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Ontario Highway Transport Board

NOTICE

Periodically, temporary applications are filed with the Board. Details of these applications can be made available at anytime to any interested parties by calling (416) 326 -6732.

The following are applications for extra-provincial and public vehicle operating licenses filed under the Motor Vehicle Transport Act, 1987, and the Public Vehicles Act. All information pertaining to the applicant i.e. business plan, supporting evidence, etc. is on file at the Board and is available upon request.

Any interested person who has an economic interest in the outcome of these applications may serve and file an objection within 29 days of this publication. The objector shall:

1. complete a Notice of Objection Form,
2. serve the applicant with the objection,
3. file a copy of the objection and provide proof of service of the objection on the applicant with the Board,
4. pay the appropriate fee.

Serving and filing an objection may be effected by hand delivery, mail, courier or facsimile. Serving means the date received by a party and filing means the date received by the Board.

LES LIBELLÉS DÉS DEMANDES PUBLIÉES CI-DESSOUS SONT AUSSI DISPONIBLES EN FRANÇAIS SUR DEMANDE.

Pour obtenir de l'information en français, veuillez communiquer avec la Commission des transports routiers au 416-326-6732.

Edwin E. Norrad (o/a Limo Services Niagara) 46271
6473 McLeod Rd., Niagara Falls, ON L3G 3G3M0

Applies for a public vehicle operating licence as follows:

For the transportation of passengers on a chartered trip from points in the Regional Municipality of Niagara.

PROVIDED that the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the Public Vehicles Act, RSO 1990, chapter P. 54.

2001765 Ontario Limited (o/a A Black Ty Limousine) 46264
333662 Plank Line, Salford, ON N0J 1W0

Applies for a public vehicle operating licence as follows:

For the transportation of passengers on a chartered trip from points in the Counties of Oxford, Norfolk and Middlesex.

PROVIDED that the licensee be restricted to the use of Class "D" public vehicles as defined in paragraph (a)(iv) of subsection 1 of Section 7 of Regulation 982 under the Public Vehicles Act, RSO 1990, chapter P. 54.

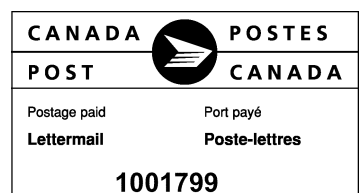
Donald G. Walker (o/a "A2B Charters") 46274
5754 Tilton Lake Rd., Sudbury, ON P3G 1L3

(138-G405) Felix D'Mello
Board Secretary/Secrétaire de la Commission

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et aux entreprises



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Government Notices Respecting Corporations Avis du gouvernement relatifs aux compagnies

Certificates of Dissolution Certificats de dissolution

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

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

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
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2004-12-10	
IAN MCKINLAY INVESTIGATIVE AGENCY INC.	000645509
2004-12-15	
T L & H ENTERPRISES INC.	000916823
2004-12-16	
CAMPBELL GRABB MANAGEMENT CONSULTANTS INC.	001239365
MILLSIDE TOWERS INC.	000614799
1435492 ONTARIO LTD.	001435492
2004-12-17	
CITY HOUSE & GARDEN CORPORATION	000633558
COUNSELLOR LAW CHAMBERS INC.	000247550
DEER CREEK EMU ENTERPRISES INC.	001047428
POCKET MANAGER INC.	000991896
1069936 ONTARIO LIMITED	001069936
473615 ONTARIO INC.	000473615
2004-12-20	
ANIAN ENTERPRISES (CANADA) CO. LTD.	001116847
CYRUS IMAGING INC.	001416133
DITOM CONSULTING INC.	002019203
HEMLINES MANUFACTURING LTD.	001076603
MIRKA PRODUCTIONS INC.	001013453
SDR GROUP LTD.	001480006
SUNSET BLVD. MOVIE PX LTD.	001328935
WELLS-YOUNG PHARMACY LTD.	000768331
1422463 ONTARIO INC.	001422463
1429900 ONTARIO INC.	001429900
753322 ONTARIO INC.	000753322
810806 ONTARIO LIMITED	000810806
2004-12-21	
ABACUS LEGAL SERVICES INC.	001062281
B.D.R. GENERAL CONTRACTING LIMITED	001366241
BALJON HOLDINGS LTD.	000110991
BUTANI INVESTMENT CONSULTANTS INC.	001321313
C.T.R.E.F-11 LIMITED	000717563
F. WISHART CONSULTING LTD.	000991840
FEATURE FILMS NO. 10 INC.	001456118
FEATURE FILMS NO. 3 GP INC.	001456268
FEATURE FILMS NO. 6 INC.	001456119
FEATURE FILMS NO. 8 INC.	001456121
JACKSON REALTY 2002 INC.	001356919
KITCHENER LOQUIDATORS INC.	001542190
MEA CULPA PRODUCTIONS LTD.	000895010
RAYMOND CROWE CONSTRUCTION LIMITED	000104854
SREIT (CANADA PLACE) LTD.	001244098
THE LASALLE TOWERS LIMITED	000889558
THE MANOR KOSHER MEAT MARKET LTD.	001294392
TYSON OXFORD HOLDINGS INC.	001016723
W. H. HARPER INC.	000529669
W.E. MARTIN & ASSOCIATES INC.	001009229
YOLANDA NG DESIGN LIMITED	001485263
1018717 ONTARIO INC.	001018717

Name of Corporation: Dénomination sociale de la compagnie:	Ontario Corporation Number Numéro de la compagnie en Ontario
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1086132 ONTARIO INC.	001086132
1121109 ONTARIO LIMITED	001121109
1187386 ONTARIO INC.	001187386
1199444 ONTARIO LTD.	001199444
1219101 ONTARIO INC.	001219101
1252891 ONTARIO INC.	001252891
1399430 ONTARIO LIMITED	001399430
734894 ONTARIO INC.	000734894
830888 ONTARIO INC.	000830888
835533 ONTARIO LIMITED	000835533
964831 ONTARIO LTD.	000964831
2004-12-22	
DASH & LILLY INC.	001313266
DV SALES & SUPPORT CANADA INC.	001385245
DYMAR MANAGEMENT CONSULTANTS INC.	000693972
EQUITY ENVIRONMENTAL SERVICES CORPORATION	000850804
FARGREEN ENTERPRISES LTD.	000829462
GLENDAVE BUSINESS SERVICES INC.	001197998
MOM'S GOT A DATE PRODUCTIONS LTD.	001410663
MURDER II PRODUCTIONS INC.	001346323
MURDER IN A SMALL TOWN PRODUCTIONS INC.	001299622
RJAAA CARE INC.	001298842
SPEEDY TEMP SERVICES INC.	001508061
SUIFEN COMPANY LIMITED	002010919
THE POKS INTERNATIONAL INC.	001179137
1245424 ONTARIO LIMITED	001245424
1281295 ONTARIO INC.	001281295
1327130 ONTARIO LIMITED	001327130
1348075 ONTARIO INC.	001348075
1409603 ONTARIO CORPORATION	001409603
1410676 ONTARIO INC.	001410676
482955 ONTARIO LIMITED	000482955
496986 ONTARIO LIMITED	000496986
607835 ONTARIO LIMITED	000607835
777319 ONTARIO LIMITED	000777319
997861 ONTARIO LIMITED	000997861

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

(138-G500)

Notice of Default in Complying with the Corporations Tax Act Avis d'inobservation de la Loi sur l'imposition des corporations

The Director has been notified by the Minister of Finance 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 Finance, 33 King Street West, Oshawa, Ontario L1H 8H6.

Le ministre des Finances a informé le directeur que les sociétés suivantes n'avaient pas respecté la *Loi sur l'imposition des corporations*.

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

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
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2005-01-08

APB DELIVERIES INC.	001363870
ARDWELL ENTERPRISES INCORPORATED	000495176
ATD NORTH AMERICA LTD.	000804380
BACO CONTRACTING LTD.	001418476
BERMONDSEY AUTO CENTRE LIMITED	000709433
C. K. LUNG & ASSOCIATES LTD.	001360462
C&M CONCRETE LTD.	001329777
D.J. BAUM ENTERPRISES INC.	000455484
DAVRAY LIMITED	000247829
DUFFERIN CAR CARE CENTRE INC.	000469528
GLENCO PETROLEUM LTD.	000949523
GREAT STAR LOGISTICS INC.	001401124
HARWELL CANADA INC.	001291965
HOMESTYLE HAMBURGERS LTD.	001123584
K AND K PLUMBING AND HEATING LTD.	000882580
KEM TRADING INC.	000133640
LUZMAG INC.	001295659
MABUHAY RESTAURANT INC.	001144307
MACHINE READOUT SERVICES INC.	001338938
MAGGIE, JO & "ME" INC.	000991856
MICHEL PLOURDE LOGGING LTD.	001183892
ORANGE GARDENS MARKET LTD.	001042492
THE GREENWICH WORKSHOP LTD.	000655353
THE TREEHOUSE CHILDCARE CORPORATION	001425368
VICKI'S BARGAINS PALACE INC.	001021091
1052341 ONTARIO LTD.	001052341
1103744 ONTARIO LIMITED	001103744
1126100 ONTARIO INC.	001126100
1179875 ONTARIO LTD.	001179875
1256548 ONTARIO LTD.	001256548
1342280 ONTARIO INC.	001342280
1347287 ONTARIO LIMITED	001347287
1348127 ONTARIO LTD.	001348127
155352 ONTARIO INC.	000155352
742688 ONTARIO LIMITED	000742688
852816 ONTARIO LTD.	000852816
894632 ONTARIO INC.	000894632
953536 ONTARIO INC.	000953536

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

(138-G501)

**Cancellation of Certificates of
Incorporation
(Corporations Tax Act Defaulters)
Annulation de certificats de constitution
(Non-respect de la Loi sur l'imposition
des corporations)**

NOTICE IS HEREBY GIVEN that, under subsection 241 (4) of the *Business Corporations Act*, the Certificates of Incorporation of the

corporations named hereunder have been cancelled by an Order dated 13 December, 2004 for default in complying with the provisions of the *Corporations Tax Act*, and the said corporations have been dissolved on that date.

AVIS EST DONNÉ PAR LA PRÉSENTE que, conformément au paragraphe 241 (4) de la *Loi sur les sociétés par actions*, les certificats de constitution dont les 13 décembre 2004 pour non-respect des dispositions de la *Loi sur l'imposition des corporations* et que la dissolution des sociétés concernées prend effet à la date susmentionnée.

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
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2004-12-13

A LA CARTE FOOD SERVICES CONSULTING LTD.	001019982
A REAL LOULOU PRODUCTION INC.	000945038
A. ALMEIDA TRUCKING LTD.	001014246
A.T. & C. CONSTRUCTION LTD.	001002106
A&P&C ENTERPRISES LIMITED	000909266
AACTION PAINTING SERVICES (1992) INC.	000997014
ACCU-BLAST LIMITED	000881954
ACS LEASING INC.	001022578
ACTION INC.	000994778
ADAM YASHOR LIMITED	000888882
ADVANTAGE AIR/SEA SHIPPING LIMITED	001016050
AERO TRAVELLERS SERVICE LTD.	001006830
AESNA (CANADA) INC.	001016754
AFRICA MID-EAST LINE, LTD.	000968934
AGRO ELEMENTS LTD.	001009538
AIDAN PUBLISHING INC.	001024454
ALL CANADIAN APPAREL GROUP (EGLINTON SQUARE) INC.	001019242
ALLDON EDM SUPPLIES LIMITED	000975182
ALPHA-OMEGA ACCOUNTING & SERVICES INC.	000979566
ALTA COMMUNICATIONS LTD.	000945770
AMP SERVICENTRE LTD.	000981866
ANDY BROS. FOOD & BAKE SHOP LTD.	000866110
ANIK INTERNATIONAL LTD.	000926578
AQUA WEST PRODUCTS INC.	001010870
ARNEL CONTRACTING INC.	000865862
ARRAN PUBLISHERS SERVICES INC.	000934134
ASIALIANCE INTERNATIONAL INC.	001010230
ATLANTIC RENOVATION & RESTORATION INC.	000917850
ATMAN (PICKERING) INC.	000978266
AURORA CORPORATION	00050395
AUTO CANADA REPAIR AND SERVICE LTD.	001017254
AXON-PARTO COMPANY LIMITED	001020054
B & R MANAGEMENT SERVICES LTD.	000970478
BABA KAMA INC.	000803482
BABA MITZIYAH INC.	000806654
BAIRES BOUTIQUE CORPORATION	001019638
BALTIC ECONOMIC CONSULTANTS INC.	000960270
BBK SYSTEMS INC.	001024702
BEHLER ASSOCIATES INC.	000979106
BERR-SHEA LEGAL FILING SERVICE INC.	000857142
BEST DAYS PRODUCTS INC.	000884986
BEZAND INTERNATIONAL INC.	001002930
BIZZ TRUCKING INC.	000905930
BJ CONSULTANTS INC.	000986902
BLOOR-JANE TRADING COMPANY LIMITED	000085040
BLUE RIDGE (ONTARIO) GP INC.	000922802
BOOKKEEPERS OF CANADA INC.	000901178
BOREALIS REALTY CORP.	001009850
BOULEVARD THEATRE GROUP, INC.	001022298
BOYCO REALTY INC.	000897306
BRAMPTON COMPUTER TECHNOLOGIES INC.	001346472
BRASCO INC.	000931242
BRITWORTH FINANCIAL INC.	001137829
BRONTE ANTIQUE MARKET INC.	001020358
C. DRAGAN CONSTRUCTION & MANAGEMENT INC.	000888374
C.J. INTERNATIONAL INC.	000981362

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
C.M.C. CANADIAN MARKETING CENTRES INTERNATIONAL INC.	001021902
C.R.I.S. CORPORATION	000946542
C&S QUALITY FOODS LTD.	001019062
CADCAM COMPUTER INC.	001025766
CADILLAC PERSONNEL INC.	001025690
CAITLYN MINI PUTT INC.	001395256
CANADA HENGSHUN LTD.	001025610
CANADA SOLARTEK POOL HEATERS LTD.	000941046
CANADIAN CARPET BROKERS-3 LTD.	000956446
CANIRAFIL INVESTMENT SERVICES INC.	000973414
CANROS INTERNATIONAL LTD.	000869498
CAPITAL GROVE INVESTMENTS INC.	001022514
CAPITAL PROJECT MANAGERS INC.	000996186
CARE-TEL ADVERTISING LIMITED	001024686
CARIBBEAN ATLANTIC SEAFOODS LTD.	000903918
CARLTON'S DRIVING SCHOOL INC.	001012866
CAROLYN BAHEN PRODUCTIONS INC.	001003918
CARPOINT IMPORT-EXPORT LTD.	000948414
CARPOOL ORGANIZER INC.	000998978
CASTLEROCK INC.	001018834
CELL COM COMMUNICATIONS INC.	001019650
CENTAURI INVESTMENTS INC.	001002990
CFC CAPITAL FINANCE INVESTMENT CORPORATION INC.	000750798
CHANTWOOD HOLDINGS LTD.	000950978
CHY INDUSTRIAL INC.	000956914
CINETROPOLIS CORPORATION	001005082
COLOGIC INC.	000995574
COLOR SIX LABORATORIES LTD.	000937214
COMPLETE MARKETING CONCEPTS INC.	000971650
COMPU-CHEM INDUSTRIES INC.	000866786
COMPUTE-RITE INC.	001019202
COMPUTER X INC.	000923782
CORPORATE SCANNING & IMAGING SERVICES INC.	001012162
CORPORATION FOR ADVANCED LEARNING IN MEDITATION	000879854
COVERINGS & COATINGS LIMITED	000865306
CREATING CIRCUMSTANCES INC.	001014206
CROSS-CON PROJECTS INC.	000972162
CROWN INVESTIGATIONS INC.	000978402
CRYSTAL POOLS & SPAS INC.	000935450
CTI IMPORT & EXPORT INC.	000952326
CUBARIS CORPORATION	000729633
CVL TRANSPORTATION INC.	001015634
D & T VICTORY CO. LTD.	000975418
D E G INTERNATIONAL (1992) LTD.	000991718
D.S.G. PROPERTIES LIMITED	000256703
DARENCO INC.	001017138
DARVAY CONSULTING INC.	001009290
DATA CENTRE COMPUTER SALES & SERVICES INC.	001010881
DAWNIE INVESTMENTS INC.	000980282
DAYNE CAPITAL HOLDINGS LTD.	001020710
DEAF CANADA TODAY NEWS CO. INC.	001405157
DECOR DRAPERY & BLINDS INC.	001021194
DEES TRANSPORTATION CONSULTANTS LTD.	001012138
DIGITAL DEMOGRAFIX CORP.	000934698
DINAMIC TECH LTD.	001018102
DIRECT MUSICORP INC.	000946074
DIXON PERSONNEL SERVICES INC.	000970546
DJRG MANAGEMENT LTD.	000991114
DMC ELECTRIC LIMITED	000959270
DRYMAC FINANCIAL SERVICES CORP.	000898662
DULAW PUBLISHERS INC.	000980306
DUNDEE GROUP INC.	001008006
DYNACOM ELECTRONICS CORPORATION	001019334
DYNAMIC PROGRAMMING UNLIMITED LIMITED	000956470
E. NAGY CONTRACTING LTD.	000893330
ECOTRADE JOINT VENTURE CORPORATION	001016186

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
EDWARD SLOTA & ASSOCIATES, CONSULTANTS INC.	000955794
EGYPTIAN SELECT INVESTMENTS V INC.	000951006
EGYPTIAN SELECT INVESTMENTS VII INC.	000958730
EGYPTIAN SELECT INVESTMENTS XIII INC.	000977986
EGYPTIAN SELECT INVESTMENTS XXVIII INC.	001004234
ELGIN CHILD AND FAMILY SERVICES LTD.	001017674
EMMPORT INC.	000863454
ENVIRO-SCOPE WATER SOLUTIONS CORP.	001021346
ENVIRONMENTAL ADVISORY SERVICES LIMITED	000989730
ENVIRONMENTAL TECHNOLOGIES GROUP LIMITED	000926466
ENVIRONMENTAL TREATMENT INC.	000902938
ERRINGTON ENTERPRISES INC.	000973282
ETAC HOLDINGS INC.	001016974
ETHICOR FINANCIAL CORPORATION (ONTARIO) INC.	001020838
EUROCON CONSTRUCTION GROUP INC.	000941586
EVA GARMENTS LTD.	001009750
EXTEK CONSTRUCTION LTD.	000921870
FIBRE CONTROL TECHNOLOGY INC.	000965910
FIRST CHOICE STATIONARY INC.	001015794
FISCHER COMMUNICATIONS (CANADA) LTD.	000876170
FIVE-N-DIME DEPARTMENT STORES INC.	000927130
FLORAN PRODUCTIONS INC.	000880058
FLOWER DEALS ON WHEELS INC.	000978778
FMV CONSULTANTS (KINGSTON) INCORPORATED	001012510
FORBERG TECHNOLOGIES INC.	000881586
FREMANTLE HOLDINGS INC.	001024142
FRONTLINE STRATEGIES INC.	000921786
FUNAMATIC INC.	000955950
FUTURA BUILD INCORPORATED	000994138
G L T & ASSOCIATES (KENORA) LTD.	001006742
G. S. PRECISION TOOLING LTD.	000999534
GALLO PRODUCTS INC.	000924466
GARSINI DEVELOPMENT & TRADE LIMITED	000940258
GATT ENGINEERING CORPORATION	001015422
GEENGO TRADING (CANADA) INC.	001012346
GENGO PUMPS INC.	000889914
GEM CONSTRUCTION INC.	001020430
GENOBLE DISTRIBUTION LIMITED	000217401
GEORGIAN MOVING & STORAGE LTD.	000872454
GEWALT LIMITED	001006930
GINTARAS EXPRESS INC.	001014138
GLAD LINKS INDUSTRIES (CANADA) LTD.	000971298
GLOBAL HITEK ELECTRONICS INC.	001025706
GLOBAL IMPEX GROUP INC.	000970526
GNOW FINANCIAL CORP.	001012910
GORMAC BOOKS LIMITED	000145800
GOURMET GOURMET LTD.	001022714
GPK TYPESETTING LTD.	000979350
GREEN FOREVER LANDSCAPE GARDENING LTD.	000856154
GROOVE-A-LOT RECORDS INC.	000963630
GUFF INC.	001017294
GYRE LTD.	001458140
HAIR STRANDS INC.	000937462
HALL OF NAMES GROUP INC.	000870666
HAPPY SNACK INC.	000908074
HARDHOLD INC.	001015294
HARRY JENKINS AND SON LTD.	000318530
HARTMANN INTERNATIONAL SERVICES CANADA LTD.	000980910
HAZ-CHEM RESPONSE EQUIPMENT INC.	000893630
HAZCARDI INTERNATIONAL LTD.	001021118
HCAEB AGASAW INC.	000988222
HEARTSMILE LTD.	000954658
HELANCA INTERNATIONAL CORPORATION	000916578
HISCOTT MIKEVRY & ASSOCIATES LIMITED	001010602
HOMELIFE/SOLARIS REALTY INC.	000887018
HOTEL AIRPORTER INC.	000913134

