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District Social Services Administration Boards Act

R.S.O. 1990, CHAPTER D.15

Consolidation Period: From January 1, 2009 to the [e-Laws currency date](#).

Last amendment: 2006, c. 33, Sched. Z.3, s. 7.

Definitions

1. (1) In this Act,

“board” means a district social services administration board established under section 3;
 (“conseil d’administration”)

“district” means a geographic area designated under section 2; (“district”)

“Minister” means the Minister of Community and Social Services; (“ministre”)

“regulations” means the regulations made under this Act; (“règlements”)

“social services” means the social services prescribed by the regulations. (“services sociaux”)
 1997, c. 25, Sched. C, s. 1 (2); 2002, c. 17, Sched. F, Table.

Interpretation, conflict with other Acts

(2) If there is a conflict between a provision of this Act or the regulations and a provision in another Act or regulation respecting a social service or if there is duplication in any such provisions, the provision in the other Act or regulation applies unless the regulations under this Act provide otherwise. 1997, c. 25, Sched. C, s. 1 (2).

Geographic areas

2. The Lieutenant Governor in Council shall by regulation designate geographic areas as districts for the purposes of this Act. 1997, c. 25, Sched. C, s. 1 (3).

Boards established

3. (1) The Minister may establish district social services administration boards for the purposes of this Act. 1997, c. 25, Sched. C, s. 1 (4).

(2) Repealed: 1997, c. 25, Sched. C, s. 1 (4).

Board is a corporation

(3) A board is a corporation. R.S.O. 1990, c. D.15, s. 3 (3).

Composition, etc., of board

(4) The composition of each board and the qualifications and term of office of the

members thereof shall be as prescribed by the regulations. R.S.O. 1990, c. D.15, s. 3 (4).

Powers and duties of boards

4. (1) If a board is established for a district,

- (a) the Minister may designate the board as a delivery agent for that district for the purposes of the *Ontario Works Act, 1997*; and
- (b) the board shall exercise any powers, duties and responsibilities in the district relating to other social services given to it under the regulations or under any other Act. 1997, c. 25, Sched. C, s. 1 (5).

Same

(2) If a regulation provides that the board shall exercise powers, duties and responsibilities relating to a social service given to the council of a municipality in the district under another Act, all those powers, duties and responsibilities are vested in the board. 1997, c. 25, Sched. C, s. 1 (5).

Administrator and staff

(3) Every board shall, with the approval of the Minister, appoint an administrator and any other staff that is necessary. 1997, c. 25, Sched. C, s. 1 (5).

Payments for social services

5. (1) If a board is established for a district,

- (a) any contribution that is payable by Ontario to a municipality in the district for social services that the board delivers shall be paid instead to the board; and
- (b) any contribution that is payable by a municipality in the district to Ontario for social services that the board delivers shall be paid instead by the board. 1997, c. 25, Sched. C, s. 1 (5).

Liabilities of municipalities

(2) If a board is established for a district, any liability of a municipality in the district with respect to social services that the board delivers shall be deemed to be a liability of the board rather than of the municipality. 1997, c. 25, Sched. C, s. 1 (5).

Estimates and apportionment, municipalities

6. (1) If a district includes more than one municipality, the board shall, in accordance with the regulations, apportion among the municipalities in the district the amounts required from municipalities in the district to defray the expenditures for social services for that year. 1997, c. 25, Sched. C, s. 1 (5).

Payment by municipalities

(2) Each municipality shall pay the amounts required to be provided by it for its share of the costs of social services to the board for its district, on demand. 1997, c. 25, Sched. C, s. 1 (5).

Penalty

(3) The board may impose on a municipality the prescribed interest and penalty for non-payment of amounts payable under this section. 1997, c. 25, Sched. C, s. 1 (5).

Apportionment, municipalities and unorganized territory

7. If a district includes municipalities and territory without municipal organization, the board shall, in accordance with the regulations, apportion between the municipalities and the

territory without municipal organization the amount that it estimates will be required to defray expenditures for the provision of social services to the residents of the district. 1997, c. 25, Sched. C, s. 1 (5).

