragraph 2 of section 18-5 of Schedule 18 to this Regulation;
- (d) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 2 of Schedule 1 to Ontario Regulation 505/01 shall be deemed to be test results obtained under paragraph 2 of section 18-5 of Schedule 18 to this Regulation;
- (e) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 2 of Schedule 6 to Ontario Regulation 459/00 shall be deemed to be test results obtained under paragraph 1 of section 18-6 of Schedule 18 to this Regulation; and
- (f) test results obtained from samples taken and tested before June 1, 2003 pursuant to corrective action described in paragraph 3 of Schedule 1 to Ontario Regulation 505/01 shall be deemed to be test results obtained under paragraph 1 of section 18-6 of Schedule 18 to this Regulation.

**(5) Section 12-5 of Schedule 12 to the Regulation is revoked.**

**18. Section 13-12 of Schedule 13 to the Regulation is revoked.**

**19. Section 14-10 of Schedule 14 to the Regulation is revoked.**

**20. (1) Section 15-6 of Schedule 15 to the Regulation is amended by striking out “If a drinking-water system does not provide fluoridation” at the beginning.**

**(2) Section 15-8 of Schedule 15 to the Regulation is revoked.**

**21. (1) Clause 16-2 (b) of Schedule 16 to the Regulation is revoked and the following substituted:**

- (b) the test,
- (i) is conducted by or pursuant to the direction of the owner of a drinking-water system, the operating authority for a drinking-water system or a certified operator or trained person employed by the owner or operating authority, and
- (ii) does not relate to water that is supplied exclusively for,
- (A) agricultural operations,
- (B) landscaping operations,
- (C) industrial or manufacturing operations, including food manufacturing or processing operations, or
- (D) swimming pool or skating rink maintenance operations;

**(2) Paragraph 6 of section 16-3 of Schedule 16 to the Regulation is amended by striking out the portion before subparagraph i and substituting the following:**

6. If the drinking-water system is required to provide filtration and a report under subsection 18 (1) of the Act has not been made in respect of turbidity in the preceding 24 hours, a result indicating that turbidity exceeds 1.0 Nephelometric Turbidity Units (NTU) in,

**(3) Paragraph 9 of section 16-3 of Schedule 16 to the Regulation is revoked and the following substituted:**

9. A result indicating that the concentration of fluoride exceeds 1.5 milligrams per litre in a sample of drinking water, if,
- i. the drinking-water system provides fluoridation and a report under subsection 18 (1) of the Act has not been made in respect of fluoride in the preceding 24 hours, or
  - ii. the drinking-water system does not provide fluoridation and a report under subsection 18 (1) of the Act has not been made in respect of fluoride in the preceding 60 months.

**(4) Schedule 16 to the Regulation is amended by adding the following section:**

**Small non-municipal non-residential systems that do not serve designated facilities**

**16-10.** If a small non-municipal non-residential system does not serve a designated facility, section 18 of the Act and this Schedule do not apply to the system until June 1, 2005.

**22. Clause 19-3 (1) (b) of Schedule 19 to the Regulation is revoked and the following substituted:**

- (b) a public health inspector under the *Health Protection and Promotion Act*, or a person acting under the supervision of a public health inspector.

**23. (1) Subsection 21-2 (3) of Schedule 21 to the Regulation is revoked and the following substituted:**

(3) If an OWRA approval was granted after August 1, 2000 in respect of the system and the owner of the system gives the Director a written statement by a professional engineer certifying that,

- (a) he or she has visited the system; and
- (b) in his or her opinion,
  - (i) all equipment required in order to ensure compliance with Schedule 2 is being provided, and
  - (ii) all equipment required in order to ensure compliance with Schedules 6, 8 and 9 is being provided,

the owner of the system shall be deemed to have complied with subsection (1) and with the owner's first obligation to give a notice to the Director under section 21-7, and, for the purpose of this Schedule, the report required by subsection (1) shall be deemed to have been required to be prepared not later than the date the OWRA approval was granted.

**(2) Subsection 21-3 (1) of Schedule 21 to the Regulation is revoked and the following substituted:**

**New and altered systems**

(1) If, after this Regulation comes into force, a drinking-water system commences operation or an alteration is made to a drinking-water system, the owner of the system shall ensure that, not later than 30 days after the system commences operation or the alteration is completed, a professional engineer who has experience in sanitary engineering related to drinking-water systems prepares a report that complies with section 21-5.