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
HUGHES MARKETING & COMMUNICATIONS CO. LIMITED	000243920
HUI HUI TRADING & RESTAURANT MANAGEMENT LTD	000970906
HURON FOOD & COFFEE SERVICES INC.	000967038
I.W.T. RESEARCH & DEVELOPMENT INC.	000925477
IAN P. FISHER CONSULTING INC.	000955402
IAS INDUSTRIES INC.	001020134
IDEA HOUSE LTD.	000969970
IDEA RESEARCH INVESTMENT FUND INC.	000542930
IDEAL COMFORT HEATING & AIR CONDITIONING LTD	000941298
INCORE MANUFACTURING CORPORATION	001022794
INDIAN MOTORCYCLE CLOTHING COMPANY INC.	001125528
INDUCOMM ROOFING & SHEETMETAL LTD.	001021818
INITECH COMPUTER SYSTEMS INC.	001018974
INNSWOOD INC.	000877294
INTER CORE DEVELOPMENTS LIMITED	000916406
INTERCONTINENTAL SYSTECH INC.	001014750
INTERNATIONAL CHEMICAL CORPORATION	001021802
INTRALINK CONSULTING INC.	001020342
IPL LEASE FLEET #1 INC.	000983032
IRON-OR LIMITED	000848638
ISOMETRIC DESIGN GROUP (1990) INC.	000891442
J. G. HENDERSON SYSTEMS LTD.	000894366
J. L. BRISTOL FINANCIAL CONSULTANTS INC.	001012274
J. W. FURNITURE LIMITED	000226630
J.D.L. TRANSIT & LEASING INC.	001016966
J.R. APPELBE PIZZAS INC.	001001026
J'S DISTRIBUTORS LTD.	001019362
JATS PLUMBING AND HEATING CO. LTD.	000899094
JGM INTERNATIONAL INC.	000904738
JIM ANNABLE AUTO SALES LTD.	000965986
JOHN H. DREW HOLDINGS INC.	000998662
JULIANCE & DELLARD DEVELOPMENTS INC.	001015582
JUVENTUS MOVING LTD.	001012694
KASO INTERNATIONAL LTD.	001020282
KEELE-HWY. AUTO CENTRE (PETAWAWA) LIMITED	000948042
KENRAN DEVELOPMENTS INC.	000857898
KOBERRY KIDSWEAR LTD.	000966862
KONSTRUCTA CANADA GROUP INC.	000994854
KRYSTAL KONSTRUCTION INC.	001017666
L.M.W. ACCOUNTING SERVICES INC.	001016130
L.S.P. INVESTMENT GROUP LTD.	001009586
LAKE BUENA VISTA BLUE TREE RIDGE (ONTARIO) INC.	000970022
LAPLANTE CONSULTING INC.	000929258
LARDEL PROPERTIES LTD.	001014394
LARRY HEWITT HOLDINGS INC.	000987070
LASER ONE VIDEO INC.	000999334
LBR PRODUCTIONS INC.	000852062
LERICI HOMES LTD.	000985782
LET'S INCORPORATE, INC.	000941310
LIMA METAL INDUSTRIES LIMITED	000143538
LINDOP REAL ESTATE SERVICES INC.	000879958
LINMAC WELLER BAY INC.	001006210
LITE GYPSUM PRODUCTS INC.	001018138
LONDON HOUSE INC.	001014670
LUCIE PERRON INVESTMENTS INC.	000954006
LUTZ & SONS INC.	001018578
M.M. BUILDING SERVICES LTD.	000878538
M.O.L. TRADING & SHIPPING LTD.	000982486
M.P.T.S. TECHNICAL CONSULTANTS INC.	000997106
MACKAY PRODUCTIONS INC.	001023406
MACLAW FINANCIAL SERVICES INC.	000942018
MAGNUM APPAREL LTD.	000505485
MAINCARE BUILDING MAINTENANCE INC.	001014678
MALETTE MONUMENTS (KAPUSKASING) INC.	000865186
MALETTE MONUMENTS (STURGEON FALLS) INC.	000865174
MAN ON HEALTH HERBS INC.	000943506

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
MANE TRAC LIMITED	000890958
MANSION HOUSE (TORONTO), LIMITED	001012794
MAPLE FRONT ENTERPRISES INC.	001007882
MAPLESTONE CORPORATION	000862950
MARIETTE INVESTMENT CORPORATION	000895794
MARK REALTY DEVELOPMENTS LIMITED	000475834
MAXIMILLIAN MARINE CONTRACTING LIMITED	000893726
MCAM SERVICES INCORPORATED	000870810
MCARTHUR AND ANDREWS INC.	000962334
MCCOY SERVICE, LIMITED	000049487
MCLUCKIE'S WOODWORKING INC.	000902254
MEAGAPIN LTD.	000928318
MEBOR CONSULTING & MANAGEMENT INC.	001012978
MIDDLESEX PERTH BOVINE II MANAGEMENT INC.	000959382
MIDDLESEX PERTH BOVINE IV MANAGEMENT INC.	001025090
MILBROCK GROUP LTD.	000994286
MILLER WILLIAMS INTERACTIVE ADVERTISING INC.	000892638
MINHO LANDSCAPING LTD.	000892354
MISS BLACK WORLD PAGEANT CANADA INC.	001018494
MISSION HILL ILP LIMITED	000875474
MITROPICS INC.	000884294
MODMOTOR TECHNOLOGIES INC.	000885114
MOORE CONTROL SYSTEMS INC.	000981782
MOTISON INVESTMENTS LIMITED	000965598
MR. PC INC.	000980826
MSM CONFIDENTIAL SYSTEMS INC.	000998950
MUFFY'S MOVERS INC.	001010486
MUSIC X-DREAM (CANADA) LTD.	000991142
MYCA MARKETING INC.	000972430
NAN D ENTERPRISES INC.	001015194
NAPEC INC.	000897734
NATURAL IMAGE HAIR DESIGN LTD.	001021570
NBCC INTERNATIONAL INC.	000974726
NEW CENTURY COMMUNICATIONS LTD.	001016670
NEW WATER MECHANICAL LTD.	001012514
NEW-ORIENTAL FILM-AND-VIDEO DIST. INC.	001008162
NONESUCH BOOKS AND FINE ARTS LIMITED	000233080
NORDEX IMPORT-EXPORT (CANADA) LTD.	000979534
NORTH STAR SPORTS P.S. INC.	000977846
NORTON, KALOPSIS AND FULLER INSURANCE ADJUSTERS INC.	000875438
NOVA LANE INC.	000897810
NU-MAR TELECOMMUNICATIONS INC.	000955742
NU-TECH SYSTEMS INC.	000962490
NUNATEK LTD.	000962910
NYMAN YEUNG INC.	001010494
O C L PROTECTION SYSTEMS INC.	001009618
OAK UNLIMITED FURNITURE (KAWARTHA) INC.	001017498
OCLOUT BICYCLE COMPANY INC.	000980766
OMMID GROUP INC.	001013696
ON GUARD HOME INSPECTORS INC.	001010782
ONE SHOT PRO INC.	001010014
ONSCREEN COMPUTER SERVICES LTD.	000956786
OPTION FUELS INC.	001024426
ORIGINAL BOAT B QUE INC.	000992754
ORIX INTERNATIONAL INC.	000888454
ORLANDO BLUE RIDGE (ONTARIO) INC.	000969850
OTHERWORLD FILMS LTD.	001020610
P. H. CONSULTING SERVICES INC.	000924334
P. R. HOGAN OFFICE PRODUCTS LIMITED	000304986
P.M. CABLETECHS INC.	000925138
PALLET & ASSOCIATES INC.	000929446
PANGO'S INTERNATIONAL GOURMET INC.	001021150
PARKHURST GENERAL PARTNER LIMITED	000861662
PASCO FUTURES (CANADA) LTD.	000941790
PASTA GARDEN & CAFE, INC.	001005398
PEARLYN BABEL'S ENTERPRISES INC.	000887210
PELEGRINS GLASS & SERVICES LTD.	000879498
PENVILLE CONSTRUCTION INC.	000889518

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
PERFORMANCE MANAGEMENT INTERNATIONAL INC.	000974446
PETER M. SCHATZ REALTY SPECIALISTS INC.	000928150
PHILIP JAMES LIMITED	000286413
PINOVA INC.	000981938
PLANNED INTERIORS INC.	000888398
PLANT SYSTEMS DESIGN INC.	001005554
POTTERY HILL HOMES INC.	000987974
PRAIRIES ACQUISITIONS LTD.	000853886
PRINCETON DEVELOPMENTS (ONTARIO) LTD.	000868074
PRO WORLD & ENTERTAINMENT INC.	000982906
PROCESS CONTROL SYSTEMS INC.	001011210
QUALITY GRAPHICS & PRINTING LTD.	001000382
QUALITY PRODUCTS CANAM LTD.	001007330
R & M INTERNATIONAL INC.	000979590
R. F. MACK RADIO COMPANY LIMITED	000142061
R.M. SMITH EQUITY FUNDING INC.	001016758
R.S. CLEWES RECREATIONAL PROPERTY INC.	000916438
RAFFI TRANSPORTATION LIMITED	000879504
RATTAN PLACE LIMITED	000995294
RAYMOND & RAYMOND COMPANY LTD.	001004658
REALITY PLUS INC.	001016170
REHAB WEST INC.	000939894
RELATIONAL TECHNOLOGY APPLICATIONS INC.	000991514
RENORR INTERNATIONAL INC.	000981270
RENTEC HOLDINGS INC.	000970342
ROBERT G. BARKER INC.	000948202
ROMARCO COMMUNICATIONS INC.	000988610
ROMBOUGH ENTERPRISES LTD.	000278029
ROTH DENTAL EQUIPMENT MANUFACTURING CORP.	000961050
ROVAN CUSTOM CONTRACTING LIMITED	000994070
ROYAL HEALTH CARE MANAGEMENT INC.	000922954
ROYCELAND PROPERTY MANAGEMENT CORP.	000954494
RUDANJER DEVELOPMENTS (SUNNYBROOK) INC.	000945206
RUSS SCOT INCORPORATED	001005294
RVL CONSULTING INC.	000865834
SAINT MARY BAKERY LTD.	001021462
SALERNO MASONRY CORPORATION	000885210
SANTINO COLOR YOUR WORLD LIMITED	000935578
SEAFOOD ISLAND CO. LTD.	000998326
SECURITY-FIRST PRODUCTS LTD.	000987662
SELF-POWERED LIGHTING (CANADA) INC.	000927730
SEMICH INVESTMENTS LIMITED	000627187
SENECA LABORATORIES LIMITED	000104992
SETTING SUN PROPERTIES LTD.	001017926
SHAN KARATE LTD.	001014270
SHATZ-ANTONOW TRADING CORP.	000994474
SHIRTEX INTERNATIONAL LTD.	000965998
SIKH NATION KHALISTAN INC.	001025474
SIMMONS VERBATIM REPORTING SERVICES LTD.	000993386
SITE-READY LTD.	001007838
SIXTEEN MILE CREEK TRADING COMPANY LTD.	000878574
SJ INVESTCO TWO INC.	000907086
SKY EXPRESS INTERNATIONAL INC.	000777265
SKYDIVE 401 INCORPORATED	000982926
SMART START CONSTRUCTION AND HOME RENOVATIONS LTD.	000982618
SMITH BROS. & SONS BUILDERS LIMITED	000060234
SOFLOGIC INCORPORATED	000973998
SOURCE RECORDING STUDIO INC.	000873386
SPEEDY VIDEO INC.	000940666
SPEEDY'S SUBMARINE LTD.	000907290
STAND SURE TECHNOLOGY INC.	001016082
STONEWOOD RENOVATIONS LIMITED	000906194
STOVAN SECURITIES CORPORATION	000908554
STUDIO 76 LIMITED	000247098
SUBILOMAR PROPERTIES (WELLAND) LIMITED	000242578
SUDCAN FOODS LTD.	000958866
SUM STYLE LIMITED	000922018
SVG INTERNATIONAL LTD.	001320861

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
SWEET LIFE BAKERY INC.	001013462
SWITCHING HOLD INC.	001021198
T & V AUTOMOTIVE LIMITED	001019054
T. M. LI'S SON & DAUGHTER CORPORATION	000854758
T.I.K. HOLDING LTD.	000985102
TACHER ENTERPRISES LIMITED	000209511
TARJAY INVESTMENTS INC.	000982978
TELE-CREATIVES INTERNATIONAL INC.	000866062
TEMPO COLOR AND SOUND CENTRE LIMITED	000248822
THE BREWS BROTHERS COFFEE COMPANY INC.	000995626
THE CARADOC NURSERIES LIMITED	000131644
THE COAX GROUP LTD.	000895894
THE COMPUTER SHIELD GROUP LTD.	000928874
THE COUNTRY OWL INC.	000872542
THE FAT LIP, INC.	001025118
THE GALLERY OF FASHION INC.	001017782
THE GOURMET HEALTH DINER INC.	001019486
THE ICS MANITOBA FUND LIMITED	000863146
THE INTERNATIONAL REVIEW LIMITED	000249205
THE JAZZ LOUNGE INC.	001023566
THE PLACE OF BEAUTY HAIR STUDIO INC.	000952338
THE POWER GENERATION GROUP INC.	000962386
THE PROFILE GROUP LTD.	000901194
THE VEZADA GROUP INC.	000934094
THREE STAR CABINET MANUFACTURERS LIMITED	000118857
TIFFANY SQUARE GENERAL PARTNER LTD.	000857150
TIME OUT BAR & EATERY INC.	000898534
TOMAINI INVESTMENTS INC.	000897798
TOP DOG FLEA MARKET INC.	000993758
TORONTO OLYMPIC HOCKEY INC.	000999810
TOUHLITE ELECTRONICS INC.	000887218
TRADE IMPEX INC.	001023154
TRANSOCEAN PAPER CANADA INC.	000994462
TREEHUT CRAFTS INC.	000952990
TRIUMPH CHIROPRACTIC SUPPLY LIMITED	000858862
TROUT LAKE STUDIOS INC.	000897578
TRUCK-MAN RENTALS INC.	000908358
TRUMENN LITHO WHOLESALE & EXPORT CORP.	001010521
TS INTERNATIONAL INC.	000910866
TSANG INTERNATIONAL CORP.	000992606
TSUBAKI CORPORATION	000923650
U CANADA INCORPORATED	001010954
U.A. 628 (3) CORP.	000930390
UGO CHEMICAL LTD.	001017654
UNITED HOLOGRAPHIC STUDIO INC.	001004382
UNITED STATES VISA AND BUSINESS SERVICES, INC.	001020602
URIKA DEVELOPMENT CO. LTD.	001014186
VIRGINIA DARE, LIMITED	000025597
VISA-PAC PRODUCTS LIMITED	000260539
VISION TECH WINDOWS & DOORS LTD.	000876262
VISTA CAFE INC.	001021598
W. CRAWFORD LIMITED	00080638
W.K.P. & ASSOCIATES INC.	000901362
WA DAT INTERNATIONAL TRADING LTD.	000856042
WARREN-WHELAN HOLDINGS INC.	000858822
WASHBUCKLERS INC.	000906398
WATER N° GROW LTD.	001001538
WATERFALL TRADING CORPORATION	001002814
WATERSCAN TECHNOLOGIES INC.	000980578
WELLISOY INC.	000968766
WENDL CONTRACTING LTD.	001013930
WEST HILL PLUMBING SUPPLY INC.	000893474
WHITBY CARPET INC.	001008890
WIDECOM MARKETING INC.	001009590
WILTSHIRE GENPAR LIMITED	001019130
WORLD FRANCHISE ORGANIZATION LTD.	000863866
YEHUDALE'S FALAFEL & PIZZA 2001 INC.	000996670
YONGE/FARNHAM INVESTORS GENERAL PARTNER INC.	001000122

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario	Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
YORK REGION PROPANE INC.	000985522	1343769 ONTARIO INC.	001343769
YORK REGION RENT-ALL (OAK RIDGES) INC.	000886702	1367939 ONTARIO LIMITED	001367939
ZAYTAR CORPORATION	000904070	1452637 ONTARIO INC.	001452637
1000410 ONTARIO INC.	001000410	269673 ONTARIO LTD.	000269673
1000626 ONTARIO INC.	001000626	307 MANAGEMENT CORP.	000924438
1000782 ONTARIO INC.	001000782	355 RATHBURN INVESTMENTS INC.	000448415
1001986 ONTARIO INC.	001001986	476371 ONTARIO LIMITED	000476371
1003098 ONTARIO LTD.	001003098	510904 ONTARIO LIMITED	000510904
1003318 ONTARIO LIMITED	001003318	671190 ONTARIO INC.	000671190
1003790 ONTARIO LIMITED	001003790	852966 ONTARIO LIMITED	000852966
1004226 ONTARIO INC.	001004226	855130 ONTARIO LIMITED	000855130
1004270 ONTARIO INC.	001004270	857658 ONTARIO LIMITED	000857658
1004290 ONTARIO LTD.	001004290	857810 ONTARIO LIMITED	000857810
1006122 ONTARIO INC.	001006122	861414 ONTARIO INC.	000861414
1006630 ONTARIO INC.	001006630	863030 ONTARIO INC.	000863030
1007810 ONTARIO LIMITED	001007810	865146 ONTARIO LTD.	000865146
1007866 ONTARIO LIMITED	001007866	865938 ONTARIO INC.	000865938
1008054 ONTARIO INC.	001008054	869278 ONTARIO INC.	000869278
1008634 ONTARIO INC.	001008634	870882 ONTARIO LIMITED	000870882
1008650 ONTARIO INC.	001008650	874166 ONTARIO INC.	000874166
1008698 ONTARIO LIMITED	001008698	875770 ONTARIO INC.	000875770
1009614 ONTARIO LIMITED	001009614	876502 ONTARIO INC.	000876502
1010974 ONTARIO LIMITED	001010974	876758 ONTARIO INC.	000876758
1011166 ONTARIO INC.	001011166	876770 ONTARIO LTD.	000876770
1012013 ONTARIO LTD.	001012013	877186 ONTARIO LIMITED	000877186
1012258 ONTARIO INC.	001012258	881214 ONTARIO INC.	000881214
1012282 ONTARIO INC.	001012282	881574 ONTARIO LIMITED	000881574
1012374 ONTARIO LIMITED	001012374	882574 ONTARIO LTD.	000882574
1012786 ONTARIO LIMITED	001012786	883710 ONTARIO INC.	000883710
1013810 ONTARIO LIMITED	001013810	884150 ONTARIO INC.	000884150
1014014 ONTARIO LIMITED	001014014	885334 ONTARIO LIMITED	000885334
1014278 ONTARIO INC.	001014278	886474 ONTARIO INC.	000886474
1014286 ONTARIO INC.	001014286	889270 ONTARIO LTD.	000889270
1015002 ONTARIO INC.	001015002	889526 ONTARIO LIMITED	000889526
1015326 ONTARIO INC.	001015326	892706 ONTARIO INC.	000892706
1017426 ONTARIO LIMITED	001017426	894158 ONTARIO INC.	000894158
1017890 ONTARIO LTD.	001017890	895438 ONTARIO INC.	000895438
1017910 ONTARIO LIMITED	001017910	895610 ONTARIO LIMITED	000895610
1018014 ONTARIO INC.	001018014	897110 ONTARIO INC.	000897110
1018222 ONTARIO LIMITED	001018222	897489 ONTARIO INC.	000897489
1018266 ONTARIO LIMITED	001018266	898006 ONTARIO INC.	000898006
1018702 ONTARIO INC.	001018702	900854 ONTARIO LIMITED	000900854
1019058 ONTARIO LTD.	001019058	900934 ONTARIO INC.	000900934
1019070 ONTARIO LIMITED	001019070	901366 ONTARIO INC.	000901366
1019662 ONTARIO LIMITED	001019662	901898 ONTARIO LTD.	000901898
1020139 ONTARIO INC.	001020139	902570 ONTARIO LTD.	000902570
1020646 ONTARIO INC.	001020646	904766 ONTARIO LIMITED	000904766
1020790 ONTARIO LTD.	001020790	905766 ONTARIO LIMITED	000905766
1020866 ONTARIO LIMITED	001020866	905790 ONTARIO LIMITED	000905790
1021138 ONTARIO LIMITED	001021138	907046 ONTARIO INC.	000907046
1021522 ONTARIO LIMITED	001021522	909386 ONTARIO INC.	000909386
1022482 ONTARIO LIMITED	001022482	91 PROMO INC.	000949418
1022814 ONTARIO LTD.	001022814	910602 ONTARIO LTD.	000910602
1022866 ONTARIO INC.	001022866	911718 ONTARIO LTD.	000911718
1022966 ONTARIO INC.	001022966	913070 ONTARIO INC.	000913070
1023206 ONTARIO INC.	001023206	914338 ONTARIO LTD.	000914338
1023334 ONTARIO INC.	001023334	915470 ONTARIO LTD.	000915470
1023350 ONTARIO INC.	001023350	915930 ONTARIO LIMITED	000915930
1023418 ONTARIO LIMITED	001023418	916926 ONTARIO LIMITED	000916926
1024530 ONTARIO INC.	001024530	916950 ONTARIO INC.	000916950
1024554 ONTARIO LTD.	001024554	917562 ONTARIO LIMITED	000917562
1025402 ONTARIO LTD.	001025402	917590 ONTARIO LIMITED	000917590
1025778 ONTARIO LIMITED	001025778	918490 ONTARIO LIMITED	000918490
1103456 ONTARIO INC.	001103456	919902 ONTARIO LIMITED	000919902
1155773 ONTARIO INC.	001155773	920122 ONTARIO LIMITED	000920122
1202957 ONTARIO INC.	001202957	921602 ONTARIO INC.	000921602
1233220 ONTARIO INC.	001233220	921714 ONTARIO INC.	000921714
1241083 ONTARIO INC.	001241083	923482 ONTARIO LIMITED	000923482
1259612 ONTARIO INC.	001259612	923722 ONTARIO LIMITED	000923722
1263376 ONTARIO LTD.	001263376	923830 ONTARIO LIMITED	000923830
1309878 ONTARIO INC.	001309878	923918 ONTARIO INC.	000923918