Payment to boards

8. (1) The minister responsible for a social service shall pay to each board,

- (a) an amount determined in accordance with the regulations with respect to Ontario's share of the board's costs of delivering social services under this Act; and
- (b) an amount determined in accordance with the regulations for the share apportioned to territory without municipal organization for that board with respect to the costs of social services under this Act. 1997, c. 25, Sched. C, s. 1 (5).

Collection of amount as taxes

(2) The amount apportioned to territory without municipal organization in a district to defray expenditures for the provision of social services to the residents of the district may be recovered by the Crown as if the amount was tax imposed under the *Provincial Land Tax Act, 2006*. 1997, c. 25, Sched. C, s. 1 (5); 2006, c. 33, Sched. Z.3, s. 7.

Power of board to borrow for current expenditures

9. (1) Subject to subsection (2), a board may borrow from time to time by way of a promissory note such sums as the board considers necessary to meet the current expenditures of the board until the current revenue is received. R.S.O. 1990, c. D.15, s. 9 (1).

Maximum borrowings

(2) The amount that may be borrowed at any one time for the purpose mentioned in subsection (1) together with the total of any similar borrowings that have not been repaid shall not exceed 25 per cent of the estimated current revenue of the board for the current year. R.S.O. 1990, c. D.15, s. 9 (2).

Idem

(3) Until the estimates of the board for the current year under section 6 have been determined, the limitation upon borrowing prescribed in subsection (2) shall be temporarily calculated upon 25 per cent of the estimates for the board determined for the preceding year. R.S.O. 1990, c. D.15, s. 9 (3).

Provincial grant for first year

10. In the first year in which a board is established for a district, the Lieutenant Governor in Council may direct payment to the board of a grant in an amount determined in accordance with the regulations to assist the board to carry out the purposes of this Act during the first year. R.S.O. 1990, c. D.15, s. 10.

Regulations

11. The Lieutenant Governor in Council may make regulations,

- (a) prescribing social services for the purposes of the definition of "social services" in section 1;
- (b) designating districts for the purposes of this Act;
- (b.1) providing the circumstances under which provisions of this Act or the regulations prevail for the purpose of subsection 1 (2) and prescribing the provisions that prevail in each case;

- (c) providing for the division of each district into areas, the appointment of members representing the areas to each board having regard to the proportionate distribution amongst the areas of population, assessment of rateable property and assessment in territories without municipal organization and providing for the further appointment by the Lieutenant Governor in Council of members at large, prescribing the qualifications for appointment and fixing the number of members for each board and the terms of office of members;
- (c.1) respecting the apportionment among municipalities in a district of their share of the costs of social services and, for the purpose, prescribing the municipalities that must share in that apportionment;
- (c.2) respecting the apportionment of the costs of social services in a district between municipalities and territory without municipal organization;
- (c.3) respecting the determination of cost estimates and actual costs and the reconciliation of them and respecting reserves for working funds;
- (c.4) respecting the determination of the amounts Ontario shall pay to boards and boards shall pay to Ontario and the methods of determining those amounts, providing for the manner in which and the intervals at which payments shall be made, for the suspension or withholding of amounts payable by Ontario or part of them and for making deductions from them;
- (c.5) providing for the recovery by Ontario from a board of any amounts paid by Ontario for which the board is liable and prescribing the circumstances and manner in which any such recovery may be made;
- (d) governing applications for grants under section 10, and the method, time and manner of the payment of the grants;
- (e) prescribing the manner of determining the amount of a grant for a district for the purposes of section 10;
- (f) providing for the appointment of a chair of a board, and fixing the term of office of the chair;
- (g) prescribing the records that shall be kept under this Act and the returns that shall be made to the Minister;
- (h) providing for the dissolution of a board and for the disposition of its assets and liabilities;
- (i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. D.15, s. 11; 1997, c. 25, Sched. C, s. 1 (6-9); 1999, c. 12, Sched. E, s. 3.

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