**(3) Section 21-5 of Schedule 21 to the Regulation is revoked and the following substituted:**

**Contents of engineer's report**

**21-5.** For the purposes of this Schedule, a report complies with this section if,

- (a) the report specifies which type of drinking-water system listed in subsection 21-1 (1) the report deals with;
- (b) the professional engineer who prepares the report certifies in the report that he or she has visited the drinking-water system and that, in his or her opinion,
  - (i) all equipment required in order to ensure compliance with Schedule 2 is being provided, and
  - (ii) all equipment required in order to ensure compliance with Schedules 6, 8 and 9 is being provided;
- (c) the report sets out the professional engineer's reasons for the opinion referred to in clause (b), along with the technical and other information he or she relied on in reaching that opinion; and
- (d) the report includes a maintenance schedule that sets out requirements relating to the frequency with which the following equipment must be inspected, tested and replaced:
  - (i) the water treatment equipment that is provided by the drinking-water system, and

- (ii) the equipment that is provided by the drinking-water system in order to ensure compliance with Schedules 6, 8 and 9.

**24. (1) Section 22-2 (1) of Schedule 22 to the Regulation is amended by striking out “each year after 2004” in the portion before clause (a) and substituting “each year after 2003”.**

**(2) Section 22-2 of Schedule 22 to the Regulation is amended by adding the following subsection:**

(5) For the purpose of subsection (1), the preceding calendar year for the report that is required to be prepared not later than March 31, 2004 shall be deemed to be the period from July 1, 2003 to December 31, 2003.

**(3) Schedule 22 to the Regulation is amended by adding the following section:**

**OWRA approvals**

**22-3.** A provision of an OWRA approval that requires the completion and presentation of a compliance report does not apply to a drinking-water system if the owner of the system complies with section 22-2.

**25. Item 24 of Schedule 24 to the Regulation is revoked and the following substituted:**

24.	2,4-Dichlorophenol
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**26. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.**

**(2) Subsections 12 (5), (6), (8), (10) and (11) come into force on the day section 63 of the Act is proclaimed in force.**

27/03

## ONTARIO REGULATION 250/03

made under the

### DEVELOPMENT CORPORATIONS ACT

Made: April 14, 2003

Filed: June 18, 2003

## CLEAN WATER LEGACY TRUST CORPORATION

**Definitions**

1. In this Regulation,

“Minister” means the Minister of the Environment;

“Trust” means the Clean Water Legacy Trust established under section 2.

**Corporation established**

2. A corporation to be known in English as the Clean Water Legacy Trust and in French as Fonds de protection du patrimoine des eaux is established as a corporation without share capital.

**Crown agent**

3. The Trust is, for all its purposes, an agent of Her Majesty within the meaning of the *Crown Agency Act* and its powers may be exercised only as an agent of Her Majesty.

**Objects**

4. The objects of the Trust are,

- (a) to receive and maintain funds and to use all or part of the principal and income from the funds for, or create partnerships with organizations involved in,
- (i) drinking water research and technology,
  - (ii) increasing access to training related to the management of safe drinking water,
  - (iii) the promotion of environmentally sound water stewardship, or
  - (iv) increasing public understanding of environmental issues; and

- (b) to provide funding, consistent with the objects set out in this section and in accordance with applicable policy directives and funding practices, for the activities of the Clean Water Centre of Excellence.

**Board of directors**

5. (1) The Trust shall consist of as many members, not fewer than three and not more than ten, as the Lieutenant Governor in Council may appoint and those members form the board of directors.

(2) The members shall be appointed for such term, not exceeding two years, as may be determined by the Lieutenant Governor in Council.

(3) The members of the Trust who are not public servants within the meaning of the *Public Service Act* shall be paid such remuneration and expenses as may be determined by the Lieutenant Governor in Council.

(4) The Lieutenant Governor in Council shall designate one of the members of the board as chair and one as vice-chair.

(5) The chair shall preside over the meeting of the board of directors.

(6) In the absence of both chair and vice-chair, a director designated by the board shall act as the chair.

(7) A majority of the directors constitutes a quorum for the conduct of business of the board.

**Powers, duties of board**

6. (1) The affairs of the Trust are under the management and control of its board of directors.