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
924882 ONTARIO LTD.	000924882
926690 ONTARIO INC.	000926690
926726 ONTARIO LIMITED	000926726
927666 ONTARIO INC.	000927666
927726 ONTARIO INC.	000927726
927762 ONTARIO LIMITED	000927762
927786 ONTARIO LIMITED	000927786
928678 ONTARIO INC.	000928678
929962 ONTARIO INC.	000929962
930222 ONTARIO INC.	000930222
930242 ONTARIO LIMITED	000930242
931546 ONTARIO INC.	000931546
931838 ONTARIO INC.	000931838
932410 ONTARIO LIMITED	000932410
935526 ONTARIO LIMITED	000935526
936390 ONTARIO LTD.	000936390
938294 ONTARIO LTD.	000938294
938762 ONTARIO LIMITED	000938762
939382 ONTARIO INC.	000939382
941774 ONTARIO INC.	000941774
942182 ONTARIO LIMITED	000942182
946154 ONTARIO LIMITED	000946154
946894 ONTARIO INC.	000946894
947162 ONTARIO LIMITED	000947162
948610 ONTARIO LIMITED	000948610
949610 ONTARIO LIMITED	000949610
950830 ONTARIO LIMITED	000950830
953686 ONTARIO LIMITED	000953686
954402 ONTARIO LTD.	000954402
955442 ONTARIO INC.	000955442
956318 ONTARIO INC.	000956318
958150 ONTARIO LTD.	000958150
958154 ONTARIO INC.	000958154
960898 ONTARIO INC.	000960898
961946 ONTARIO LIMITED	000961946
962606 ONTARIO LTD.	000962606
962742 ONTARIO LIMITED	000962742
963646 ONTARIO LIMITED	000963646
964278 ONTARIO INC.	000964278
964502 ONTARIO LIMITED	000964502
964894 ONTARIO INC.	000964894
965070 ONTARIO INC.	000965070
965294 ONTARIO LIMITED	000965294
965454 ONTARIO INC.	000965454
966942 ONTARIO INC.	000966942
968534 ONTARIO INC.	000968534
969514 ONTARIO INC.	000969514
969606 ONTARIO INC.	000969606
970178 ONTARIO INC.	000970178
970922 ONTARIO LIMITED	000970922
972098 ONTARIO LIMITED	000972098
972366 ONTARIO INC.	000972366
972526 ONTARIO INC.	000972526
973466 ONTARIO INC.	000973466
974194 ONTARIO INC.	000974194
976026 ONTARIO INC.	000976026
976314 ONTARIO LIMITED	000976314
976450 ONTARIO LIMITED	000976450
977414 ONTARIO LIMITED	000977414
977962 ONTARIO LIMITED	000977962
978746 ONTARIO LTD.	000978746
979426 ONTARIO LIMITED	000979426
980358 ONTARIO LIMITED	000980358
980770 ONTARIO INC.	000980770
982658 ONTARIO LIMITED	000982658
982886 ONTARIO LIMITED	000982886
984442 ONTARIO LIMITED	000984442
984694 ONTARIO LIMITED	000984694
985590 ONTARIO LIMITED	000985590
987066 ONTARIO INC.	000987066
987206 ONTARIO INC.	000987206

Name of Corporation: Dénomination sociale de la société:	Ontario Corporation Number Numéro de la société en Ontario
992618 ONTARIO INC.	000992618
992946 ONTARIO INC.	000992946
993746 ONTARIO INC.	000993746
996553 ONTARIO LIMITED	000996553
998254 ONTARIO INC.	000998254
998922 ONTARIO INC.	000998922
999954 ONTARIO INC.	000999954

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

(138-G502)

Ministry of Municipal Affairs and Housing Ministère des affaires municipales et du logement

ORDER MADE UNDER THE
MUNICIPAL ACT, 2001, S.O. 2001, c. 25

COUNTY OF ELGIN TOWN OF AYLMEYR, TOWNSHIP OF MALAHIDE

DEFINITIONS

1. In this Order,

“annexed area” means the area comprised of the lands described in the Schedule to this Order;

“Town” means The Corporation of the Town of Aylmer; and

“Township” means The Corporation of the Township of Malahide.

ANNEXATION

2. (1) On January 1, 2005, the portion of the Township described in Schedule “A” is annexed to the Town.

(2) All real property including any highway, street fixture, waterline, easement and restrictive covenant running with the land of the Township located in the annexed area vests in the Town on January 1, 2005.

(3) Subject to subsection (2), all assets and liabilities of the Township that are located in the annexed area remain the assets or liabilities of the Township.

TAXES, ETC

3. (1) All real property taxes under any general or special Act levied and uncollected in the annexed area which are due and unpaid on December 31, 2004, shall be deemed on January 1, 2005, to be taxes, charges and rates due and payable to the Town and may be collected by the Town.

(2) On or before March 1, 2005, the clerk of the Township shall prepare and furnish to the clerk of the Town a special collector’s roll showing all arrears of real property taxes or special rates assessed against the land in the annexed area up to and including December 31, 2004, and the persons assessed for them.

(3) Within 30 days of the date of collection by the Town of real property taxes or special rates that the Township is entitled to collect in the annexed area under subsection (1) that were due but unpaid on December 31, 2004, the Town shall pay to the Township an amount equal to the amount collected by the Town under subsection (1).

(4) If the Township has commenced tax arrear procedures under the *Municipal Act, 2001* for the annexed area and the procedures are not completed by January 1, 2005, the Town may continue the procedures.

JOHN GERRETSEN
Minister of Municipal Affairs and Housing
Dated on December 15, 2004

ASSESSMENT

4. For the purposes of the assessment roll to be prepared for the Town under the *Assessment Act* for the annexed area shall be deemed to be part of the Town and the annexed area shall be assessed on the same basis that the assessment roll for the Town is prepared.

ORDER MADE UNDER THE
MUNICIPAL ACT, 2001, S.O. 2001, c. 25

TOWNSHIP OF BLACK RIVER-MATHESON GEOGRAPHIC TOWNSHIP OF GUIBORD

BY-LAWS

5. (1) On January 1, 2005, the by-laws of the Town extend to the annexed area and the by-laws of the Township cease to apply to such area except,

- (a) by-laws of the Township,
 - (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections; and
 - (ii) that were passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until amended or repealed by the council of the Town;

- (b) by-laws of the Township passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
- (c) by-laws of the Township passed under section 10 of the *Weed Control Act* or a predecessor of that section;
- (d) by-laws of the Township passed under the *Development Charges Act* which shall remain in force until amended or repealed by the council of the Town or expire under that Act; and
- (e) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of the Township.

(2) The official plan of the Township, as it applies to the annexed area, and approved under the *Planning Act* or a predecessor of that Act, becomes an official plan of the Town and shall remain in force until amended or repealed.

(3) If the Township has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 2005, the council of the Town may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

SCHEDULE "A"

Being those lands in the Township of Malahide to be annexed to the Town of Aylmer more particularly described as:

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Malahide, in the County of Elgin, and Province of Ontario, being composed of Part 7 in Concession 7, more particularly described as Part of Lot 80, North Talbot Road, designated as:

Parts 1, 2, 3 and 4, of Plan 11R-7891;
Parts 1, 2 and 3 of Plan 11R-1306; and,
Part 1 of Plan 11R-963

And all of Talbot Line Road allowance commencing at the south east corner of Lot 80 North Talbot Road and running adjacent to Lot 80, westerly for a distance of 365.181 meters.

DEFINITIONS

1. In this Order,

"former Township" means The Corporation of the Township of Black River-Matheson as it existed before January 1, 2005; and

"new municipality" means The Corporation of the Township of Black River-Matheson as established under section 2.

ANNEXATION

2. On January 1, 2005, the portion of the geographic township of Guibord as described in Schedule "A" is annexed to The Corporation of the Township of Black River-Matheson.

ASSESSMENT

3. For the purpose of taxation on or after January 1, 2005, the area annexed under section 2 shall be deemed to be part of the new municipality.

BY-LAWS AND RESOLUTIONS

4. (1) On January 1, 2005, the by-laws of the former Township extend to the annexed area and shall remain in force in the annexed area including,

- (a) by-laws of the former Township,
 - (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections; and
 - (ii) that were passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until amended or repealed by the council of the Township;

- (b) by-laws of the former Township passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of the former Township.

(2) The official plan of the former Township, as it applies to the annexed area, and approved under the *Planning Act* or a predecessor of that Act, becomes an official plan of the new municipality and shall remain in force until amended or repealed.

(3) If the former Township has commenced procedures under the *Planning Act* to adopt an official plan or an amendment to its official plan and that official plan or amendment to the official plan is not in force on January 1, 2005, the new municipality may continue procedures to adopt the official plan or an amendment to the official plan.

ASSETS AND LIABILITIES

5. On January 1, 2005 all assets and liabilities, rights and obligations of the former Township are vested in and become assets and liabilities, rights and obligations of the new municipality.

DISPUTE RESOLUTION

6. (1) Where a dispute between the former Township and an owner of property in the annexed area arises with respect to any issue arising out of the interpretation of this Order, the matter in dispute may be referred to mediation.

(2) Where the matter in dispute under subsection (1) is not resolved by mediation, the matter in dispute may be referred,

- (a) to arbitration in accordance with the provisions of the *Arbitration Act, 1991*; or
- (b) subject to the agreement of the former Township and to the owner of property in the annexed area, to the council of the new municipality subsequent to January 1, 2005, for resolution.

(3) Where a matter in dispute is referred to arbitration in accordance with clause 9.2(a), the decision of the arbitrator is final.

SCHEDULE "A"

Firstly, Part of the Unincorporated Township of Guibord, being the whole of Lot 12, Concession 1;

Secondly, Part of Lot 12 in Concession 2, Unincorporated Township of Guibord, designated as Part 1 on Reference Plan CR 1576, more particularly described as the whole of Parcel 17339, South East Cochrane,

and Thirdly, Part of Lot 12 in Concession 2, Unincorporated Township of Guibord, designated as Part 1 on Reference Plan 6R-2953, more particularly described as Parcel 19807 South East Cochrane.

JOHN GERRETSEN
Minister of Municipal Affairs and Housing
Dated on December 15, 2004

ORDER MADE UNDER THE
MUNICIPAL ACT, 2001, S.O. 2001, c. 25COUNTY OF DUFFERIN
TOWN OF SHELburne, TOWNSHIP OF AMARANTH

DEFINITIONS

1. In this Order,

"annexed area" means the area comprised of the lands described in the Schedule to this Order;

"Town" means The Corporation of the Town of Shelburne; and

"Township" means The Corporation of the Township of Amaranth.

ANNEXATION

2. (1) On January 1, 2005, the portion of the Township described in the Schedule is annexed to the Town.

(2) All real property including any highway, street fixture, waterline, easement and restrictive covenant running with the land of the Township located in the annexed area vests in the Town on January 1, 2005.

(3) Subject to subsection (2), all assets and liabilities of the Township that are located in the annexed area remain the assets or liabilities of the Township.

TAXES, ETC.

3. (1) All real property taxes under any general or special Act levied and uncollected in the annexed area which are due and unpaid on December 31, 2004, shall be deemed on January 1, 2005, to be taxes, charges and rates due and payable to the Township and shall be collected by the Town.

(2) On or before January 15, 2005, the clerk of the Township shall prepare and furnish to the clerk of the Town a special collector's roll showing all arrears of real property taxes or special rates assessed against the land in the annexed area up to and including December 31, 2004, and the persons assessed for them.

(3) Within 60 days of the date of collection by the Town of real property taxes or special rates that the Township is entitled to collect in the annexed area under subsection (1) that were due but unpaid on December 31, 2004, the Town shall pay to the Township an amount equal to the amount collected by the Town under subsection (1).

(4) If the Township has commenced procedures under the *Municipal Tax Sales Act* for the annexed area and the procedures are not completed by January 1, 2005, the Town may continue the procedures.

ASSESSMENT

4. For the purposes of the assessment roll to be prepared for the Town under the *Assessment Act*, the annexed area shall be deemed to be part of the Town and the annexed area shall be assessed on the same basis that the assessment roll for the Town is prepared.

BY-LAWS

5. (1) On January 1, 2005, the by-laws of the Town extend to the annexed area and the by-laws of the Township cease to apply to such area except,

- (a) by-laws of the Township,
 - (i) that were passed under section 34 or 41 of the *Planning Act* or a predecessor of those sections; and
 - (ii) that were passed under the *Highway Traffic Act* or the *Municipal Act, 2001* or a predecessor of those Acts that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until amended or repealed by the council of the Town;

- (b) by-laws of the Township passed under sections 45, 58 or 61 of the *Drainage Act* or a predecessor of those sections;
- (c) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of the Township.

(2) The official plan of the Township, as it applies to the annexed area, and approved under the *Planning Act* or a predecessor of that Act, becomes an official plan of the Town and shall remain in force until amended or repealed.

(3) If the Township has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on January 1, 2005, the council of the Town may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

SCHEDULE

Land to be annexed from the Township of Amaranth to the Town of Shelburne:

The subject lands include all of PIN numbers 34129-0136, 34129-0137, 34129-0138, 34129-0139, 34129-0140, 34129-0141, 34129-0142, 34129-0143, 34129-0144, 34129-0145, 34129-0146, 34129-0147, 34129-0148, 34129-0149, 34129-0150, 34129-0151, 34129-0152, 34129-0153, 34129-0154, 34129-0155, 34129-0156, 34129-0157, 34129-0158, 34129-0159, 34129-0160, and 34129-0164.

All and singular that certain parcel or tract of lands and premises situate, lying and being in the Township of Amaranth, in the County of Dufferin, and being composed of Part of Lot 32, Concession 2, and Part of the Road Allowance between Concessions 1 and 2, adjacent to Lot 32, Concession 1 and Lot 32, Concession 2, in the Township of Amaranth, County of Dufferin, containing by admeasurement 40.0 Acres, more or less, which may be described as follows:

PREMISING that the southerly limit of Highway 89 as widened by Part 20 Plan 7R-2321 has an astronomic bearing of N 74 degrees 26 minutes 30 seconds East and relating all bearings mentioned herein thereto.

COMMENCING at the Southeast Angle of Lot 32, Concession 2, in the said Township of Amaranth;

THENCE South 74 degrees 27 minutes 20 seconds West along the limit between Lots 31 and 32, a distance of 66.34 feet, more or less to the northeast angle of Part 1, Deposited Plan 7R-4359;

THENCE South 74 degrees 21 minutes 20 seconds West along the Southerly Limit of Lot 32 and Concession 2, distance of 1031.07 feet, more or less to an iron bar as shown on Plan 7R-4359;

THENCE North 10 degrees 21 minutes 30 seconds West along the said East Limit of the Town of Shelburne, and the East Limit of Plan 7M-10 a distance of 1166.69 feet, more or less, to a Standard Iron bar marking the northeasterly angle of said Plan 7M-10;

THENCE North 10 degrees 21 minutes 30 seconds West along the East Limit of the Town of Shelburne, as shown on Deposited Plan 7R-3364 a distance of 422.84 feet, more or less, to the southerly limit of Main Street as widened by Instrument AM8163 D.H.O. Plan P-3545;

THENCE North 74 degrees 26 minutes 30 seconds East along said southerly limit of Instrument AM8163, a distance of 302 feet, more or less, to the Westerly limit of Instrument MF22645, D.H.O. Plan P-3545-1;

THENCE South 15 degrees 33 minutes 30 seconds East along the last mentioned limit, 17.00 feet, more or less, to the southerly limit of said Instrument MF22645;

THENCE North 74 degrees 26 minutes 30 seconds East along the said southerly limit of said Instrument MF22645, a distance of 346.86 feet, to a jog therein;

THENCE North 10 degrees 10 minutes West along said jog 10.05 feet, more or less, to the southerly of said Instrument MF22645;

THENCE North 74 degrees 26 minutes 30 seconds East along the southerly limit of said Instrument MF22645 a distance of 190.29 feet, more or less, to the easterly limit thereof;

THENCE South 10 degrees 10 minutes East along the easterly limit of said Instrument MF22645, a distance of 10.04 feet, more or less, to the southerly limit of Instrument MF50685 as shown Plan 7R-375;

THENCE North 74 degrees 26 minutes 30 seconds East along the southerly limit of said instrument MF50685 (Part 2 Plan 7R-375), a distance of 221.05, more or less to the most westerly angle of Part 14, Registered Plan 7R-2321;

THENCE South 57 degrees 52 minutes East, along the southwesterly limit of PART 14, Deposited Plan 7R-2321, a distance of 53.79 feet, more or less, to the westerly limit of the Road Allowance between Concessions 1 & 2;

THENCE North 10 degrees 10 minutes West along the westerly limit of the said Road Allowance, 27.46 feet, more or less, to the north limit of Part 16, deposited Plan 7R-2321;

THENCE South 87 degrees 46 minutes 10 seconds East along the northerly limit of Parts 16, Deposited Plan 7R-2321, a distance of 67.57 feet, more or less, to the easterly limit of said Part 16;

THENCE South 10 degrees 10 minutes East along the Easterly limit of said Part 16, being also the Easterly Limit of Road Allowance between Concessions 1 and 2, a distance of 285.25 feet, more or less to the southerly limit of said Part 16;

THENCE South 68 degrees 18 minutes 50 seconds West along the southerly limit of said Part 16, a distance of 67.31 feet, more or less to the southeast angle of Part 1, Deposited plan 7R- 360;

THENCE South 10 degrees 11 minutes West along the Westerly limit of the Road Allowance between Concessions 1 and 2, a distance of 421.74 feet, more or less, to the beginning of a curve marking the Northerly Angle of Part 15, Deposited Plan 7R-2321;

THENCE around said curve, in a counterclockwise direction, said curve having a Radius of 2011.15 feet, an Arc of 17.36 feet, a Chord distance of 17.36 feet and a Chord Bearing of South 4 degrees 45 minutes 20 seconds East to a point;

THENCE continuing along said curve in a counterclockwise direction, an Arc distance of 181.26 feet, a Chord distance of 181.20 feet, and a Chord Bearing of South 7 degrees 35 minutes 5 seconds East to the end of said curve;

THENCE South 10 degrees 10 minutes East a distance of 137.69 feet, to a point;

Thence South 13 degrees 19 minutes 10 seconds East, 180.47 feet to a point in the westerly limit of the Road Allowance between Concessions 1 and 2;

Thence South 10 degrees 11 minutes East a distance of 308 feet, more or less to the point of commencement.

JOHN GERRETSEN
Minister of Municipal Affairs and Housing
(138-G504) Dated on December 15, 2004

Ontario Securities Commission

AMENDMENTS TO NATIONAL INSTRUMENT 44-101 SHORT FORM PROSPECTUS DISTRIBUTIONS AND FORM 44-101F3

Amendments to National Instrument 44-101 *Short Form Prospectus Distributions* and Form 44-101F3 (the "Amending Instrument") came into force on January 4, 2005.

The Auditor Oversight Instrument requires financial statements of reporting issuers to be audited by a public accounting firm that participates in the oversight program of the Canadian Public Accountability Board. The Certification Instrument requires chief executive officers and chief financial officers (or persons performing similar functions) of all reporting issuers (other than investment funds) to certify their issuers' annual and interim filings. The Audit Committee Instrument prescribes the composition, responsibilities and reporting obligations for audit committees of reporting issuers (other than investment funds).

The Amending Instrument requires all financial statements to be prepared using Canadian generally accepted accounting principles and audited using Canadian generally accepted auditing standards. However, National Instrument 52-107 *Acceptable Accounting Principles, Auditing Standards and Reporting Currency* (NI 52-107), which came into force on March 30, 2004, permits financial statements to be prepared using foreign generally accepted accounting principles and audited using foreign generally accepted auditing standards in certain circumstances. As a result of the implementation of NI 52-107, we amended National Instrument 44-101 *Short Form Prospectus Distributions*, Form 44-101F3 and the related Companion Policy so that these documents would be consistent with NI 52-107.

The full text of the Amending Instrument is available in the Ontario Securities Commission's Bulletin at (2004) 27 OSCB 8709 and on the Commission's web site at <http://www.osc.gov.on.ca/en/Regulation/Rulemaking/Rules/rules.html>.

(138-G503)

**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**

NOTICE IS HEREBY GIVEN that on behalf of The University of St. Michael's College and the Collegium, application will be made to the Legislative Assembly of the Province of Ontario for an Act Respecting The University of St. Michael's College, which will change the governance and powers of the University, change the legal status, structure and powers of the Collegium, and will make related changes respecting their ownership of property. The proposed Act will repeal and replace The University of St. Michael's College Act, 1958.

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, Ontario, this 6th day of December, 2004.

(139-P391) 51, 52, 01, 02 DR. RICHARD ALWAY
President
University of St. Michael's College
and member of the Collegium

NOTICE IS HEREBY GIVEN that on behalf of The University of St. Michael's College and The Pontifical Institute of Mediaeval Studies, application will be made to the Legislative Assembly of the Province of Ontario for an Act to incorporate the Pontifical Institute of Mediaeval Studies, which will change the structure and powers of the Institute and its relationship to the University of St. Michael's College. The Act is required as a consequence of changes being made to the governance of the University of St. Michael's College.

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, Ontario, this 6th day of December, 2004.

REV. DR. JAMES MCCONICA C.S.B., O.C., Praeses
(President)
The Pontifical Institute of Mediaeval Studies

(138-P392) 51, 52, 01, 02

**KITCHENER-WATERLOO YOUNG MEN'S CHRISTIAN
ASSOCIATION**

NOTICE IS HEREBY GIVEN that on behalf of the Kitchener-Waterloo Young Men's Christian Association ("the association"), application will be made to the Legislative Assembly of the Province of Ontario for an Act to exempt from taxation, beginning January 1, 2005, for municipal and school purposes, any land occupied by and used for the purposes of the association in the City of Waterloo so long as the association is a registered charity within the meaning of the Income Tax Act (Canada).

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 this 9th day of December 2004.

(138-P393) 51, 52, 01, 02 MILLER THOMSON LLP
per Stephen R. Cameron
Solicitors for the Applicant

**Corporation Notices
Avis relatifs aux compagnies**

**NOTICE UNDER SUBSECTION 193(4)
OF THE
Business Corporations Act (Ontario)
WEBSTER & SIMMONDS SURVEYING LTD.
(THE "CORPORATION")**

TAKE NOTICE that the Shareholders of the Corporation passed a Special Resolution on December 31, 2004 requiring the said Corporation to be wound up voluntarily under the provisions of the Business Corporations Act, R.S.O. 1990.

DATED December 31, 2004.

MICHAEL J. SLOCOMBE
Liquidator

**NOTICE UNDER SUBSECTIONS 205(2) AND 205(3)
OF THE
Business Corporations Act (Ontario)
WEBSTER & SIMMONDS SURVEYING LTD.
(THE "CORPORATION")**

TAKE NOTICE that a final meeting of the Shareholders of the Corporation was held on January 3, 2005, at which time the Liquidator of the above Corporation presented his account and explanation of the voluntary winding up of the Corporation.

DATED January 3, 2005.

(138-P403) MICHAEL J. SLOCOMBE
Liquidator

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

UNDER AND BY VIRTUE of Writs of Seizure and Sale issued out of the Ontario Superior Court of Justice at Toronto, Ontario dated February 16, 2004, Court File Number 03-CV-259803 CM 3, Writ Number 04-053W, registered in the Sheriff's Office of Grey, to me directed, against the real property of Daniel Finlay, aka Dan Finlay, aka Danny Dunn Finlay, operating as Destinations and Discoveries, Defendant, at the suit of Metroland Printing, Publishing and Distributing Limited, Plaintiff, I have seized and taken in execution all the right, title, interest and equity of redemption of Daniel Finlay, aka Dan Finlay, aka Danny Dunn Finlay, operating as Destinations and Discoveries, Defendant in and to:

Part of Lot 3, North of Albert Street, Plan 153, designated as Part 2 on Reference Plan 17R-3017, Township of West Grey, formerly Village of Ayton, County of Grey Municipally known as: 840 Albert Street, Ayton, Ontario N0G 1C0

All of which said right, title, interest and equity of redemption of Daniel Finlay, aka Dan Finlay, aka Danny Dunn Finlay, operating as Destinations and Discoveries, Defendant, in the said lands and tenements described above, I shall offer for sale by public auction at the Court House, 611 9th Avenue East, Owen Sound, Ontario, N4K 6Z4 on February 11, 2005 at 1:00 p.m.

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

TERMS: Cash or certified cheque for \$10,000.00 at time of sale. Balance on closing to within 30 days from the date of sale by cash or certified cheque. This sale is subject to cancellation up to the time of sale without further notice.

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

DATED at Owen Sound, Ontario this 21st day of December, 2004.

MICHAEL A.G. FORCIER
CHADDAH, FORCIER
Barrister & Solicitor
712 2nd Avenue East, Box 965
Owen Sound, Ontario N4K 6H6
(519) 376-4343

(138-P402)

Sale 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

CORPORATION OF THE MUNICIPALITY OF BROCKTON

TAKE NOTICE that tenders are invited for the purchase of land(s) described below and will be received until 3:00 p.m. local time on February 4, 2005 at Municipality of Brockton, Municipal Office, 100 Scott Street, Walkerton, Ontario NOG 2V0

The tenders will then be opened in public on the same day at 3:30 p.m. in the Municipal Council Chambers in the said Municipal Office

Description of Land(s):

In the Municipality of Brockton, formerly Town of Walkerton, in the County of Bruce and being composed of Part of Park Lot No. 27 in the said Town of Walkerton, Plan 162.

TOGETHER WITH a right-of-way over said Park Lot 27 and Part of Lot 30, Concession 2, South of the Durham Road, Township of Brant, County of Bruce

More particularly described in the Tax Arrears Certificate registered as Instrument #3777264 in the Bruce County Registry Office on August 12, 2003.

Minimum Tender Amount: \$10,478.66

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or 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 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:

CHRISTINE WALKER
Deputy-Treasurer/Tax Collector
Municipality of Brockton
Box 68, Walkerton, Ontario NOG 2V0

(138-P404)

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

2005—01—08

ONTARIO REGULATION 420/04

made under the

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Made: December 15, 2004

Filed: December 20, 2004

Amending O. Reg. 372/91

(Institutions)

Note: Ontario Regulation 372/91 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Section 1 of Ontario Regulation 372/91 is amended by adding the following subsection:

(3) Every corporation incorporated under section 142 of the *Electricity Act, 1998* is designated as an institution.

2. This Regulation comes into force on the later of the day section 57 of Schedule A to the *Electricity Restructuring Act, 2004* comes into force and the day this Regulation is filed.

2/05

ONTARIO REGULATION 421/04

made under the

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Made: December 15, 2004

Filed: December 20, 2004

Amending Reg. 460 of R.R.O. 1990

(General)

Note: Regulation 460 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. (1) Item 56 of the Schedule to Regulation 460 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

56.	Independent Electricity System Operator	Chief Executive Officer
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(2) The Schedule to the Regulation is amended by adding the following item:

114.0.1	Ontario Power Authority	Chief Executive Officer
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2. (1) Subject to subsections (2) and (3), this Regulation comes into force on the day it is filed.

(2) Subsection 1 (1) comes into force on the later of the day subsection 4 (1) of Schedule A to the *Electricity Restructuring Act, 2004* comes into force and the day this Regulation is filed.

(3) Subsection 1 (2) comes into force on the later of the day section 29 of Schedule A to the *Electricity Restructuring Act, 2004* comes into force and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 421/04

pris en application de la

LOI SUR L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉEpris le 15 décembre 2004
déposé le 20 décembre 2004modifiant le Règl. 460 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 460 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) Le numéro 56 de l'annexe du Règlement 460 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

56.	Société indépendante d'exploitation du réseau d'électricité	Chef de la direction
-----	---	----------------------

(2) L'annexe du Règlement est modifiée par adjonction du numéro suivant :

114.0.1	Office de l'électricité de l'Ontario	Chef de la direction
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2. (1) Sous réserve des paragraphes (2) et (3), le présent règlement entre en vigueur le jour de son dépôt.

(2) Le paragraphe 1 (1) entre en vigueur le jour de l'entrée en vigueur du paragraphe 4 (1) de l'annexe A de la Loi de 2004 sur la restructuration du secteur de l'électricité ou, s'il lui est postérieur, le jour du dépôt du présent règlement.

(3) Le paragraphe 1 (2) entre en vigueur le jour de l'entrée en vigueur de l'article 29 de l'annexe A de la Loi de 2004 sur la restructuration du secteur de l'électricité ou, s'il lui est postérieur, le jour du dépôt du présent règlement.

2/05

ONTARIO REGULATION 422/04

made under the

ELECTRICITY ACT, 1998Made: December 15, 2004
Filed: December 20, 2004**THE OPA**

BOARD OF DIRECTORS

Prohibited class

1. A person who has a material interest in a market participant is a member of a class who may not hold office as a director of the OPA.

APPLICATION OF THE BUSINESS CORPORATIONS ACT AND THE CORPORATIONS ACT

Business Corporations Act

2. (1) The following provisions of the *Business Corporations Act* apply, with necessary modifications, to the OPA:

1. Subsection 21 (2).
2. Subsections 132 (1) to (7).
3. Section 136.

(2) For the purposes of subsection (1), a reference in the *Business Corporations Act* to an officer of a corporation shall be deemed to include a member of a panel established by the OPA.

Corporations Act

3. The following provisions of the *Corporations Act* apply, with necessary modifications, to the OPA:
1. Subsections 59 (1) and (2) and sections 60 and 61.
 2. Section 96.
 3. Section 122.
 4. Section 132.
 5. Sections 273 and 275.
 6. Subsections 286 (4) and (5) and section 292.
 7. Subsection 298 (4) and sections 299 to 305.

Commencement

4. This Regulation comes into force on the later of the day subsection 53 (7) of Schedule A to the *Electricity Restructuring Act, 2004* is proclaimed in force and the day it is filed.

2/05

ONTARIO REGULATION 423/04

made under the

ELECTRICITY ACT, 1998

Made: December 15, 2004

Filed: December 20, 2004

ONTARIO POWER AUTHORITY — ELIGIBLE INVESTMENTS AND BORROWING

Eligible investments

1. (1) The OPA may make investments in accordance with this Regulation when it considers the investment advisable for the sound and efficient management of its financial affairs.
- (2) The OPA may make investments in only the following types of securities:
 1. Bonds, debentures, promissory notes and other evidences of indebtedness, issued or guaranteed by,
 - i. Canada or a province or territory of Canada, or
 - ii. an agency of Canada or of a province or territory of Canada.
 2. Bonds, debentures, promissory notes and other evidences of indebtedness, issued or guaranteed by,
 - i. a municipality in Canada,
 - ii. a school board in Canada, or
 - iii. the Municipal Finance Authority of British Columbia.
 3. Bonds, debentures, promissory notes, deposit receipts, deposit notes, certificates of deposit or investment, acceptances, commercial paper and similar instruments issued, guaranteed or endorsed by,
 - i. a bank listed in Schedule I, II or III to the *Bank Act* (Canada),
 - ii. a loan corporation or trust corporation registered under the *Loan and Trust Corporations Act*, or
 - iii. a credit union under the *Credit Unions and Caisses Populaires Act, 1994*.
 4. Promissory notes and commercial paper, other than asset-backed securities, issued by a corporation that is incorporated under the laws of Canada or a province of Canada.
 5. Asset-backed commercial paper, notes, bonds, debentures or other evidences of indebtedness issued by an issuer in Canada,

- i. that is a trust, corporation, partnership or other entity organized for the principal purpose of issuing fixed-income securities secured by a security interest in its assets, and
- ii. whose assets consist of debts, receivables, accounts, claims or other rights to payments or contracts or obligations that generate or secure debts, receivables, accounts or claims.

(3) The OPA shall not invest in a security described in paragraph 2, 3, 4 or 5 of subsection (2) unless, at the time the investment is made by the OPA, the security has a minimum rating of,

- (a) "R-1(mid)" or "AA(low)" by Dominion Bond Rating Service Limited;
- (b) "Prime-1" or "Aa3" by Moody's Investors Services Inc.; or
- (c) "A-1+" or "AA-" by Standard and Poor's.

(4) Investments described in subsection (2) must have terms that provide that principal and interest shall be fully repaid no later than one year after the day the investment is made by the OPA.

(5) Nothing in this section restricts the OPA's authority to enter into contracts referred to in section 25.32 of the Act.

Ineligible investments

2. The OPA shall not do the following:

- 1. Invest in an investment that fails to satisfy the requirements of section 1.
- 2. Invest in a security that is expressed or payable in any currency other than Canadian dollars.
- 3. Enter into interest rate or currency exchange agreements, forward rate agreements or any other type of financial agreement to manage its financial assets, liability or risks, except those permitted by section 1.

Authorized borrowing

3. The OPA may borrow only for the following purposes:

- 1. To fund the payment of amounts payable by the OPA under sections 25.33 and 25.34 of the Act and any amounts payable under the regulations.
- 2. To provide such funds as may be necessary for the management of any variance account established and maintained under the Act by the OPA.
- 3. To provide such funds as may be necessary for the OPA to manage timing differences between the receipt of amounts and the payment of costs and expenses incurred by the OPA in exercising its rights and performing its duties under the Act.
- 4. To provide such funds as may be necessary for the OPA to manage timing differences between the receipt of payments by the OPA from the IESO under sections 78.3 and 78.4 of the *Ontario Energy Board Act, 1998* and the payment of amounts by the OPA under the procurement contracts referred to in those sections.

Statement of investment, borrowing and financial management policies and procedures

4. (1) Before the OPA makes an investment described in section 1 or enters into an arrangement to borrow funds, the board of directors of the OPA shall, if it has not already done so, adopt a statement setting out the OPA's investment, borrowing and financial management policies and procedures.

(2) In preparing the statement, the board of directors,

- (a) shall ensure that the statement does not contain any policy or procedure that would conflict with the requirements of sections 1, 2 and 3; and
- (b) shall bear in mind the timing considerations of the OPA's investments and borrowings in relation to the OPA's expected cash flow requirements.

(3) The OPA shall submit to the Minister of Finance for approval,

- (a) its proposed statement of investment, borrowing and financial management policies and procedures; and
- (b) every change it proposes to make to its statement of investment, borrowing and financial management policies and procedures after the statement has been approved.

(4) The Minister of Finance may approve the proposed statement or change to the statement or refer it back to the OPA for further consideration.

(5) If the Minister of Finance does not approve the proposed statement or change to the statement and does not refer it back to the OPA for further consideration within 60 days of receipt, the Minister shall be deemed to approve the OPA's proposed statement or change.

(6) The OPA shall comply with its statement of investment, borrowing and financial management policies and procedures as amended and as approved by the Minister of Finance in carrying out its investment, borrowing and financial management activities.

Commencement

5. This Regulation comes into force on the later of the day section 29 of Schedule A to the *Electricity Restructuring Act, 2004* is proclaimed in force and the day it is filed.

2/05

ONTARIO REGULATION 424/04

made under the

ELECTRICITY ACT, 1998

Made: December 15, 2004

Filed: December 20, 2004

INTEGRATED POWER SYSTEM PLAN

Period and updating of integrated power system plan

1. For the purpose of section 25.30 of the Act, the OPA,
 - (a) shall develop and submit an integrated power system plan that covers a period of 20 years from the date of its submission; and
 - (b) shall develop and submit an update of the plan every three years, which updated plan shall cover a period of 20 years from the date of its submission.

Development of integrated power system plan

2. In developing an integrated power system plan under subsection 25.30 (1) of the Act, the OPA shall do the following:
 1. Consult with interested parties, including industry experts, market participants and groups representing consumers and the public interest in order to ensure that their priorities and views are considered in the development of the plan.
 2. Consult with the Advisory Committee established under section 25.12 of the Act.
 3. Identify and develop innovative strategies to accelerate the implementation of conservation, energy efficiency and demand management measures.
 4. Identify and develop innovative strategies to encourage and facilitate competitive market-based responses and options for meeting overall system needs.
 5. Identify measures that will reduce reliance on procurement under section 25.32 of the Act.
 6. Identify factors that it must consider in determining that it is advisable to enter into procurement contracts under subsection 25.32 (1) of the Act.
 7. Ensure that safety and economic and environmental sustainability and environmental protection are reflected in the plan.

Publication of plan

3. The OPA shall publish all integrated power system plans that have been approved by the Board under subsection 25.30 (5) of the Act on a publicly accessible website approved by the Board.

Commencement

4. This Regulation comes into force on the later of the day section 34 of Schedule A to the *Electricity Restructuring Act, 2004* is proclaimed in force and the day it is filed.

2/05

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made under the

ELECTRICITY ACT, 1998

Made: December 15, 2004

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IESO BOARD OF DIRECTORS**Prohibited class**

1. A person who has a material interest in a market participant is a member of a class who may not hold office as a director of the IESO.

Commencement

2. **This Regulation comes into force on the later of the day section 7 of Schedule A to the *Electricity Restructuring Act, 2004* is proclaimed in force and the day it is filed.**

2/05

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Made: December 15, 2004

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ONTARIO POWER AUTHORITY PROCUREMENT PROCESSES**Assessment of capability of IESO-administered markets**

1. The OPA shall not commence the procurement process under section 25.32 of the Act unless it has, in consultation with interested parties, made an assessment of the capability of the IESO-administered markets to, or the likelihood that investment by other persons will,

- (a) meet the need for electricity supply or capacity as identified in an assessment made under section 25.29 of the Act; or
- (b) deliver measures that will manage electricity demand or result in the improved management of electricity demand as described in clause 25.32 (1) (b) of the Act.

Factors for consideration

2. The OPA shall not commence the procurement process under section 25.32 of the Act unless,

- (a) it has considered the factors identified in the integrated power system plan in respect of the advisability of entering into contracts; or
- (b) in the opinion of the OPA, after consultation with the IESO, extraordinary circumstances exist that justify proceeding with a procurement process without consideration of the factors mentioned in clause (a).

Principles in the procurement process

3. In developing procurement processes under section 25.31 of the Act, the OPA shall comply with the following principles:

- 1. Procurement processes and selection criteria must be fair and clearly stated and, wherever possible, open and accessible to a broad range of interested bidders.
- 2. To the greatest extent possible, the procurement process must be a competitive process.
- 3. There must be no conflicts of interest or unfair advantage allowed in the selection process.

4. To the greatest extent possible, the procurement process must not have an adverse impact outside of the OPA procurement process on investment in electricity supply or capacity or in measures that will manage electricity demand as described in subsection 29.32 (1) of the Act.

No adverse impact of contract

4. The OPA shall ensure that, to the greatest extent possible, any contract it enters into under subsection 25.32 (1) of the Act does not contain any terms or conditions that have an adverse impact on investment by persons who are not parties to such a contract with the OPA in electricity supply or capacity or in measures that will manage electricity demand as described in subsection 29.32 (1) of the Act.

Commencement

5. **This Regulation comes into force on the later of the day section 53 of Schedule A to the *Electricity Restructuring Act, 2004* is proclaimed in force and the day it is filed.**

2/05

ONTARIO REGULATION 427/04

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 15, 2004

Filed: December 20, 2004

PAYMENTS TO THE FINANCIAL CORPORATION RE SECTION 78.2 OF THE ACT

Definitions

1. In this Regulation,

“full-time equivalent position” means any combination of positions that add up to one full-time position, based on the standard number of hours of work for the position;

“subject contract” means a contract referred to in subsection 78.2 (1) of the Act.

Indirect costs

2. (1) For the purpose of subsection 78.2 (2) of the Act, the Financial Corporation’s indirect costs shall consist of the following costs:

1. Staff costs, including wages, benefits and statutory payments, for each full-time equivalent position employed by or seconded to the Financial Corporation or employed by or seconded to the Ontario Financing Authority, on behalf of the Financial Corporation, in relation to the subject contracts.
2. Overhead costs, including accommodations, equipment, supplies, utilities and related costs calculated using the following formula:

$$A \div B \times C$$

where,

A is the number of full-time equivalent positions employed by or seconded to the Financial Corporation or employed by or seconded to the Ontario Financing Authority, on behalf of the Financial Corporation, in relation to the subject contracts,

B is the total number of full-time equivalent positions employed by or seconded to the Financial Corporation or employed by or seconded to the Ontario Financing Authority, on behalf of the Financial Corporation,

C is the Financial Corporation’s total costs payable for overhead.