(2) The board may pass by-laws and resolutions for conducting and managing the affairs of the Trust including,

- (a) appointing officers and assigning to them such powers and duties as the board considers appropriate;
- (b) maintaining bank accounts and making other banking arrangements; and
- (c) establishing committees.

(3) Section 132, subsection 134 (1) and section 136 of the *Business Corporations Act* apply with necessary modifications to the Trust and to the board of directors.

(4) Despite subsection (3), no indemnity may be given by the Trust under section 136 of the *Business Corporations Act* to any person unless the indemnity has been approved in accordance with section 28 of the *Financial Administration Act*.

(5) The board of directors shall follow any policy directives issued by the Minister.

**Trust corporation**

7. (1) Except as limited by this Regulation, the Trust has the capacity, rights and powers of a natural person for carrying out its objects.

(2) The Trust shall not, except with the approval of the Lieutenant Governor in Council,

- (a) acquire, hold or dispose of any interest in land;
- (b) borrow money;
- (c) pledge the assets of the Trust; or
- (d) create a subsidiary.

(3) The revenues of the Trust, including all money or assets received by the Trust by grant, gift, contribution, profit or otherwise, shall only be used to further its objects.

(4) The *Corporations Act* and the *Corporations Information Act* do not apply to the Trust.

(5) The Trust may temporarily invest any surplus money not immediately required for the objects of the Trust in,

- (a) securities issued by or guaranteed as to principal and interest by the Province of Ontario, any other province of Canada, or Canada;
- (b) guaranteed investment certificates of any trust corporation that is registered under the *Loan and Trust Corporations Act*; or
- (c) deposit receipts, deposit notes, certificates of deposits, acceptances and other similar instruments issued or endorsed by any bank listed in Schedule I or II to the *Bank Act* (Canada).

**Employees, others**

8. (1) Such employees as are considered necessary for the proper conduct of the business of the Trust may be appointed under the *Public Service Act*.

(2) In accordance with Government of Ontario policies, the Trust may engage persons, other than those appointed under subsection (1), to provide professional, technical or other assistance to or on behalf of the Trust, in accordance with

previously prepared business plans, and may prescribe their duties and other terms of engagement and provide for payment of the remuneration and expenses of such persons.

**Reports**

9. The Trust shall make such reports to the Minister concerning its affairs as the Minister may from time to time require.

**Winding-up**

10. If the Minister considers it to be in the public interest to wind up the affairs of the Trust, he or she may do all things necessary to accomplish that, including dealing with the assets of the Trust by,

- (a) liquidating or selling the assets and paying the proceeds into the Consolidated Revenue Fund; or
- (b) transferring the assets to the Crown or another agency of the Crown.

**Audit**

11. The accounts and financial transactions of the Trust shall be audited annually and the audit is subject to the review of the Provincial Auditor.

**Annual report**

12. The Trust shall submit an annual report, including the audited financial statements signed by the chair and one other member of the board, to the Minister and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at its next session.

**Review**

13. The Minister shall ensure that a review of the operations of the Trust is undertaken at least once every three years.

27/03

**ONTARIO REGULATION 251/03**

made under the

**DEVELOPMENT CORPORATIONS ACT**

Made: April 14, 2003  
Filed: June 18, 2003

**CLEAN WATER CENTRE OF EXCELLENCE**

**Definitions**

1. In this Regulation,

“Centre” means the Clean Water Centre of Excellence established under section 2;

“Minister” means the Minister of the Environment.

**Corporation established**

2. A corporation to be known in English as the Clean Water Centre of Excellence and in French as Centre d'excellence en eau et assainissement is established as a corporation without share capital.

**Crown agent**

3. The Centre is, for all its purposes, an agent of Her Majesty within the meaning of the *Crown Agency Act* and its powers may be exercised only as an agent of Her Majesty.

**Objects**

4. The objects of the Centre are,

- (a) to support effective delivery, planning and management of programs to educate and train operators of drinking water systems in order to ensure clean drinking water;
- (b) to promote environmentally sound water stewardship and increase public understanding of environmental issues pertaining to drinking water by, among other things, offering to the public courses, seminars, conferences, meetings and programs relating to those issues and by developing educational literature in support of those issues; and

- (c) to conduct further activities, consistent with the objects set out in clauses (a) and (b), as described in any policy direction, agreement or understanding with the Province and in accordance with an approved business plan.

**Board of directors**

5. (1) The Centre shall consist of as many members, not fewer than three and not more than seven, as the Lieutenant Governor in Council may appoint and those members form the board of directors.

(2) The members shall be appointed for such term, not exceeding two years, as may be determined by the Lieutenant Governor in Council.

(3) The members of the Centre who are not public servants within the meaning of the *Public Service Act* shall be paid such remuneration and expenses as may be determined by the Lieutenant Governor in Council.

(4) The Lieutenant Governor in Council shall designate one of the members of the board as chair and one as vice-chair.

(5) The chair shall preside over the meeting of the board of directors.

(6) In the absence of both chair and vice-chair, a director designated by the board shall act as the chair.

(7) A majority of the directors constitutes a quorum for the conduct of business of the board.

**Powers, duties of board**

6. (1) The affairs of the Centre are under the management and control of its board of directors.

(2) The board may pass by-laws and resolutions for conducting and managing the affairs of the Centre including,

(a) appointing officers and assigning to them such powers and duties as the board considers appropriate;

(b) maintaining bank accounts and making other banking arrangements; and

(c) establishing committees.

(3) Section 132, subsection 134 (1) and section 136 of the *Business Corporations Act* apply with necessary modifications to the Centre and to the board of directors.

(4) Despite subsection (3), no indemnity may be given by the Centre under section 136 of the *Business Corporations Act* to any person unless the indemnity has been approved in accordance with section 28 of the *Financial Administration Act*.

(5) The board of directors shall follow any policy directives issued by the Minister.

**Corporate powers**

7. (1) Except as limited by this Regulation, the Centre has the capacity, rights and powers of a natural person for carrying out its objects.

(2) The Centre shall not, except with the approval of the Lieutenant Governor in Council,

(a) acquire, hold or dispose of any interest in land;

(b) borrow money;

(c) pledge the assets of the Centre; or

(d) create any subsidiary.

(3) The revenues of the Centre, including all money or assets received by the Centre by grant, gift, contribution, profit or otherwise, shall only be used to further its objects.

(4) The *Corporations Act* and the *Corporations Information Act* do not apply to the Centre.

**Employees, others**

8. (1) Such employees as are considered necessary for the proper conduct of the business of the Centre may be appointed under the *Public Service Act*.

(2) In accordance with Government of Ontario policies, the Centre may engage persons, other than those appointed under subsection (1), to provide professional, technical or other assistance to or on behalf of the Centre, in accordance with previously prepared business plans, and may prescribe their duties and other terms of engagement and provide for payment of the remuneration and expenses of such persons.

**Reports**

9. The Centre shall make such reports to the Minister concerning its affairs as the Minister may from time to time require.

**Winding-up**

10. If the Minister considers it to be in the public interest to wind up the affairs of the Centre, he or she may do all things necessary to accomplish that, including dealing with the assets of the Centre by,

- (a) liquidating or selling the assets and paying the proceeds into the Consolidated Revenue Fund; or
- (b) transferring the assets to the Crown or another agency of the Crown.

**Audit**

11. The accounts and financial transactions of the Centre shall be audited annually and the audit is subject to the review of the Provincial Auditor.

**Annual report**

12. The Centre shall submit an annual report, including the audited financial statements signed by the chair and one other member of the board, to the Minister and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at its next session.

**Review**

- 13. The Minister shall ensure that a review of the operations of the Centre is undertaken at least once every three years.

27/03

**ONTARIO REGULATION 252/03**

made under the

**DEVELOPMENT CORPORATIONS ACT**

Made: June 18, 2003  
Filed: June 18, 2003

Amending O. Reg. 250/03  
(Clean Water Legacy Trust Corporation)

Note: Ontario Regulation 250/03 has not previously been amended.

1. (1) Subsection 5 (1) of Ontario Regulation 250/03 is amended by striking out “not more than ten” and substituting “not more than 12”.

(2) Subsection 5 (4) of the Regulation is amended by striking out “and one as vice-chair” at the end and substituting “and one or two members as vice-chairs”.

27/03

**ONTARIO REGULATION 253/03**

made under the

**DEVELOPMENT CORPORATIONS ACT**

Made: June 18, 2003  
Filed: June 18, 2003

Amending O. Reg. 251/03  
(Clean Water Centre of Excellence)

Note: Ontario Regulation 251/03 has not previously been amended.

1. (1) Subsection 5 (1) of Ontario Regulation 251/03 is amended by striking out “not more than seven” and substituting “not more than 12”.