3. All other costs, other than costs to which paragraph 1 or 2 applies, incurred by the Financial Corporation in relation to the management of the subject contracts, including costs paid by the Financial Corporation to the Crown, an agency of the Crown or any other person for the provision of legal, accounting, modelling, auditing and other services in relation to a subject contract.

(2) The Financial Corporation’s indirect costs shall be calculated on a monthly basis.

Interim payments based on estimates

3. The Financial Corporation may establish protocols authorizing interim payments with respect to its indirect costs based on estimates, with subsequent adjustments.

Information

4. (1) The Financial Corporation shall give the IESO such information as the IESO may require for the purpose of this Regulation, in the form specified by the IESO and before the expiry of the period specified by the IESO.

(2) For the purpose of payments required by subsection 78.2 (1) of the Act, the IESO shall rely on the information provided to it by the Financial Corporation.

Generation facilities

5. For the purpose of subsection 78.2 (1) of the Act, the generation facilities listed in Schedule 1 to this Regulation are the prescribed generation facilities.

Commencement

6. **This Regulation comes into force on the later of the day section 16 of Schedule B to the *Electricity Restructuring Act, 2004* is proclaimed in force and the day it is filed.**

SCHEDULE 1

Facility	Location
Almonte Upper Falls Generating Station	11 Main Street, Almonte, Town of Mississippi Mills
Appleton Hydroelectric Plant	on the Mississippi River, Appleton, Town of Mississippi Mills
Ayton Mill	412 Water Street, Ayton, Municipality of West Grey
Barrie Small Hydro	569A Robertson Line, Arnprior
Beare Road LFG Power Plant	Beare Road Landfill Site, 1749A Meadowvale Road, Scarborough
Black River Generating Station	on the Black River, near Ramore, Geographic Township of Playfair, District of Cochrane
Brock University Central Utility Building Power Plant	500 Glenridge Avenue, St. Catharines
Brock West LFG Power Plant	Brock West Landfill Site, 1380 3rd Concession Road, Pickering
Burgess Dam	1016 Portage Street, Bala, Township of Muskoka Lakes
Burk's Falls Generating Station	on the Magnetawan River, Burk's Falls
Calstock Power Plant	Highway 11 Calstock, Geographic Township of Stoddard, District of Cochrane
Cameron Falls Generating Station	on the Aux Sables River, Geographic Township of Tennyson, District of Sudbury
Canton Mill	4476 County Road 10, R.R. 1, Port Hope
Cardinal Power Plant	170 Henry Street, Cardinal, Township of Edwardsburgh/Cardinal
Carmichael Falls Generating Station	on the Groundhog River, Geographic Township of Carmichael, District of Cochrane
Casselman Generating Station	on South Nation River, River Road, Casselman
Chapleau Co-Generation Plant	Planer Road, Chapleau
Charlton Dam	on the Englehart River, Highway 573, Charlton, Municipality of Charlton and Dack
Chiblow Dam	at the junction of Chiblow and High Lakes, Geographic Township of Scarfe, District of Algoma
Cochrane Generating Station	506 4th Street East, Cochrane
Conestogo Dam	on the Conestogo River, R.R. 2, Wallenstein, Township of Mapleton
Cordova Lake Generating Station	on Crowe River, Havelock, Township of Havelock-Belmont-Methuen
Corkery Falls Generating Station	1057 Hummel Line, Trout Creek, Municipality of Powassan
Crowe Bay Generating Station	Lock 14 of Trent-Severn Waterway, approximately 4 km north of Campbellford, Municipality of Trent Hills
Douglas Generating Station	73 Emelin Street, Bromley, Township of Admaston/Bromley
Drag Lake Generating Station	on Trent River at Drag Lake Dam, Village of Haliburton, United Townships of Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde
Eagle River Generating Station	52 Cascade Road, Eagle River, Township of Machin
Elliott Falls Generating Station	on the Gull River, near Norland, City of Kawartha Lakes
Fenelon Falls Generating Station	Lock 34 of the Trent-Severn Waterway, Fenelon Falls, City of Kawartha Lakes
Fort Frances Cogeneration Plant	145 Third Street West, Fort Frances
Fowld's Mill	50 Front Street East, Hastings, Municipality of Trent Hills
Fraser Generating Station	108A Alston Street, White Lake, Township of McNab-Braeside
Galetta Hydroelectric Plant	on the Mississippi River, Galetta, City of Ottawa
Gitzler Falls Generating Station	1057 Hummel Line, Trout Creek, Municipality of Powassan
H.J. Heinz Power Plant	Erie Street South, Leamington
Hillman Flared Gas Power Plant	143 Mersea Road, Leamington
Hurdman Dam	4955 Hurdman Dam Road, Mattawa
Invista (Canada) Power Plant	1400 County Road #2 East, Maitland, Township of Augusta
Iroquois Falls Generating Station	No. 1 Northwest Industrial Road, Iroquois Falls

Facility	Location
Jancal Dam	on the Rocky Saugeen River, Municipality of West Grey
Kagawong Generating Station	on the Kagawong River, Kagawong, Township of Billings
Kapuskasung Power Plant	47 Gough Road, Kapuskasing
Keele Valley LFG Power Plant	Keele Valley Landfill Site, near McNaughton Road, north of Major Mackenzie Drive, Vaughan
Kingston Cogeneration Plant	5146 Taylor - Kidd Boulevard, Millhaven, Township of Loyalist
Kirkland Lake Generating Station	505 Archer Drive, Kirkland Lake
KMS Peel Energy-From-Waste Facility	7656 Bramalea Road, Brampton
Labatt London Brewery Power Plant	150 Simcoe Street, London
Lake Superior Power Plant	102 West Street, Sault Ste. Marie
Long Sault Rapids Hydroelectric Generating Station	on the Abitibi River, approximately 19 km north of Cochrane, Geographic Township of Blount, District of Cochrane
Long Slide Generating Station	on the Amable du Fond River, near Mattawa, Geographic Township of Lauder, District of Nippising
Lucerne Mill	316070 Highway 6, Williamsford, Township of Chatsworth
Maple Hill Dam	on the Saugeen River, near Hanover, Municipality of Brockton
Marmora Generating Station	on Crowe River, Marmora, Municipality of Marmora and Lake
McKenzie Falls Generating Station	197 Powerline Road, Eagle River, Township of Machin
Mississauga Cogeneration Plant	2740 Derry Road East, Mississauga
Misty Rapids Power	3560 Highland Road, Arnprior
Moose Rapids Hydroelectric Plant	on the Wanapitei River, approximately 25 km northeast of Sudbury, Geographic Township of Scadding, District of Sudbury
Nagagami (Shekak) Generating Station	on the Shekak River, approximately 80 km west of Hearst, Geographic Township of McMillan, District of Cochrane
National Research Council Cogeneration Facility	Building M-6, 1200 Montreal Road, Ottawa
Nipigon High Falls Generating Station	on the Namewaminikan River at High Falls, Geographic Township of Sandra, District of Thunder Bay
Nipigon Power Plant	Highway 11, approximately 45 km north of Nipigon
North Bay Power Plant	4001 Highway 11, near North Bay
Ottawa Health Sciences Centre Cogeneration Plant	405 Smyth Road, Ottawa
Ragged Chute Hydroelectric Plant	on the Montreal River, approximately 25 km south of New Liskeard, Township of Gillies Limit, District of Timiskaming
Rideau Falls Generating Station	50 Sussex Drive, Ottawa
Rosa Flora Power Plant	756 Diltz Road, Dunnville, Haldimand County
Scarfe Lake Generating Station	on Blind River, Geographic Township of Cobden, District of Algoma
Scone Mill	Old Scone Mill, R.R. 3, Chesley, Municipality of Arran-Elderslie and Township of Chatsworth
Serpent River Generating Station	on the Serpent River near Spanish, Township of The North Shore, District of Algoma
Shand Dam	on the Grand River, Belwood Lake Conservation Area, near Fergus, Township of Centre Wellington
Smiths Falls Water Treatment Plant	25 Old Mill Road, Smiths Falls
Tembec Industries Power Plant	Mill Road, Smooth Rock Falls
Trent-Severn Power	Lock 4 of the Trent-Severn Waterway, Batawa, City of Quinte West
Truisler Chute Generating Station	on the South River, 931 Highway 522, Trout Creek, Municipality of Powasson
Tunis Power Plant	Highway 11, Tunis, Geographic Township of Newmarket, District of Cochrane
Tweed Dam	on the Moira River, Colborne Street, Tweed
Twin Falls Generating Station	on the Kagiano River at Twin Falls, near Manitouwadge
University of Toronto Central Power Plant	17 Russell Street, Toronto
Valerie Falls Generating Station	on the Seine River, near Atikokan, Township of Atikokan
Vornweg Generating Station	Old Killaloe Mill, Highway 512, Killaloe, Township of Killaloe, Hagarty and Richards
Wainwright Generating Station	on the Wabigoon River, Geographic Township of Wainwright, District of Kenora
Wawatay Generating Station	on the Black River, Geographic Township of Pic, District of Thunder Bay
West Windsor Power Plant	4375 Sandwich Street, Windsor
Westbrook Greenhouses Ltd. Plant II	4743 Lincoln Avenue, Beamsville, Town of Lincoln
Whitby Cogeneration Plant	1550 Wentworth Street West, Whitby
White River BioMeg Plant	Highway 17, White River
Windsor-Essex Cogeneration Plant	2600 Temple Drive, Windsor

ONTARIO REGULATION 428/04

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 15, 2004

Filed: December 20, 2004

Amending O. Reg. 435/02

(Payments re Section 79.4 of the Act)

Note: Ontario Regulation 435/02 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. The definition of “applicable statutory prices” in subsection 1 (2) of Ontario Regulation 435/02 is revoked and the following substituted:

“applicable statutory prices” means, with reference to a low-volume or designated consumer,

- (a) the prices specified by Ontario Regulation 42/04 (Commodity Price for Electricity: Low-Volume Consumers and Designated Consumers) made under the *Ontario Energy Board Act, 1998* that are payable by the consumer for electricity used on or after April 1, 2004 and before the day section 25.33 of the *Electricity Act, 1998* comes into force, and
- (b) 4.3 cents per kilowatt hour for electricity used by the consumer on or after December 1, 2002 and before April 1, 2004;

2. Section 2 of the Regulation is revoked and the following substituted:

Application

2. This Regulation applies with respect to electricity used by low-volume and designated consumers on or after December 1, 2002 and before the day section 25.33 of the *Electricity Act, 1998* comes into force.

3. Section 20 of the Regulation is revoked and the following substituted:

Transition

20. (1) This section applies with respect to a billing period that includes the day section 25.33 of the *Electricity Act, 1998* comes into force.

(2) The distributor or, in the case of retailer-consolidated billing, the retailer may estimate the volume of electricity used by a low-volume or designated consumer during the billing period that is to be allocated to the portion of the billing period that precedes the day section 25.33 of the *Electricity Act, 1998* comes into force and the volume to be allocated to the portion of the billing period that falls on and after that day.

2/05

ONTARIO REGULATION 429/04

made under the

ELECTRICITY ACT, 1998

Made: December 15, 2004

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ADJUSTMENTS UNDER SECTION 25.33 OF THE ACT

Interpretation

1. (1) In this Regulation,

“embedded distributor” means a licensed distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a licensed distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a licensed distributor who is a market participant and who distributes electricity to another licensed distributor who is not a market participant;

“licensed distributor” means a distributor who is licensed under Part V of the *Ontario Energy Board Act, 1998*;

“metered market participant” means, in respect of a generation facility, a market participant designated as the metered market participant in accordance with Chapter 9 of the market rules;

“regulated consumer” means a consumer whose price or rate for electricity is determined by regulation or by the Board under subsection 78 (3.1), 79.4 (1) or 79.16 (1) of the *Ontario Energy Board Act, 1998*;

“Retail Settlement Code” means the Retail Settlement Code approved by the Board under the *Ontario Energy Board Act, 1998*;

“settlement amount” means an amount of money to be paid by or to a market participant, determined in accordance with Chapter 9 of the market rules.

(2) In this Regulation, a reference to a volume of electricity distributed by a licensed distributor includes the volume for total losses, as defined in the Retail Settlement Code, that is attributed to the licensed distributor’s consumers or an embedded distributor.

(3) Credits and additional charges required by this Regulation are in addition to any payments that may be required by the market rules or the Retail Settlement Code.

(4) For the purpose of this Regulation, the IESO shall, for every day, determine a preliminary daily adjustment rate in accordance with subsection (5).

(5) The preliminary daily adjustment rate for a day shall reflect the IESO’s estimate of the part of the global adjustment for the month to be determined under subsection 2 (2) that is attributable to that day.

(6) Subsection (5) does not apply for a day before a date specified by the Minister.

(7) The IESO shall publish the preliminary daily adjustment rate for a day not later than 10 business days after that day.

Monthly adjustments by the IESO

2. (1) For the purposes of subsection 25.33 (1) of the Act, the IESO shall make adjustments to the settlement amounts on a monthly basis to reflect the portion of the global adjustment for the month to be allocated to each market participant.

(2) The amount of the global adjustment for a month shall be calculated using the following formula:

$$(A - B) + (C - D) + (E - F) + G$$

where,

“A” is the total amount payable by the IESO under section 78.1 of the *Ontario Energy Board Act, 1998* to generators that are prescribed under that Act for the purposes of that section, or to the OPA on behalf of those generators, with respect to output for the preceding month from units at generation facilities that are prescribed under that Act for the purposes of that section,

“B” is the total amount that, but for section 78.1 of the *Ontario Energy Board Act, 1998*, would be payable by the IESO under the market rules to generators referred to in “A”, or to the OPA on behalf of those generators, with respect to the output referred to in “A”,

“C” is the amount payable by the IESO to the Financial Corporation under section 78.2 of the *Ontario Energy Board Act, 1998* for the preceding month, less amounts payable by licensed distributors with respect to output for the preceding month from generation facilities that are prescribed under that Act for the purposes of that section,

“D” is the amount that, but for section 78.2 of the *Ontario Energy Board Act, 1998*, would be payable by the IESO under the market rules for the preceding month with respect to output generated at, and ancillary services provided at, generation facilities that are prescribed under that Act for the purpose of that section and for which the Financial Corporation is the metered market participant,

“E” is the amount payable by the IESO to the OPA under section 78.3 of the *Ontario Energy Board Act, 1998* for the preceding month, less amounts payable by licensed distributors to the OPA for the preceding month in respect of procurement contracts referred to in that section,

“F” is the amount that, but for section 78.3 of the *Ontario Energy Board Act, 1998*, would be payable by the IESO to the OPA under the market rules for the preceding month with respect to output and ancillary services in respect of which the OPA has entered into procurement contracts referred to in that section and that are generated or provided at generation facilities for which the OPA is the metered market participant,

“G” is the amount payable by the IESO to the OPA under section 78.4 of the *Ontario Energy Board Act, 1998* for the preceding month.

(3) Subject to subsection (4), the amount of the global adjustment for a month to be allocated to a market participant shall be determined using the following formula:

$$\frac{H}{I} \times J$$

where,

“H” is the net volume of electricity withdrawn by the market participant from the IESO-controlled grid during the month plus, if the market participant is a licensed distributor, the sum of,

- (a) the total volume of electricity supplied by embedded generators during the month to the market participant, adjusted for losses as required by the Retail Settlement Code, and
- (b) the total volume of electricity supplied by embedded generators during the month to all embedded distributors for whom the market participant is the host distributor, adjusted for losses as required by the Retail Settlement Code,

“I” is the sum of all amounts of “H” for the month for every market participant,

“J” is the amount of the global adjustment for the month.

(4) The volume of electricity supplied to Fort Frances Power Corporation Distribution Inc. by Abitibi-Consolidated Inc. shall be excluded from any calculation under subsection (3).

(5) The amount of the global adjustment for a month that is allocated to a market participant who is not a regulated consumer shall be shown on the invoice issued by the IESO to the market participant for the month as a credit if the amount is negative or as an additional charge if the amount is positive.

(6) A host distributor shall, for each embedded distributor in the host distributor’s service area and for each month, allocate to the embedded distributor a portion of the allocation determined under subsection (3) for the host distributor, using the following formula to determine the amount of the allocation to the embedded distributor:

$$\frac{K}{L} \times M$$

where,

“K” is the net volume of electricity distributed to the embedded distributor by the host distributor during the month, plus the total volume of electricity supplied by embedded generators during the month to the embedded distributor, adjusted for losses as required by the Retail Settlement Code,

“L” is the sum of,

- (a) the net volume of electricity withdrawn by the host distributor from the IESO-controlled grid during the month,
- (b) the total volume of electricity supplied by embedded generators during the month to the host distributor, adjusted for losses as required by the Retail Settlement Code, and
- (c) the total volume of electricity supplied by embedded generators during the month to any embedded distributor for whom the host distributor is the host distributor, adjusted for losses as required by the Retail Settlement Code,

“M” is the amount of the global adjustment for the month allocated to the host distributor.

(7) A host distributor shall, for each embedded distributor in the host distributor’s service area and for each month, adjust the accounts between the host distributor and the embedded distributor by giving a credit for the amount of the allocation to the embedded distributor determined under subsection (6) if the amount is negative or by adding the amount of the allocation to the embedded distributor determined under subsection (6) as an additional charge if the amount is positive.

(8) The IESO or the Board may establish protocols authorizing or requiring interim determinations of any amount referred to in this section and the subsequent adjustment of those interim determinations to reflect differences between interim and actual amounts.

Adjustments by licensed distributors

3. (1) For the purposes of subsection 25.33 (2) of the Act, every licensed distributor shall make adjustments in accordance with the following rules:

1. For each consumer in the licensed distributor’s service area whose electricity use is measured by an interval meter and who is not a regulated consumer or a consumer who has a contract with a retailer who uses retailer-consolidated billing, the licensed distributor shall,
 - i. for each day of the consumer’s billing period, multiply the preliminary daily adjustment rate determined by the IESO for that day by the volume of electricity that was distributed to the consumer by the licensed distributor on that day,

- ii. total the amounts determined under subparagraph i for all the days in the consumer's billing period, and
 - iii. adjust the invoice that the licensed distributor issues to the consumer for the billing period by giving a credit for the amount determined under subparagraph ii if the amount is negative or by adding the amount determined under subparagraph ii as an additional charge if the amount is positive.
2. For each consumer in the licensed distributor's service area whose electricity use is not measured by an interval meter and who is not a regulated consumer or a consumer who has a contract with a retailer who uses retailer-consolidated billing, the licensed distributor shall,
 - i. determine a weighted average adjustment rate applicable to the consumer's billing period, based on the preliminary daily adjustment rates determined by the IESO for the billing period and the hourly net system load shape determined in accordance with the Retail Settlement Code for the billing period,
 - ii. multiply the weighted average adjustment rate determined under subparagraph i by the volume of electricity that was distributed to the consumer during the consumer's billing period, and
 - iii. adjust the invoice that the licensed distributor issues to the consumer for the billing period by giving a credit for the amount determined under subparagraph ii if the amount is negative or by adding the amount determined under subparagraph ii as an additional charge if the amount is positive.
 3. For each consumer in the licensed distributor's service area whose electricity use is measured by an interval meter and who has a contract with a retailer who uses retailer-consolidated billing, the licensed distributor shall,
 - i. for each day of the consumer's billing period, multiply the preliminary daily adjustment rate determined by the IESO for that day by the volume of electricity that was distributed to the consumer by the licensed distributor on that day,
 - ii. total the amounts determined under subparagraph i for all the days in the consumer's billing period, and
 - iii. adjust the accounts between the licensed distributor and the retailer with whom the consumer has a contract by giving a credit for the amount determined under subparagraph ii if the amount is negative or by adding the amount determined under subparagraph ii as an additional charge if the amount is positive.
 4. For each consumer in the licensed distributor's service area whose electricity use is not measured by an interval meter and who has a contract with a retailer who uses retailer-consolidated billing, the licensed distributor shall,
 - i. determine a weighted average adjustment rate applicable to the consumer's billing period, based on the preliminary daily adjustment rates determined by the IESO for the billing period and the hourly net system load shape determined in accordance with the Retail Settlement Code for the billing period,
 - ii. multiply the weighted average adjustment rate determined under subparagraph i by the volume of electricity that was distributed to the consumer during the consumer's billing period, and
 - iii. adjust the accounts between the licensed distributor and the retailer with whom the consumer has a contract by giving a credit for the amount determined under subparagraph ii if the amount is negative or by adding the amount determined under subparagraph ii as an additional charge if the amount is positive.
- (2) If, under paragraph 3 or 4 of subsection (1), a licensed distributor adjusts the accounts between the licensed distributor and a retailer with respect to a consumer who is not a regulated consumer, the retailer shall adjust the invoice that the retailer issues to the consumer by,
- (a) giving a credit in the same amount, if the licensed distributor gave a credit under paragraph 3 or 4 of subsection (1) with respect to the consumer; or
 - (b) adding an additional charge in the same amount, if the licensed distributor added an additional charge under paragraph 3 or 4 of subsection (1) with respect to the consumer.
- (3) If, under paragraph 1 or 2 of subsection (1) or under subsection (2), an invoice issued to a consumer is adjusted to give a credit or add an additional charge, the licensed distributor or retailer who issues the invoice to the consumer shall ensure that the invoice,
- (a) clearly labels the credit or additional charge as "Provincial Benefit";
 - (b) clearly indicates the amount of the credit or additional charge;
 - (c) clearly indicates the volume of electricity that was used to calculate the amount of the credit or additional charge; and
 - (d) clearly indicates the rate, in cents per kilowatt hour, that the volume referred to in clause (c) would have to be multiplied by to give the amount of the credit or additional charge.
- (4) If subsection (3) applies to an invoice to which section 10 of Ontario Regulation 275/04 (Information on Invoices to Low-Volume Consumers of Electricity) made under the *Ontario Energy Board Act, 1998* also applies, the licensed distributor

who issues the invoice shall ensure that the glossary referred to in that section includes the following term and meaning, in the following language:

Provincial Benefit	The price of generation in Ontario is set by a competitive market. Certain generators receive payments through regulation or contract that differ from the market price. Your portion of the net adjustment arising from these different payments is included on your bill.
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(5) Despite subsections (3) and (4), if a licensed distributor or retailer is, for technical or operational reasons, unable to adapt its invoices to conform to those subsections by the date this Regulation comes into force, it shall do so as soon as possible after that date but, in any event, no later than a date specified by the Minister.