(2) Subsection 5 (4) of the Regulation is amended by striking out “and one as vice-chair” at the end and substituting “and one or two members as vice-chairs”.

27/03

**ONTARIO REGULATION 254/03**

made under the

**MINISTRY OF CORRECTIONAL SERVICES ACT**

Made: June 18, 2003

Filed: June 19, 2003

Amending Reg. 778 of R.R.O. 1990  
(General)

Note: Since the end of 2002, Regulation 778 has been amended by Ontario Regulations 151/03 and 152/03. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 18, 2003.

**1. Regulation 778 of the Revised Regulations of Ontario, 1990 is amended by adding the following sections immediately before the heading "INMATE EMPLOYMENT":**

**17.1** (1) The Superintendent or an employee designated by the Superintendent for the purpose may authorize, in writing, that telephone conversations between an inmate and any other persons be listened to or otherwise intercepted where the Superintendent or designated employee believes on reasonable grounds that the conversations will contain evidence of an act that would jeopardize the security of the institution or the safety of any person.

(2) Every correctional institution shall have a telephone system that ensures the confidentiality of telephone conversations between an inmate and a person described in clause 17 (2) (a), (b), (c), (d) or (e) and subsection (1) does not apply to such telephone conversations.

(3) The telephone system in a correctional institution shall provide notice of the potential interception of a telephone conversation to both parties to the conversation by way of a voice-over message or other means.

(4) Where a telephone conversation is intercepted under subsection (1), the Superintendent or designated employee shall inform the inmate of the fact and the reasons for it and shall give the inmate an opportunity to make representations with respect to the interception.

(5) If informing the inmate as required by subsection (4) would adversely affect an ongoing investigation, the Superintendent or designated employee is not required to comply with that subsection until the investigation is complete.

**17.2** (1) The Superintendent or an employee designated by the Superintendent for the purpose may authorize, in writing, that an inmate be prevented from communicating with a specified person by telephone if the Superintendent or designated employee believes on reasonable grounds that the security of the institution or the safety of any person would be jeopardized.

(2) The Superintendent or an employee designated by the Superintendent or the Deputy Minister for the purpose may authorize that an inmate be prevented from communicating with a specified person by telephone if the specified person, or his or her parent or guardian where the specified person is a minor, submits a request to the Superintendent or designated employee that he or she not receive any telephone communication from the inmate.

(3) Where an inmate is prevented under subsection (1) or (2) from communicating with a person by telephone, the Superintendent or designated employee, as the case may be, shall inform the inmate of the fact and the reasons for it and shall give the inmate an opportunity to make representations with respect to the prevented communication.

(4) If informing the inmate as required by subsection (3) would jeopardize the security of the institution or the safety of any person, the Superintendent or designated employee is not required to comply with that subsection until informing the inmate would no longer jeopardize the security of the institution or the safety of any person.

**RÈGLEMENT DE L'ONTARIO 254/03**

pris en application de la

**LOI SUR LE MINISTÈRE DES SERVICES CORRECTIONNELS**pris le 18 juin 2003  
déposé le 19 juin 2003modifiant le Règl. 778 des R.R.O. de 1990  
(Dispositions générales)

Remarque : Depuis la fin de 2002, le Règlement 778 a été modifié par les Règlements de l'Ontario 151/03 et 152/03. Les modifications antérieures sont indiquées dans la Table des règlements publiée dans la *Gazette de l'Ontario* du 18 janvier 2003.

**1. Le Règlement 778 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des articles suivants immédiatement avant l'intertitre «EMPLOI DES DÉTENU» :**

**17.1** (1) Le chef d'établissement ou l'employé qu'il a désigné à cette fin peut autoriser par écrit que des conversations téléphoniques entre un détenu et toute autre personne soient écoutées ou interceptées de quelque autre manière que ce soit s'il a des motifs raisonnables de croire que les conversations contiendront des éléments de preuve relatifs à un acte qui compromettrait la sûreté de l'établissement ou la sécurité de quiconque.

(2) Chaque établissement correctionnel est muni d'un système téléphonique qui garantit la confidentialité des conversations téléphoniques entre un détenu et une personne visée à l'alinéa 17 (2) a), b), c), d) ou e). Le paragraphe (1) ne s'applique pas à ces conversations téléphoniques.

(3) Le système téléphonique de l'établissement correctionnel fournit un avis d'interception éventuelle de la conversation téléphonique aux deux interlocuteurs par message surimposé ou par d'autres moyens.

(4) Lorsqu'une conversation téléphonique est interceptée en application du paragraphe (1), le chef d'établissement ou l'employé désigné avise le détenu de cette mesure et des motifs qui la justifient et lui donne la possibilité de présenter ses observations au sujet de l'interception.

(5) Si le fait d'aviser le détenu comme l'exige le paragraphe (4) risque de nuire à une enquête en cours, le chef d'établissement ou l'employé désigné n'est pas tenu de se conformer à ce paragraphe jusqu'à la conclusion de l'enquête.

**17.2** (1) Le chef d'établissement ou l'employé qu'il a désigné à cette fin peut autoriser par écrit qu'il soit interdit à un détenu de communiquer par téléphone avec une personne précisée s'il a des motifs raisonnables de croire que la sûreté de l'établissement ou la sécurité de quiconque serait compromise.

(2) Le chef d'établissement ou l'employé qu'a désigné à cette fin le chef d'établissement ou le sous-ministre peut autoriser qu'il soit interdit à un détenu de communiquer par téléphone avec une personne précisée si celle-ci ou, dans le cas où elle est mineure, son père, sa mère ou son tuteur, lui demande qu'elle ne reçoive aucune communication téléphonique de la part du détenu.

(3) Lorsqu'il est interdit au détenu de communiquer par téléphone avec une personne en application du paragraphe (1) ou (2), le chef d'établissement ou l'employé désigné, selon le cas, avise le détenu de cette mesure et des motifs qui la justifient et lui donne la possibilité de présenter ses observations au sujet de la communication interdite.

(4) Le chef d'établissement ou l'employé désigné n'est pas tenu de se conformer au paragraphe (3) tant que le fait d'aviser le détenu comme l'exige ce paragraphe risque de compromettre la sûreté de l'établissement ou la sécurité de quiconque.

27/03

**ONTARIO REGULATION 255/03**

made under the

**VINTNERS QUALITY ALLIANCE ACT, 1999**

Made: June 6, 2003  
 Approved: June 18, 2003  
 Filed: June 19, 2003

Amending O. Reg. 406/00

(Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)

Note: Ontario Regulation 406/00 has previously been amended. Those amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 18, 2003.

**1. Subsection 3 (5) of Ontario Regulation 406/00 is revoked and the following substituted:**

(5) No person shall use on a label the word “organic” or any other word intended to imply that the product has been produced organically or in a manner that is sensitive to the environment unless the product meets the requirements of CAN/CGSB-32.310-99 — Organic Agriculture, published on June 30, 1999, as that document read on the day before the day Ontario Regulation 255/03 comes into force.

**2. Table 2 of the Regulation is amended by striking out “The wine shall be produced entirely from one or more vitis vinifera grape varieties in item 1 of Appendix B or the hybrid grape variety vidal, naturally frozen on the vine and pressed in a continuous process while the air temperature is minus 8°C or lower” in Column 2 opposite subheading “2. Icewine” under the heading “Wine Categories” in Column 1 and substituting the following:**

The wine shall be produced entirely from one or more vitis vinifera grape varieties in item 1 of Appendix B or the hybrid grape variety Vidal, naturally frozen on the vine, picked while the air temperature is minus 8°C or lower and immediately pressed after picking in a continuous process.

VINTNERS QUALITY ALLIANCE ONTARIO:

LEONARD PENNACHETTI  
*President and Chair*

PAUL SPECK  
*Vice-Chair*

Dated on June 6, 2003.

Approved:

TIMOTHY PATRICK HUDAK  
*Minister of Consumer and Business Services*

Dated on June 18, 2003.

27/03

**ONTARIO REGULATION 256/03**

made under the

**HEALTH INSURANCE ACT**

Made: June 19, 2003

Filed: June 20, 2003

Amending Reg. 552 of R.R.O. 1990

(General)

Note: Since the end of 2002, Regulation 552 has been amended by Ontario Regulations 18/03, 50/03, 62/03, 179/03, 203/03 and 221/03. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 18, 2003.

**1. Section 38.2 of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

**38.2** (1) For the purposes of subsection 18.1 (5) of the Act, the amount that must accompany a request for review shall be equal to 5 per cent of the amount in dispute but in no case shall be more than \$2,500 or less than \$350.