Information

4. (1) The Financial Corporation, the OPA and every licensed distributor who is a market participant shall give the IESO such information as the IESO may require for the purposes of this Regulation in the form specified by the IESO and before the expiry of the period specified by the IESO.

(2) Every embedded distributor shall give its host distributor such information as the IESO may require from the host distributor for the purposes of this Regulation and shall do so before the expiry of the period specified by the host distributor.

(3) Every retailer who uses retailer-consolidated billing shall give a licensed distributor such information as the IESO may require for the purposes of this Regulation and shall do so before the expiry of the period specified by the licensed distributor.

(4) Upon request by the Board, the IESO, a licensed distributor, an embedded generator, a retailer, the Financial Corporation or the OPA shall give the Board such information relating to this Regulation as the Board may require, in the form and within the period specified by the Board.

Reliance on certain information

5. (1) For the purposes of this Regulation, the IESO shall rely on the information provided to it by licensed distributors.

(2) For the purposes of this Regulation, host distributors shall rely on the information provided to them by their embedded distributors.

(3) For the purposes of this Regulation, licensed distributors shall rely on the information provided to them by retailers who use retailer-consolidated billing.

Transition

6. If a consumer's billing period includes the day section 25.33 of the Act comes into force and a period preceding that day, a licensed distributor or a retailer who uses retailer-consolidated billing may, for the purpose of this Regulation, estimate the volume of electricity distributed to the consumer during the billing period that is to be allocated to the portion of the billing period that precedes that day and the volume of electricity distributed to the consumer during the billing period that is to be allocated to the portion of the billing period that is on or after that day.

Commencement

7. **This Regulation comes into force on the later of the day section 37 of Schedule A to the *Electricity Restructuring Act, 2004* comes into force and the day this Regulation is filed.**

2/05

ONTARIO REGULATION 430/04

made under the

ELECTRICITY ACT, 1998

Made: December 15, 2004

Filed: December 20, 2004

PAYMENTS RE SECTION 25.33 OF THE ACT

Interpretation

1. (1) In this Regulation,

“designated contract” means a contract entered into on or before November 11, 2002 between a regulated consumer and a retailer with respect to which a service transaction request as defined in the Retail Settlement Code is or has been

implemented to enable the regulated consumer to purchase electricity from a competitive retailer as defined in the Retail Settlement Code, but does not include a contract renewed after December 9, 2002;

“embedded distributor” means a licensed distributor who is not a market participant and to whom a host distributor distributes electricity;

“embedded generator” means a generator who is not a market participant and whose generation facility is connected to a distribution system of a licensed distributor, but does not include a generator who consumes more electricity than it generates;

“host distributor” means a licensed distributor who is a market participant and who distributes electricity to another licensed distributor who is not a market participant;

“licensed distributor” means a distributor who is licensed under Part V of the *Ontario Energy Board Act, 1998*;

“participating retailer” means a retailer who has entered into one or more designated contracts;

“regulated consumer” means a consumer whose price or rate for electricity is determined by regulation or by the Board under subsection 78 (3.1) or section 79.4 or 79.16 of the *Ontario Energy Board Act, 1998*;

“regulated price” means, with respect to a regulated consumer, the price or rate determined by regulation under the *Ontario Energy Board Act, 1998* or by the Board;

“Retail Settlement Code” means the Retail Settlement Code approved by the Board under the *Ontario Energy Board Act, 1998*.

(2) In this Regulation, a reference to a volume of electricity distributed by a licensed distributor includes the volume for total losses, as defined in the Retail Settlement Code, that is attributed to the licensed distributor’s regulated consumers or to an embedded distributor.

(3) Payments required by this Regulation are in addition to any payments that may be required by the market rules or the Retail Settlement Code.

Application

2. (1) This Regulation applies with respect to electricity used by a regulated consumer on or after January 1, 2005.

(2) For the purposes of determining the volume of electricity used on or after January 1, 2005, if a billing period includes that day, a licensed distributor or, in the case of retailer-consolidated billing, a retailer may estimate the volume of electricity used by a regulated consumer during the billing period that is to be allocated to the portion of the billing period before that day and the volume of electricity to be allocated to the portion of the billing period that is on and after that day.

PRESCRIBED CLASSES OF CONSUMERS

Prescribed classes of consumers

3. The following classes of consumers are prescribed for the purposes of paragraph 3 of subsection 25.33 (3) of the Act:

1. A class of consumers whose members pay a commodity price for electricity that is determined in accordance with the regulations referred to in clause 79.4 (1) (a) of the *Ontario Energy Board Act, 1998*.
2. A class of consumers whose members pay a price for electricity that is determined in accordance with the regulations referred to in clause 79.16 (1) (a) of the *Ontario Energy Board Act, 1998*.
3. A class of consumers whose members pay a rate for electricity that is determined by the Board under subsection 78 (3.1) of the *Ontario Energy Board Act, 1998*.

REQUIRED PAYMENTS

Payments re IESO sales directly to regulated consumers

4. (1) In this section,

“A” is the amount payable by regulated consumers to the IESO for electricity for a month, calculated at the regulated prices for each regulated consumer, for the net volume of electricity withdrawn from the IESO-controlled grid by the regulated consumers, other than the volume of electricity, if any, purchased during the month by regulated consumers under physical bilateral contracts submitted to the IESO in accordance with the market rules, and

“B” is the amount that would be payable by the same regulated consumers to the IESO for electricity for the same volume of electricity for the same month if the amount were to be calculated under the market rules, subject to the adjustment allocated to those regulated consumers for that month by the IESO in accordance with Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act.

(2) If there is a difference between “A” and “B”, the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.

(3) If “A” is greater than “B”, the IESO shall make a payment equal to the difference to the OPA and shall do so before the expiry of the period specified by the OPA.

(4) If “B” is greater than “A”, the OPA shall make a payment equal to the difference to the IESO after receiving the information required under subsection (2).

(5) If the OPA establishes protocols under section 11 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Payments re licensed distributors

5. (1) In this section,

“C” is the sum of all amounts payable to a licensed distributor who is a market participant by regulated consumers in the licensed distributor’s service area, other than those regulated consumers, if any, who have designated contracts with a participating retailer who is using retailer-consolidated billing, for the volume of electricity distributed to them by the licensed distributor for a month, calculated using the regulated prices for each regulated consumer, and

“D” is the sum of all amounts that would be payable by the licensed distributor to the IESO or embedded generators for the same volume of electricity for the same month, if those amounts were to be calculated under the market rules or the Retail Settlement Code, as applicable, subject to the portion of the adjustment allocated to the licensed distributor for that month by the IESO in accordance Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act that relates to the same regulated consumers.

(2) If there is a difference between a licensed distributor’s “C” and “D”,

(a) the licensed distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and

(b) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.

(3) The following rules apply if a licensed distributor’s “C” is greater than “D”:

1. The licensed distributor shall make a payment equal to the difference to the IESO before the expiry of the period specified by the IESO.

2. The IESO shall make a payment equal to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (a) and before the expiry of the period specified by the OPA.

(4) The following rules apply if a licensed distributor’s “C” is less than “D”:

1. The OPA shall make a payment equal to the difference to the IESO after receiving the information required under clause (2) (b).

2. The IESO shall make a payment equal to the payment required under paragraph 1 to the licensed distributor after receiving the information required under clause (2) (a).

(5) If the OPA and the IESO establish protocols under section 11 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Payments re embedded distributors

6. (1) In this section,

“E” is the sum of all amounts payable to an embedded distributor by regulated consumers in the embedded distributor’s service area, other than those regulated consumers, if any, who have designated contracts with a participating retailer who is using retailer-consolidated billing, for the volume of electricity distributed to them by the embedded distributor for a month, calculated using the regulated prices for each regulated consumer, and

“F” is the sum of all amounts that would be payable by the embedded distributor to its host distributor or embedded generators for the same volume of electricity for the same month if those amounts were to be calculated under the Retail Settlement Code, subject to the portion of the adjustment allocated to the embedded distributor for that month by its host distributor in accordance with Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act that relates to the same regulated consumers.

(2) If there is a difference between an embedded distributor’s “E” in relation to a host distributor and “F”,

(a) the embedded distributor shall give its host distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the host distributor;

(b) the host distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and

- (c) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.
- (3) The following rules apply if an embedded distributor's "E" in relation to a host distributor is greater than "F":
1. The embedded distributor shall make a payment equal to the difference to the host distributor before the expiry of the period specified by the Board.
 2. The host distributor shall make a payment equal to the payment required under paragraph 1 to the IESO before the expiry of the period specified by the IESO.
 3. The IESO shall make a payment equal to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (b) and before the expiry of the period specified by the OPA.
- (4) The following rules apply if an embedded distributor's "E" in relation to a host distributor is less than "F":
1. The OPA shall make a payment equal to the difference to the IESO after receiving the information required under clause (2) (c).
 2. The IESO shall make a payment equal to the payment required under paragraph 1 to the host distributor after receiving the information required under clause (2) (b).
 3. The host distributor shall make a payment equal to the payment required under paragraph 1 to the embedded distributor before the expiry of the period specified by the Board.
- (5) If the OPA and the IESO establish protocols under section 11 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Payments re retailers using retailer-consolidated billing

7. (1) In this section,

"G" is the amount, calculated at the regulated prices, that is payable by a regulated consumer in the service area of a licensed distributor who is a market participant to a participating retailer who is using retailer-consolidated billing for the volume of electricity supplied under a designated contract,

"H" is the amount that would be payable by the participating retailer to the licensed distributor for the same volume of electricity in the same circumstances if the amount were to be calculated under the Retail Settlement Code, subject to the adjustment made to the accounts between the licensed distributor and the participating retailer by the licensed distributor in accordance Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act that relates to the same regulated consumer for the same volume of electricity in the same circumstances.

(2) If there is a difference between a participating retailer's "G" in respect of a designated contract and "H",

- (a) the participating retailer shall give the licensed distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the licensed distributor;
- (b) the licensed distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and
- (c) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.

(3) The following rules apply if a participating retailer's "G" in respect of a designated contract is greater than "H":

1. The participating retailer shall make a payment equal in amount to the difference to the licensed distributor before the expiry of the period specified by the Board.
2. The licensed distributor shall make a payment equal in amount to the payment required under paragraph 1 to the IESO before the expiry of the period specified by the IESO.
3. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (b) and before the expiry of the period specified by the OPA.

(4) The following rules apply if a participating retailer's "G" in respect of a designated contract is less than "H":

1. The OPA shall make a payment equal in amount to the difference to the IESO after receiving the information required under clause (2) (c).
2. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the licensed distributor after receiving the information required under clause (2) (b).
3. The licensed distributor shall make a payment equal in amount to the payment required under paragraph 1 to the participating retailer before the expiry of the period specified by the Board.

(5) If the OPA and IESO establish protocols under section 11 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Payments re retailers using retailer-consolidated billing, embedded distributor

8. (1) In this section,

“I” is the amount, calculated at the regulated prices, that is payable by a regulated consumer in an embedded distributor’s service area to a participating retailer who is using retailer-consolidated billing, for the volume of electricity supplied under a designated contract,

“J” is the amount that would be payable by the participating retailer to the embedded distributor for the same volume of electricity in the same circumstances if the amount were to be calculated under the Retail Settlement Code, subject to the adjustment made to the accounts between the embedded distributor and the participating retailer by the embedded distributor in accordance with Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act that relates to the same regulated consumer for the same volume of electricity in the same circumstances.

(2) If there is a difference between a participating retailer’s “I” in respect of a designated contract and “J”,

- (a) the participating retailer shall give the embedded distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the embedded distributor;
- (b) the embedded distributor shall give its host distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the host distributor;
- (c) the host distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and
- (d) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.

(3) The following rules apply if a participating retailer’s “I” in respect of a designated contract is greater than “J”:

1. The participating retailer shall make a payment equal in amount to the difference to the embedded distributor before the expiry of the period specified by the Board.
2. The embedded distributor shall make a payment equal in amount to the payment required under paragraph 1 to its host distributor before the expiry of the period specified by the Board.
3. The host distributor shall make a payment equal in amount to the payment required under paragraph 1 to the IESO before the expiry of the period specified by the IESO.
4. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (c) and before the expiry of the period specified by the OPA.

(4) The following rules apply if a participating retailer’s “I” in respect of a designated contract is less than “J”:

1. The OPA shall make a payment equal in amount to the difference to the IESO after receiving the information required under clause (2) (d).
2. The IESO shall make a payment equal in amount to payment required under paragraph 1 to the host distributor after receiving the information required under clause (2) (c).
3. The host distributor shall make a payment equal in amount to the payment required under paragraph 1 to the embedded distributor before the expiry of the period specified by the Board.
4. The embedded distributor shall make a payment equal in amount to the payment required under paragraph 1 to the participating retailer before the expiry of the period specified by the Board.

(5) If the OPA and IESO establish protocols under section 11 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Payments re licensed distributors, retailer-consolidated billing

9. (1) In this section,

“K” is the adjustment made to the accounts between a licensed distributor who is a market participant and a participating retailer using retailer-consolidated billing in accordance with Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act in respect of a regulated consumer in the licensed distributor’s service area for the volume of electricity supplied under a designated contract to the consumer,

“L” is the portion of any adjustment allocated to the licensed distributor by the IESO in accordance with Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act that relates to the same regulated consumer for the same volume of electricity in the same circumstances.

- (2) If there is a difference between “K” and “L”,
 - (a) the participating retailer shall give the licensed distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the licensed distributor;
 - (b) the licensed distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and
 - (c) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.
- (3) The following rules apply if “K” is greater than “L” in respect of a consumer who has a designated contract with a retailer using retailer-consolidated billing:
 1. The licensed distributor shall make a payment equal to the difference to the IESO before the expiry of the period specified by the IESO.
 2. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (b) and before the expiry of the period specified by the OPA.
- (4) The following rules apply if “K” is less than “L” in respect of a consumer who has a designated contract with a retailer using retailer-consolidated billing:
 1. The OPA shall make a payment equal in amount to the difference to the IESO after receiving the information required under clause (2) (c).
 2. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the licensed distributor after receiving the information required under clause (2) (b).
- (5) If the OPA and IESO establish protocols under section 11 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Payments re embedded distributors, retailer-consolidated billing

- 10.** (1) In this section,
- “M” is the adjustment made to the accounts between an embedded distributor and a participating retailer using retailer-consolidated billing in accordance with Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act in respect of a regulated consumer in the embedded distributor’s service area for the volume of electricity supplied under a designated contract to the consumer,
- “N” is the portion of any adjustment allocated to the embedded distributor by its host distributor in accordance with Ontario Regulation 429/04 (Adjustments under Section 25.33 of the Act) made under the Act that relates to the same regulated consumer for the same volume of electricity in the same circumstances.
- (2) If there is a difference between a participating retailer’s “M” in respect of a designated contract and “N”,
 - (a) the participating retailer shall give the embedded distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the embedded distributor;
 - (b) the embedded distributor shall give its host distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the host distributor;
 - (c) the host distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and
 - (d) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.
 - (3) The following rules apply if “M” is greater than “N” in respect of a consumer who has a designated contract with a retailer using retailer-consolidated billing:
 1. The embedded distributor shall make a payment equal in amount to the difference to its host distributor before the expiry of the period specified by the Board.
 2. The host distributor shall make a payment equal in amount to the payment required under paragraph 1 to the IESO before the expiry of the period specified by the IESO.
 3. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (c) and before the expiry of the period specified by the OPA.

(4) The following rules apply if a participating retailer's "M" is less than "N" in respect of a consumer who has a designated contract with a retailer using retailer-consolidated billing:

1. The OPA shall make a payment equal in amount to the difference to the IESO after receiving the information required under clause (2) (d).
2. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the host distributor after receiving the information required under clause (2) (c).
3. The host distributor shall make a payment equal in amount to the payment required under paragraph 1 to the embedded distributor before the expiry of the period specified by the Board.

(5) If the OPA and IESO establish protocols under section 11 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

PAYMENT AND REPORTING REQUIREMENTS

Interim payments based on estimates

11. (1) The OPA may establish protocols authorizing interim payments based on estimates with subsequent adjustments under any of the following provisions:

1. Subsections 4 (3) and (4).
2. Paragraph 2 of subsection 5 (3) and paragraph 1 of subsection 5 (4).
3. Paragraph 3 of subsection 6 (3) and paragraph 1 of subsection 6 (4).
4. Paragraph 3 of subsection 7 (3) and paragraph 1 of subsection 7 (4).
5. Paragraph 4 of subsection 8 (3) and paragraph 1 of subsection 8 (4).
6. Paragraph 2 of subsection 9 (3) and paragraph 1 of subsection 9 (4).
7. Paragraph 3 of subsection 10 (3) and paragraph 1 of subsection 10 (4).

(2) The IESO may establish protocols authorizing interim payments based on estimates with subsequent adjustments under any of the following provisions:

1. Paragraph 1 of subsection 5 (3) and paragraph 2 of subsection 5 (4).
2. Paragraph 2 of subsection 6 (3) and paragraph 2 of subsection 6 (4).
3. Paragraph 2 of subsection 7 (3) and paragraph 2 of subsection 7 (4).
4. Paragraph 3 of subsection 8 (3) and paragraph 2 of subsection 8 (4).
5. Paragraph 1 of subsection 9 (3) and paragraph 2 of subsection 9 (4).
6. Paragraph 2 of subsection 10 (3) and paragraph 2 of subsection 10 (4).

(3) If the IESO establishes protocols authorizing interim payments with subsequent adjustments under section 6, 7, 8 or 10, the Board may specify different periods for the interim payments and subsequent adjustments under any of the following corresponding provisions:

1. Paragraph 1 of subsection 6 (3) or paragraph 3 of subsection 6 (4).
2. Paragraph 1 of subsection 7 (3) and paragraph 3 of subsection 7 (4).
3. Paragraphs 1 and 2 of subsection 8 (3) and paragraphs 3 and 4 of subsection 8 (4).
4. Paragraph 1 of subsection 10 (3) and paragraph 3 of subsection 10 (4).

Rules re calculations

12. (1) Subsection (2) applies if, in a month,

- (a) a licensed distributor withdraws electricity from the IESO-controlled grid; and
- (b) an embedded generator also supplies electricity to the licensed distributor.

(2) The volume of electricity distributed during the month by the licensed distributor to each regulated consumer within the licensed distributor's service area shall be deemed to consist of electricity withdrawn by the licensed distributor from the IESO-controlled grid or supplied to the licensed distributor by an embedded generator, as the case may be, in the same proportion as the total volume of electricity withdrawn from the IESO-controlled grid by the licensed distributor during the month bears to the total volume of electricity supplied to the licensed distributor by embedded generators during the month.

- (3) Subsection (2) applies, with necessary modifications, with respect to embedded distributors.

Reporting to the OPA and Board

13. (1) Upon request, the IESO, a licensed distributor, embedded generator or retailer shall give the OPA such information relating to payments required by this Regulation as the OPA may require in the form and within the period specified by the OPA.

(2) Upon request, the OPA, the IESO, a licensed distributor, embedded generator or retailer shall give the Board such information relating to payments required by this Regulation as the Board may require in the form and within the period specified by the Board.

Method of payment

14. (1) Payments required by this Regulation between the IESO and the OPA may be made at the option of the OPA by way of set-off in the accounts maintained by the IESO.

(2) Payments required by this Regulation between licensed distributors and the IESO may be made at the option of the IESO by way of set-off in the accounts maintained by the IESO.

(3) Payments required by this Regulation between an embedded distributor and its host distributor may be made at the option of the host distributor by way of set-off in the accounts maintained by the host distributor.

(4) Payments required by this Regulation between a participating retailer and a licensed distributor who is a market participant may be made at the option of the licensed distributor by way of set-off in the accounts maintained by the licensed distributor.

(5) Payments required by this Regulation between a participating retailer and an embedded distributor may be made at the option of the embedded distributor by way of set-off in the accounts maintained by the embedded distributor.

Timing of payment by the OPA or IESO

15. (1) The OPA shall make each payment to the IESO that is required by this Regulation after the OPA receives the required information from the IESO in accordance with this Regulation, and the payment shall be reflected in the first invoice sent to the OPA after the IESO sends that information to the OPA.

(2) The IESO shall make each payment to a licensed distributor that is required by this Regulation after the IESO receives the required information from the licensed distributor in accordance with this Regulation, and the payment shall be reflected in the first invoice sent to the licensed distributor after the IESO receives that information from the licensed distributor.

Reliance on certain information

16. (1) For the purposes of the payments required by this Regulation between the IESO and the OPA or the IESO and licensed distributors, the IESO shall rely on the information provided to it by the licensed distributors.

(2) For the purposes of payments required by this Regulation between host distributors and embedded distributors, host distributors shall rely on the information provided to them by the embedded distributors.

(3) For the purposes of the payments required by section 7 or 9 between licensed distributors and the IESO or licensed distributors and participating retailers, licensed distributors shall rely on the information provided to them by the participating retailers.

(4) For the purposes of payments required by section 8 or 10 between embedded distributors and host distributors or embedded distributors and participating retailers, embedded distributors shall rely on the information provided to them by the participating retailers.

Transition, change in regulated prices

17. (1) This section applies with respect to a billing period that includes the first day in respect of which the regulated price payable for a regulated consumer is changed, whether by regulation or by the Board.

(2) The licensed distributor or, in the case of retailer-consolidated billing, the retailer may estimate the volume of electricity used by an regulated consumer during the billing period that is to be allocated to the portion of the billing period that precedes that day and the volume to be allocated to the portion of the billing period that falls on and after it.

18. This Regulation comes into force on the later of January 1, 2005 and the day it is filed.

ONTARIO REGULATION 431/04

made under the

ELECTRICITY ACT, 1998

Made: December 15, 2004

Filed: December 20, 2004

PAYMENTS RE SECTION 25.34 OF THE ACT**Interpretation**

1. (1) In this Regulation,

“contract price” means, with reference to a designated contract, the amount that would be payable for electricity by the regulated consumer under the contract, but for the operation of subsection 79.4 (1) or 79.16 (1) of the *Ontario Energy Board Act, 1998*;

“designated contract” means a contract entered into on or before November 11, 2002 between a regulated consumer and a retailer with respect to which a service transaction request as defined in the Retail Settlement Code is or has been implemented to enable the regulated consumer to purchase electricity from a competitive retailer as defined in the Retail Settlement Code, but does not include a contract renewed after December 9, 2002;

“embedded distributor” means a licensed distributor who is not a market participant and to whom a host distributor distributes electricity;

“host distributor” means a licensed distributor who is a market participant and who distributes electricity to another licensed distributor who is not a market participant;

“licensed distributor” means a distributor who is licensed under Part V of the *Ontario Energy Board Act, 1998*;

“participating retailer” means a retailer who has entered into one or more designated contracts;

“regulated consumer” means a consumer whose price or rate for electricity is determined by regulation or by the Board under subsection 78 (3.1), 79.4 (1) or 79.16 (1) of the *Ontario Energy Board Act, 1998*;

“Retail Settlement Code” means the Retail Settlement Code approved by the Board under the *Ontario Energy Board Act, 1998*.

(2) In this Regulation, a reference to a volume of electricity distributed by a licensed distributor includes the volume for total losses, as defined in the Retail Settlement Code, that is attributed to the licensed distributor’s consumers or to an embedded distributor.

(3) Payments required by this Regulation are in addition to any payments that may be required by the Retail Settlement Code.

Application

2. (1) This Regulation applies with respect to electricity to which a designated contract applies if the electricity is used by a regulated consumer on or after January 1, 2005.

(2) For the purposes of determining the volume of electricity used on or after January 1, 2005 if a billing period includes that day, a retailer who uses retailer-consolidated billing may estimate the volume of electricity used by a regulated consumer during the billing period that is to be allocated to the portion of the billing period before that day and the volume of electricity to be allocated to the portion of the billing period that is on and after that day.

Prescribed contracts

3. Contracts between participating retailers and regulated consumers that are designated contracts are prescribed for the purposes of subsection 25.34 (1) of the Act.

Payments, retailers using distributor-consolidated billing

4. (1) The following rules apply if a licensed distributor who is a market participant is required by the Retail Settlement Code to make a payment for electricity used by a regulated consumer under a designated contract to a participating retailer who is using distributor-consolidated billing for the contract:

1. The licensed distributor shall give the IESO such information as the IESO may specify with respect to the payment in the form specified by the IESO and before the expiry of the period specified by the IESO.
2. The IESO shall give the OPA such information as the OPA may specify with respect to the payment in the form specified by the OPA and before the expiry of the period specified by the OPA.

3. After receiving the information required under paragraph 2, the OPA shall make a payment to the IESO equal in amount to the payment required to be made by the licensed distributor to the participating retailer.
4. After receiving the information required under paragraph 1, the IESO shall make a payment to the licensed distributor equal in amount to the payment required under paragraph 3.

(2) The following rules apply if a participating retailer who is using distributor-consolidated billing for a designated contract is required by the Retail Settlement Code to make a payment to a licensed distributor for electricity used by a regulated consumer under the contract:

1. The licensed distributor shall give the IESO such information as the IESO may specify with respect to the payment in the form specified by the IESO and before the expiry of the period specified by the IESO.
2. The IESO shall give the OPA such information as the OPA may specify with respect to the payment in the form specified by the OPA and before the expiry of the period specified by the OPA.
3. The licensed distributor shall make a payment to the IESO before the expiry of the period specified by the IESO equal in amount to the payment by the participating retailer to the licensed distributor.
4. After receiving the information required under paragraph 1, but before the expiry of the period specified by the OPA, the IESO shall make a payment to the OPA equal in amount to the payment required under paragraph 3.

(3) If the OPA and the IESO establish protocols under section 8 authorizing interim payments based on estimates with subsequent adjustments, subsections (1) and (2) apply with necessary modifications with respect to the interim payments.

Payments, retailers using distributor-consolidated billing with embedded distributor

5. (1) The following rules apply if an embedded distributor is required by the Retail Settlement Code to make a payment for electricity used by a regulated consumer under a designated contract to a participating retailer who is using distributor-consolidated billing for the contract:

1. The embedded distributor shall give its host distributor such information as the IESO may specify with respect to the payment and shall do so before the expiry of the period specified by the host distributor.
2. The host distributor shall give the IESO such information as the IESO may specify with respect to the payment in the form specified by the IESO and before the expiry of the period specified by the IESO.
3. The IESO shall give the OPA such information as the OPA may specify with respect to the payment in the form specified by the OPA and before the expiry of the period specified by the OPA.
4. After receiving the information required under paragraph 3, the OPA shall make a payment to the IESO equal in amount to the payment by the embedded distributor to the participating retailer.
5. After receiving the information required under paragraph 2, the IESO shall make a payment to the host distributor of the embedded distributor equal in amount to the payment required under paragraph 4.
6. Before the expiry of the period specified by the Board, the host distributor shall make a payment to the embedded distributor equal in amount to the payment required under paragraph 4.

(2) The following rules apply if a participating retailer who is using distributor-consolidated billing for a designated contract is required by the Retail Settlement Code to make a payment to an embedded distributor for electricity used by a regulated consumer under the contract:

1. The embedded distributor shall give its host distributor such information as the IESO may specify with respect to the payment and shall do so before the expiry of the period specified by the host distributor.
2. The host distributor shall give the IESO such information as the IESO may specify with respect to the payment in the form specified by the IESO and before the expiry of the period specified by the IESO.
3. The IESO shall give the OPA such information as the OPA may specify with respect to the payment in the form specified by the OPA and before the expiry of the period specified by the OPA.
4. Before the expiry of the period specified by the Board, the embedded distributor shall make a payment to the host distributor equal in amount to the payment by the participating retailer to the embedded distributor.
5. Before the expiry of the period specified by the IESO, the host distributor shall make a payment to the IESO equal in amount to the payment required under paragraph 4.
6. After receiving the information required under paragraph 2 but before the expiry of the period specified by the OPA, the IESO shall make a payment to the OPA equal in amount to the payment required under paragraph 4.

(3) If the OPA and the IESO establish protocols under section 8 authorizing interim payments based on estimates with subsequent adjustments, subsections (1) and (2) apply with necessary modifications with respect to the interim payments.

Payments, retailers using retailer-consolidated billing

6. (1) In this section,

“A” is the amount, calculated at the contract price, that is payable for a volume of electricity supplied under a designated contract,

- (a) by a regulated consumer in the service area of a licensed distributor who is a market participant, and
- (b) to a participating retailer who is using retailer-consolidated billing;

“B” is the amount that would be payable by the participating retailer to the licensed distributor for the same volume of electricity in the same circumstances if the amount were to be calculated under the Retail Settlement Code.

(2) If there is a difference between a participating retailer’s “A” in respect of a designated contract and “B”,

- (a) the participating retailer shall give the licensed distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the licensed distributor;
- (b) the licensed distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and
- (c) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.

(3) The following rules apply if a participating retailer’s “A” in respect of a designated contract is greater than “B”:

- 1. The OPA shall make a payment equal in amount to the amount of the difference to the IESO after receiving the information required under clause (2) (c).
- 2. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the licensed distributor after receiving the information required under clause (2) (b).
- 3. The licensed distributor shall make a payment equal in amount to the payment required under paragraph 1 to the participating retailer before the expiry of the period specified by the Board.

(4) The following rules apply if a participating retailer’s “A” in respect of a designated contract is less than “B”:

- 1. The participating retailer shall make a payment equal in amount to the difference to the licensed distributor before the expiry of the period specified by the Board.
- 2. The licensed distributor shall make a payment equal in amount to the payment required under paragraph 1 to the IESO before the expiry of the period specified by the IESO.
- 3. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (b) and before the expiry of the period specified by the OPA.

(5) If the OPA and the IESO establish protocols under section 8 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Payments, retailers using retailer-consolidated billing with embedded distributor

7. (1) In this section,

“C” is the amount, calculated at the contract price, that is payable for electricity under a designated contract by a regulated consumer in an embedded distributor’s service area to a participating retailer who is using retailer-consolidated billing, for the volume of electricity supplied under the contract; and

“D” is the amount that would be payable by the participating retailer to the embedded distributor for the same volume of electricity in the same circumstances if the amount were to be calculated under the Retail Settlement Code.

(2) If there is a difference between a participating retailer’s “C” in respect of a designated contract and “D”,

- (a) the participating retailer shall give the embedded distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the embedded distributor;
- (b) the embedded distributor shall give its host distributor such information as the IESO may specify with respect to the amounts and shall do so before the expiry of the period specified by the host distributor;
- (c) the host distributor shall give the IESO such information as the IESO may specify with respect to the amounts in the form specified by the IESO and before the expiry of the period specified by the IESO; and
- (d) the IESO shall give the OPA such information as the OPA may specify with respect to the amounts in the form specified by the OPA and before the expiry of the period specified by the OPA.

(3) The following rules apply if a participating retailer’s “C” in respect of a designated contract is greater than “D”:

1. The OPA shall make a payment equal in amount to the difference to the IESO after receiving the information required under clause (2) (d).
2. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the host distributor after receiving the information required under clause (2) (c).
3. The host distributor shall make a payment equal in amount to the payment required under paragraph 1 to the embedded distributor before the expiry of the period specified by the Board.
4. The embedded distributor shall make a payment equal in amount to the payment required under paragraph 1 to the participating retailer before the expiry of the period specified by the Board.
- (4) The following rules apply if the participating retailer's "C" in respect of a designated contract is less than "D":
 1. The participating retailer shall make a payment equal in amount to the difference to the embedded distributor before the expiry of the period specified by the Board.
 2. The embedded distributor shall make a payment equal in amount to the payment required under paragraph 1 to its host distributor before the expiry of the period specified by the Board.
 3. The host distributor shall make a payment equal in amount to the payment required under paragraph 1 to the IESO before the expiry of the period specified by the IESO.
 4. The IESO shall make a payment equal in amount to the payment required under paragraph 1 to the OPA after receiving the information required under clause (2) (c) and before the expiry of the period specified by the OPA.

(5) If the OPA and the IESO establish protocols under section 8 authorizing interim payments based on estimates with subsequent adjustments, subsections (1), (2), (3) and (4) apply with necessary modifications with respect to the interim payments.

Interim payments based on estimates

8. (1) The OPA may establish protocols authorizing interim payments based on estimates with subsequent adjustments for payments required under any of the following provisions:

1. Paragraph 3 of subsection 4 (1) and paragraph 4 of subsection 4 (2).
2. Paragraph 4 of subsection 5 (1) and paragraph 6 of subsection 5 (2).
3. Paragraph 1 of subsection 6 (3) and paragraph 3 of subsection 6 (4).
4. Paragraph 1 of subsection 7 (3) and paragraph 4 of subsection 7 (4).

(2) The IESO may establish protocols authorizing interim payments based on estimates with subsequent adjustments for payments required under any of the following provisions:

1. Paragraph 4 of subsection 4 (1) and paragraph 3 of subsection 4 (2).
2. Paragraph 5 of subsection 5 (1) and paragraph 5 of subsection 5 (2).
3. Paragraph 2 of subsection 6 (3) and paragraph 2 of subsection 6 (4).
4. Paragraph 2 of subsection 7 (3) and paragraph 3 of subsection 7 (4).

(3) If the IESO establishes protocols authorizing interim payments with subsequent adjustments for any payments required under section 5, 6 or 7, the Board may specify different periods for the interim payments and subsequent adjustments under any of the following corresponding provisions:

1. Paragraph 6 of subsection 5 (1) and paragraph 4 of subsection 5 (2).
2. Paragraph 3 of subsection 6 (3) and paragraph 1 of subsection 6 (4).
3. Paragraphs 3 and 4 of subsection 7 (3) and paragraphs 1 and 2 of subsection 7 (4).

Reporting to the OPA and the Board

9. (1) Upon request, the IESO or a licensed distributor or participating retailer shall give the OPA such information relating to payments required by this Regulation as the OPA may require in the form and within the period specified by the OPA.

(2) Upon request, the OPA, the IESO or a licensed distributor or participating retailer shall give the Board such information relating to payments required by this Regulation as the Board may require in the form and within the period specified by the Board.

Method of payment

10. (1) Payments required by this Regulation between the IESO and the OPA may be made at the option of the OPA by way of set-off in the accounts maintained by the IESO.

(2) Payments required by this Regulation between licensed distributors and the IESO may be made at the option of the IESO by way of set-off in the accounts maintained by the IESO.

(3) Payments required by this Regulation between an embedded distributor and its host distributor may be made at the option of the host distributor by way of set-off in the accounts maintained by the host distributor.

(4) Payments required by this Regulation between a participating retailer and a licensed distributor who is a market participant may be made at the option of the licensed distributor by way of set-off in the accounts maintained by the licensed distributor.

(5) Payments required by this Regulation between a participating retailer and an embedded distributor may be made at the option of the embedded distributor by way of set-off in the accounts maintained by the embedded distributor.

Timing of payments by the OPA or IESO

11. (1) The OPA shall make each payment to the IESO required by this Regulation after the OPA receives the required information from the IESO in accordance with this Regulation, and the payment shall be reflected in the first invoice sent to the OPA after the IESO sends that information to the OPA.

(2) The IESO shall make each payment to a licensed distributor that is required by this Regulation after the IESO receives the required information from the licensed distributor in accordance with this Regulation, and the payment shall be reflected in the first invoice sent to the licensed distributor after the IESO receives that information from the licensed distributor.

Reliance on certain information

12. (1) For the purposes of the payments required by this Regulation between the IESO and the OPA or the IESO and licensed distributors, the IESO shall rely on the information provided to it by the licensed distributors.

(2) For the purposes of payments required by this Regulation between host distributors and embedded distributors, host distributors shall rely on the information provided to them by the embedded distributors.

(3) For the purposes of the payments required by section 4 or 6 between licensed distributors and the IESO or licensed distributors and participating retailers, licensed distributors shall rely on the information provided to them by the participating retailers.

(4) For the purposes of payments required by section 5 or 7 between embedded distributors and host distributors or embedded distributors and participating retailers, embedded distributors shall rely on the information provided to them by the participating retailers.

Commencement

13. This Regulation comes into force on the later of January 1, 2005 and the day this Regulation is filed.

2/05

ONTARIO REGULATION 432/04

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: December 15, 2004

Filed: December 20, 2004

Amending O. Reg. 275/04

(Information on Invoices to Low-Volume Consumers of Electricity)

Note: Ontario Regulation 275/04 has not previously been amended.

1. Section 9 of Ontario Regulation 275/04 is revoked and the following substituted:

Restriction

9. (1) Except as specified by this Regulation or by a regulation made under the Act or the *Electricity Act, 1998*, an invoice shall not include on it any information about the subject matters to which the heading and sub-headings in section 1 refer.

(2) An invoice may include information concerning any adjustments to billing information relating to any subject matter referred to in this Regulation.

2/05

ONTARIO REGULATION 433/04

made under the

NURSING ACT, 1991

Made: November 25, 2004
Approved: December 8, 2004
Filed: December 20, 2004

Amending O. Reg. 275/94
(General)

Note: Ontario Regulation 275/94 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Paragraph 4 of subsection 1 (1) of Ontario Regulation 275/94 is revoked and the following substituted:

4. Transitional.

2. Paragraph 4 of subsection 2 (1) of the Regulation is revoked and the following substituted:

4. Transitional.

3. (1) Paragraph 1 of subsection 5 (1) of the Regulation is amended by striking out “*Narcotic Control Act (Canada)*” and substituting “*Controlled Drugs and Substances Act (Canada)*”.

(2) Paragraph 1 of subsection 5 (3) of the Regulation is amended by striking out “*Narcotic Control Act (Canada)*” and substituting “*Controlled Drugs and Substances Act (Canada)*”.

4. (1) Paragraph 3 of subsection 6 (1) of the Regulation is amended by striking out “set by the Canadian Nurses Association” and substituting “set by or administered by the College”.

(2) Subsection 6 (1.1) of the Regulation is amended by adding “Subject to subsections (1.3) and (1.3.1),” at the beginning of the portion before paragraph 1.

(3) Paragraph 3 of subsection 6 (1.1) of the Regulation is amended by striking out “set by the Canadian Nurses Association” and substituting “set by or administered by the College”.

(4) Subsection 6 (1.3) of the Regulation is revoked and the following substituted:

(1.3) Subsection (1.1) applies to any application for a general certificate of registration as a registered nurse unless,

(a) the applicant applied for and met all of the requirements for that certificate prior to January 1, 2005, including meeting the requirements of subsection (1);

(b) the applicant met all of the requirements for that certificate prior to January 1, 2005, other than the examination requirement of paragraph 3 of subsection (1), and,

(i) the applicant met that examination requirement prior to November 1, 2005, and

(ii) the Registration Committee determined that the applicant had practised safely as a registered nurse during the five years immediately prior to the applicant’s meeting that examination requirement;

(c) the applicant, while holding a transitional certificate of registration as a registered nurse, successfully completed an educational program which resulted in the applicant meeting the requirements of paragraph 1 of subsection (1.1); or

(d) the applicant meets the requirements of section 8.1.

(1.3.1) The requirements set out in subsection (1) continue to apply to an applicant described in clause (1.3) (b).

(5) Paragraph 3 of subsection 6 (2) of the Regulation is amended by striking out “set by the Canadian Nurses Association” and substituting “set by or administered by the College”.

(6) Subsection 6 (2.1) of the Regulation is amended by adding “Subject to subsections (2.2) and (2.2.1),” at the beginning of the portion before paragraph 1.

(7) Paragraph 3 of subsection 6 (2.1) of the Regulation is amended by striking out “set by the Canadian Nurses Association” and substituting “set by or administered by the College”.

(8) Subsection 6 (2.2) of the Regulation is revoked and the following substituted:

(2.2) Subsection (2.1) applies to any application for a general certificate of registration as a registered practical nurse unless,

- (a) the applicant applied for and met all of the requirements for that certificate prior to January 1, 2005, including meeting the requirements of subsection (2);
- (b) the applicant met all of the requirements for that certificate prior to January 1, 2005, other than the examination requirement of paragraph 3 of subsection (2), and,
 - (i) the applicant met that examination requirement prior to November 1, 2005, and
 - (ii) the Registration Committee determined that the applicant had practised safely as a registered practical nurse during the five years immediately prior to the applicant’s meeting that examination requirement;
- (c) the applicant, while holding a transitional certificate of registration as a registered practical nurse, successfully completed an educational program which resulted in the applicant meeting the requirements of paragraph 1 of subsection (2.1); or
- (d) the applicant meets the requirements of section 8.2.