(2) For the purposes of subsection 18.1 (8) of the Act, the amount that must accompany a request for reconsideration shall be \$350.

27/03

**ONTARIO REGULATION 257/03**

made under the

**ENVIRONMENTAL BILL OF RIGHTS, 1993**

Made: June 18, 2003

Filed: June 20, 2003

Amending O. Reg. 73/94

(General)

Note: Since the end of 2002, Ontario Regulation 73/94 has been amended by Ontario Regulation 104/03. Previous amendments are listed in the Table of Regulations published in *The Ontario Gazette* dated January 18, 2003.

**1. Sections 1 and 2 of Ontario Regulation 73/94 are revoked and the following substituted:**

1. The provisions of Part II of the Act, except section 15 and sections 19 to 26, apply in relation to the following ministries:

1. Ministry of Agriculture and Food.
2. Ministry of Consumer and Business Services.
3. Ministry of Culture.
4. Ministry of Energy.
5. Ministry of Enterprise, Opportunity and Innovation.
6. Ministry of the Environment.
7. Ministry of Health and Long-Term Care.
8. Ministry of Labour.
9. Management Board Secretariat.
10. Ministry of Municipal Affairs and Housing.
11. Ministry of Natural Resources.

12. Ministry of Northern Development and Mines.
13. Ministry of Tourism and Recreation.
14. Ministry of Transportation.

PROPOSALS FOR POLICIES AND ACTS

**2. Section 15 of the Act applies in relation to the following ministries:**

1. Ministry of Agriculture and Food.
2. Ministry of Consumer and Business Services.
3. Ministry of Culture.
4. Ministry of Energy.
5. Ministry of Enterprise, Opportunity and Innovation.
6. Ministry of the Environment.
7. Ministry of Health and Long-Term Care.
8. Ministry of Labour.
9. Management Board Secretariat.
10. Ministry of Municipal Affairs and Housing.
11. Ministry of Natural Resources.
12. Ministry of Northern Development and Mines.
13. Ministry of Tourism and Recreation.
14. Ministry of Transportation.

**2. (1) Paragraphs 9 and 10 of subsection 3 (1) of the Regulation are revoked and the following substituted:**

9. *Fish and Wildlife Conservation Act, 1997.*

**(2) Paragraph 20 of subsection 3 (1) of the Regulation is revoked and the following substituted:**

20. *Safe Drinking Water Act, 2002.*
21. *Sustainable Water and Sewage Systems Act, 2002.*
22. *Waste Diversion Act, 2002.*
23. *Waste Management Act, 1992.*

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

(5) The *Technical Standards and Safety Act, 2000* is prescribed for the purposes of section 16 of the *Environmental Bill of Rights, 1993*,

- (a) generally, with respect to matters referred to in section 42 of the *Technical Standards and Safety Act, 2000*; and
- (b) specifically with respect to any proposed amendment to or replacement of Ontario Regulation 217/01.

**3. Paragraph 1 of subsection 4 (1) of the Regulation is revoked and the following substituted:**

1. Ministry of Consumer and Business Services.

**4. Paragraphs 1, 2 and 3 of section 5 of the Regulation are revoked and the following substituted:**

1. Ministry of Agriculture and Food.
2. Ministry of Consumer and Business Services.
3. Ministry of Energy.

**5. (1) Subsection 6 (1) of the Regulation is amended by striking out “subsection 3 (1)” and substituting “subsections 3 (1) and (5)”.**

**(2) Subsection 6 (2) of the Regulation is revoked and the following substituted:**

(2) Despite subsection (1), the *Fish and Wildlife Conservation Act, 1997* and the *Waste Diversion Act, 2002* are not prescribed for the purposes of Part IV of the *Environmental Bill of Rights, 1993*.

**6. (1) Paragraphs 8, 9 and 10 of section 9 of the Regulation are revoked and the following substituted:**

8. *Fish and Wildlife Conservation Act, 1997.*

9. *Fisheries Act (Canada).*

**(2) Section 9 of the Act is amended by adding the following subsection:**

(2) The *Technical Standards and Safety Act, 2000* is prescribed for the purposes of Part V of the *Environmental Bill of Rights, 1993*, but only with respect to matters referred to in section 42 of the *Technical Standards and Safety Act, 2000*.

**7. Subsection 12 (1) of the Regulation is amended by striking out “subsection 3 (1)” and substituting “subsections 3 (1) and (5)”.**

27/03

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