(2.2.1) The requirements set out in subsection (2) continue to apply to an applicant described in clause (2.2) (b).

5. (1) Clause 7 (1) (a) of the Regulation is revoked and the following substituted:

- (a) passes the applicable examination that is a requirement for a general certificate of registration, or an examination approved as equivalent by the Registration Committee; and

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

(2) A member holding a transitional certificate of registration as a registered nurse is entitled to a general certificate of registration as a registered nurse if the member successfully completes an educational program which results in the member meeting the requirements of paragraph 1 of subsection 6 (1.1).

(3) A member holding a transitional certificate of registration as a registered practical nurse is entitled to a general certificate of registration as a registered practical nurse if the member successfully completes an educational program which results in the member meeting the requirements of paragraph 1 of subsection 6 (2.1).

6. The Regulation is amended by adding the following sections immediately before the heading “TEMPORARY CERTIFICATES OF REGISTRATION”:

8.1 (1) Subject to subsection (3), an applicant who meets all of the following requirements shall have met the requirements for a general certificate of registration as a registered nurse:

1. The applicant must, prior to January 1, 2005, have been registered to practise nursing in another province or territory in Canada with a certificate or licence considered by the Registration Committee to be equivalent to a general certificate of registration as a registered nurse.
2. The applicant must provide written confirmation from the regulatory body for nursing in each province or territory in Canada in which the applicant practised during the five years prior to the date of application verifying that the applicant, while registered, met that regulatory body’s continuing competence or quality assurance requirements.
3. The applicant,
 - i. in the opinion of the Executive Director or the Registration Committee, as the case may be, must have no additional need for education or experience based on evidence of safe nursing practice during the preceding five years, or
 - ii. must have successfully completed such additional education requirements as shall be determined by the Registration Committee.
4. The applicant must meet the requirements of section 5.

(2) Where the Executive Director is not satisfied that the applicant meets the requirements of subparagraph 3 i of subsection (1), the Executive Director shall refer the application to the Registration Committee to consider what additional education would need to be taken by the applicant to meet the requirements of subparagraph 3 ii of subsection (1).

(3) Subsection (1) is not applicable to an applicant,

- (a) who, at any time, was the subject of a proceeding for professional misconduct, incompetence or incapacity in relation to the nursing profession or another health profession, other than a proceeding which was completed based upon its merits;
 - (b) who, at any time, was the subject of an inquiry or investigation by or on behalf of a regulatory body governing nursing in a province or territory in Canada, which was not completed on its merits or which resulted in the resignation of the applicant as a member of that regulatory body;
 - (c) who, at the time of the application, was the subject of an outstanding order or decision of a regulatory body governing nursing in a province or territory in Canada;
 - (d) who, at the time of the application, was in breach of an order or in violation of a decision of a regulatory body governing nursing in a province or territory in Canada;
 - (e) who, at any time, was in breach of any written agreement with or undertaking provided to a regulatory body governing nursing in a province or territory in Canada; or
 - (f) whose right to practise in a province or territory in Canada was, at the time of the application, subject to terms, conditions or limitations, other than those applicable to all members of the class of certificate of registration which the applicant held.
- (4) The requirements of paragraphs 1, 2 and 3 of subsection (1) are non-exemptible.

8.2 (1) Subject to subsection (3), an applicant who meets all of the following requirements shall have met the requirements for a certificate of registration as a registered practical nurse:

- 1. The applicant must, prior to January 1, 2005, have been registered to practise nursing in another province or territory in Canada with a certificate or licence considered by the Registration Committee to be equivalent to a general certificate of registration as a registered practical nurse.
- 2. The applicant must provide written confirmation from the regulatory body for nursing in each province or territory in Canada in which the applicant practised during the five years prior to the date of application verifying that the applicant, while registered, met that regulatory body's continuing competence or quality assurance requirements.
- 3. The applicant,
 - i. in the opinion of the Executive Director or Registration Committee, as the case may be, must have no additional need for education or experience based on evidence of safe nursing practice during the preceding five years, or
 - ii. must have successfully completed such additional education requirements as shall be determined by the Registration Committee.
- 4. The applicant must meet the requirements of section 5.

(2) Where the Executive Director is not satisfied that the applicant meets the requirements of subparagraph 3 i of subsection (1), the Executive Director shall refer the application to the Registration Committee to consider what additional education would need to be taken by the applicant to meet the requirements of subparagraph 3 ii of subsection (1).

(3) Subsection (1) is not applicable to an applicant,

- (a) who, at any time, was the subject of a proceeding for professional misconduct, incompetence or incapacity in relation to the nursing profession or another health profession, other than a proceeding which was completed based upon its merits;
 - (b) who, at any time, was the subject of an inquiry or investigation by or on behalf of a regulatory body governing nursing in a province or territory in Canada, which was not completed on its merits or which resulted in the resignation of the applicant as a member of that regulatory body;
 - (c) who, at the time of the application, was the subject of an outstanding order or decision of a regulatory body governing nursing in a province or territory in Canada;
 - (d) who, at the time of the application, was in breach of an order or in violation of a decision of a regulatory body governing nursing in a province or territory in Canada;
 - (e) who, at any time, was in breach of any written agreement with or undertaking provided to a regulatory body governing nursing in a province or territory in Canada; or
 - (f) whose right to practise in a province or territory in Canada was, at the time of the application, subject to terms, conditions or limitations, other than those applicable to all members of the class of certificate of registration which the applicant held.
- (4) The requirements of paragraphs 1, 2 and 3 of subsection (1) are non-exemptible.

7. (1) Subsection 9 (1) of the Regulation is revoked.

(2) Subparagraph 1 i of subsection 9 (2) of the Regulation is amended by striking out “or provisional”.

(3) Subparagraph 1 ii of subsection 9 (2) of the Regulation is amended by striking out “or provisional”.

(4) Subsection 9 (2) of the Regulation is amended by adding the following paragraph:

2.1 Since meeting the educational requirements mentioned in paragraph 2, the applicant must not have failed an examination that, if passed, would have met the examination requirement for registration in the general class. This paragraph only applies to an applicant whose application for registration in a temporary class is received after it comes into force.

(5) Subparagraphs 3 i and ii of subsection 9 (2) of the Regulation are revoked and the following substituted:

- i. as a registered nurse in the case of a registered nurse applicant, or
- ii. as a registered practical nurse in the case of a registered practical nurse applicant.

(6) Paragraph 4 of subsection 9 (2) of the Regulation is revoked.

(7) Subparagraph 3 ii of subsection 9 (3) of the Regulation is revoked and the following substituted:

- ii. in the case of an applicant for a certificate of registration as a registered practical nurse, proof of registration or eligibility for registration as a registered practical nurse in the jurisdiction in which the registered practical nurse or registered nursing assistant program was located.

(8) Paragraphs 6 and 7 of subsection 9 (3) of the Regulation are revoked and the following substituted:

6. An applicant for a certificate of registration as a registered nurse must,
 - i. have graduated, not more than one year prior to the date of his or her application, from a program described in subparagraph 1 i, ii or iii of subsection 6 (1) or a program described in subparagraph 1 i, ii, iii or iv of subsection 6 (1.1), or
 - ii. satisfy the Registration Committee that within the year immediately preceding the date of his or her application he or she has practised safely in nursing as a registered nurse.
7. An applicant for a certificate of registration as a registered practical nurse must,
 - i. have graduated, not more than one year prior to the date of his or her application, from a program described in subparagraph 1 i, ii, iii or v of subsection 6 (2), or a program described in subparagraph 1 i, ii, iii, iv or vi of subsection 6 (2.1), or
 - ii. satisfy the Registration Committee that within the year immediately preceding the date of his or her application he or she has practised safely in nursing as a registered practical nurse, registered nursing assistant or registered nurse.

(9) Subsection 9 (4) of the Regulation is amended by striking out “applicable”.

(10) Subsections 9 (5) to (9) of the Regulation are revoked and the following substituted:

(5) The following are conditions of a temporary certificate of registration:

1. The member shall practise the profession only within the facility referred to in paragraph 3 of subsection (2) and only within the scope of his or her employment with that facility.
2. The member's practice must be monitored and directed by a member of the College holding a general or extended class certificate of registration.
3. The member shall not perform a controlled or authorized act, including one which is delegated to him or her, unless the act is ordered,
 - i. pursuant to clause 5 (1) (b) of the Act, or
 - ii. by a registered nurse in the general class or a registered nurse in the extended class.
4. The member shall not supervise, monitor or direct the performance of a controlled or authorized act or the practice of another member in any class.
5. The member shall not delegate to another member or any other person the authority to perform a controlled or authorized act.
6. The member shall at all times when providing nursing services identify himself or herself as a temporary member.
7. The member shall be restricted to the use of the following title:
 - i. in the case of the holder of a temporary certificate of registration as a registered nurse, “Registered Nurse (Temporary)” or “RN (Temp)”, or

ii. in the case of the holder of a temporary certificate of registration as a registered practical nurse, "Registered Practical Nurse (Temporary)" or "RPN (Temp)".

(6) Subject to subsection (7), a member's temporary certificate of registration is automatically revoked on the happening of any of the following events:

1. The expiry of six months from the date the certificate was issued.
2. The issuance of a general certificate of registration in the same class as the temporary certificate of registration.
3. Receipt of notification of the failure of an examination that, if passed, would have satisfied the examination requirement for registration in the general class for the class of nurse for which the temporary certificate was issued.

(7) The provisions of subsection (6) do not apply to a holder of a temporary certificate of registration who met all of the requirements for the issuance of that certificate prior to the coming into force of Ontario Regulation 433/04.

(8) The provisions of subsections 9 (6) and (7) of this Regulation, as they read immediately before the coming into force of Ontario Regulation 433/04, continue to apply to the holder of a temporary certificate of registration who met all the requirements for the issuance of that certificate prior to the coming into force of that regulation.

(9) Where the member obtains alternate or additional employment as a nurse in the same class for which the temporary certificate of registration was issued, the member may only practise the profession under that employment if,

- (a) the employment is with an Ontario facility that is described in Schedule 1 or approved by the Registration Committee; and
- (b) the member has first filed with the College a written offer of employment from that facility.

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

TRANSITIONAL CERTIFICATES OF REGISTRATION

11. (1) Subject to subsection (3), an applicant who meets all of the following requirements shall have met the requirements for a transitional certificate of registration as a registered nurse:

1. The applicant must have applied for a transitional certificate of registration as a registered nurse after December 31, 2004 and before January 1, 2007.
2. At the time of application for that certificate, the applicant must have been registered in another province or territory in Canada as a registered nurse with a certificate or licence considered by the Registration Committee to be equivalent to a general certificate of registration as a registered nurse.
3. The applicant must provide written confirmation from the regulatory body for nursing in each province or territory in Canada in which the applicant practised during the five years prior to the date of application verifying that the applicant while registered met that regulatory body's continuing competence or quality assurance requirements.
4. The applicant must provide evidence of safe nursing practice during the preceding five years that is satisfactory to the Executive Director or the Registration Committee, as the case may be.
5. The applicant must have enrolled in a course or courses or program, successful completion of which would result in the applicant meeting the requirements of paragraph 1 of subsection 6 (1.1) or have signed an undertaking with the College, in a form acceptable to the Registration Committee, to enrol in the required course or courses or program within a reasonable period of time.
6. The applicant must meet the requirements of section 5.

(2) Subject to subsection (3), an applicant who meets all of the following requirements shall have met the requirements for a transitional certificate of registration as a registered practical nurse:

1. The applicant must have applied for a transitional certificate of registration as a registered practical nurse after December 31, 2004 and before January 1, 2007.
2. At the time of application for that certificate, the applicant must have been registered in another province or territory in Canada as a registered practical nurse with a certificate or licence considered by the Registration Committee to be equivalent to a general certificate of registration as a registered practical nurse.
3. The applicant must provide written confirmation from the regulatory body for nursing in each province or territory in Canada in which the applicant practised during the five years prior to the date of application verifying that the applicant while registered met that regulatory body's continuing competence or quality assurance requirements.
4. The applicant must provide evidence of safe nursing practice during the preceding five years that is satisfactory to the Executive Director or the Registration Committee, as the case may be.

5. The applicant must have enrolled in a course or courses or program, successful completion of which would result in the applicant meeting the requirements of paragraph 1 of subsection 6 (2.1) or have signed an undertaking with the College, in a form acceptable to the Registration Committee, to enrol in the required course or courses or program within a reasonable period of time.
 6. The applicant must meet the requirements of section 5.
- (3) Subsections (1) and (2) are not applicable to an applicant,
- (a) who, at any time, was the subject of a proceeding for professional misconduct, incompetence or incapacity in relation to the nursing profession or another health profession, other than a proceeding which was completed based upon its merits;
 - (b) who, at any time, was the subject of an inquiry or investigation by or on behalf of a regulatory body governing nursing in a province or territory in Canada, which was not completed on its merits or which resulted in the resignation of the applicant as a member of that regulatory body;
 - (c) who, at the time of the application, was the subject of an outstanding order or decision of a regulatory body governing nursing in a province or territory in Canada;
 - (d) who, at the time of the application, was in breach of an order or in violation of a decision of a regulatory body governing nursing in a province or territory in Canada;
 - (e) who, at any time, was in breach of any written agreement with or undertaking provided to a regulatory body governing nursing in a province or territory in Canada; or
 - (f) whose right to practise in another province or territory in Canada was, at the time of the application, subject to terms, conditions or limitations, other than those applicable to all members of the class of certificate of registration which the applicant held.
- (4) The requirements of paragraphs 1, 2, 3, 4 and 5 of subsection (1) are non-exemptible.
- (5) The requirements of paragraphs 1, 2, 3, 4 and 5 of subsection (2) are non-exemptible.
- (6) A transitional certificate of registration is subject to the following terms, conditions and limitations:
1. The member shall provide information to the Executive Director verifying the member's enrolment in the course or courses or program referred to in paragraph 5 of subsection (1), in the case of a registered nurse, or paragraph 5 of subsection (2), in the case of a registered practical nurse, when requested in writing to do so by the Executive Director, and on the Annual Payment Form sent each year by the College to the member.
 2. A transitional certificate of registration is automatically revoked on the date the member receives a general certificate of registration of the same membership class as the transitional certificate of registration, unless one of the following occurs first, in which case the transitional certificate of registration is revoked on the occurrence:
 - i. In the case of a transitional certificate of registration as a registered nurse, the date which is four years after the issuance of that transitional certificate of registration, or December 31, 2010, whichever is earlier.
 - ii. In the case of a transitional certificate of registration as a registered practical nurse, on the date which is two years after the issuance of that transitional certificate of registration, or December 31, 2008, whichever is earlier.
 3. A transitional certificate of registration is automatically revoked if the member fails to provide information referred to in paragraph 1, as of the date that is 30 days after written notice is given to the member of the failure.
 4. A transitional certificate of registration is automatically revoked if the member fails to satisfy either the Executive Director or the Registration Committee, as the case may be, that the member is making reasonable efforts to complete the course or courses or program referred to in paragraph 5 of subsection (1) in the case of a member holding a transitional certificate of registration as a registered nurse or the course or courses or program referred to in paragraph 5 of subsection (2), in the case of a member holding a transitional certificate of registration as a registered practical nurse.
- 9. Paragraph 2 of subsection 11.1 (2) of the Regulation is amended by striking out "*Immigration Act (Canada)*" and substituting "*Immigration and Refugee Protection Act (Canada)*".**
- 10. Section 12 of the Regulation is revoked and the following substituted:**

EXAMINATION

12. (1) The College shall ensure that the examination that is a requirement for a general certificate of registration in each of the membership classes is held in Ontario at least once every six months.

(2) Subject to subsection (3), a person who meets the following requirements is entitled to take the examination that is a requirement for a general certificate of registration as a registered nurse:

1. The person must file a completed examination application form with the College at least 90 days before the day of the examination.
2. The person must pay the required examination fee to the College at least 90 days before the day of the examination.
3. The person must meet the requirements of paragraph 1 of subsection 6 (1), in the case of an applicant who applied for a general certificate of registration as a registered nurse prior to January 1, 2005, or meet the requirements of paragraph 1 of subsection 6 (1.1), in the case of an applicant who applied for a general certificate of registration as a registered nurse after December 31, 2004.
4. The person must not be ineligible to take the examination as a result of subsection (6).

(3) An applicant who applied for a general certificate of registration as a registered nurse prior to January 1, 2005 and who met the requirements of paragraph 1 of subsection 6 (1) but who does not meet the requirements of paragraph 1 of subsection 6 (1.1) shall only be eligible to take the examination until the earlier of,

- (a) November 1, 2005; or
- (b) in the case of an applicant,
 - (i) who met the requirement of subparagraph 2 i of subsection 6 (1), the expiry of five years from the completion of the program referred to in that subparagraph,
 - (ii) who met the requirement of subparagraph 2 ii of subsection 6 (1), the expiry of five years from the date the applicant last practised safely, as determined by the Registration Committee, or
 - (iii) who met the requirement of subparagraph 2 iii of subsection 6 (1), the expiry of five years from successful completion of the additional education or additional experience referred to in that subparagraph.

(4) Subject to subsection (5), a person who meets the following requirements is entitled to take the examination that is a requirement for a general certificate of registration as a registered practical nurse:

1. The person must file a complete examination application form with the College at least 90 days before the day of the examination.
2. The person must pay the required examination fee to the College at least 90 days before the day of the examination.
3. The person must meet the requirement of paragraph 1 of subsection 6 (2), in the case of an applicant who applied for a general certificate of registration as a registered practical nurse prior to January 1, 2005, or meet the requirements of paragraph 1 of subsection 6 (2.1), in the case of an applicant who applied for a general certificate of registration as a registered practical nurse after December 31, 2004.
4. The person must not be ineligible to take the examination as a result of subsection (6).

(5) An applicant who applied for a general certificate of registration as a registered practical nurse prior to January 1, 2005 and who met the requirements of paragraph 1 of subsection 6 (2) but who does not meet the requirements of paragraph 1 of subsection 6 (2.1) shall only be eligible to take the examination until the earlier of,

- (a) November 1, 2005; or
- (b) in the case of an applicant,
 - (i) who met the requirement of subparagraph 2 i of subsection 6 (2), the expiry of five years from the completion of the program referred to in that subparagraph,
 - (ii) who met the requirement of subparagraph 2 ii of subsection 6 (2), the expiry of five years from the date the applicant last practised safely, as determined by the Registration Committee, or
 - (iii) who met the requirement of subparagraph 2 iii of subsection 6 (2), the expiry of five years from successful completion of the additional education or additional experience referred to in that subparagraph.

(6) Subject to subsection (7), a person is ineligible to take the examination if after meeting the requirements referred to in paragraph 3 of subsection (2) or paragraph 3 of subsection (4),

- (a) the person successfully completed an examination which met the requirement for registration in that general class;
- (b) the person was the subject of a decision from the Registration Committee respecting the person's eligibility to take the examination and the person is no longer eligible under that decision to take the examination; or
- (c) the person is a person not referred to in clause (b) and the person failed on three or more previous occasions an examination which would have met the examination requirement for registration in that general class.

(7) Without in any way limiting the provisions of subsections (3) and (5), the provisions of clause (6) (c) shall not apply to a person who was eligible to take the applicable examination prior to the coming into force of Ontario Regulation 433/04 until the person is no longer eligible to take the examination under the provisions that existed immediately before the coming into force of that regulation.

(8) For greater clarity, an examination taken prior to the applicant's successful completion of the program referred to in paragraph 1 of subsection 6 (1) or (1.1), in the case of a registered nurse, or paragraph 1 of subsection 6 (2) or (2.1), in the case of a registered practical nurse, shall not be considered in determining eligibility pursuant to subsection (6).

Made by:

COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

ANNE L. COGHLAN
Executive Director

SUE BURNELL-JONES
Vice-President

Date made: November 25, 2004.

2/05

ONTARIO REGULATION 434/04

made under the

LIQUOR LICENCE ACT

Made: December 8, 2004
Filed: December 21, 2004

Amending Reg. 718 of R.R.O. 1990
(General)

Note: Regulation 718 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Regulation 718 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

WARNING REGARDING CONSUMPTION OF ALCOHOL DURING PREGNANCY

26.1 (1) The warning sign referred to in subsection 30.1 (1) of the Act shall be in the form posted on the web site of the Ministry of Consumer and Business Services (www.cbs.gov.on.ca/mcbs/english/pdf/warningsign.pdf) and bearing the words “WARNING: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby”.

(2) In addition to the warning sign referred to in subsection (1), the warning sign may be in French and if a warning sign in French is used, it shall be in the form posted on the web site of the Ministry of Consumer and Business Services (www.cbs.gov.on.ca/mcbs/francais/pdf/warningsign_fr.pdf) and bearing the words “AVERTISSEMENT: La consommation d'alcool pendant la grossesse peut occasionner des anomalies congénitales et des lésions cérébrales à votre bébé”.

(3) The warning sign shall be at least 8 inches by 10 inches in size.

(4) The following premises are required to display the warning sign:

1. Premises to which a licence to sell liquor applies.
2. Premises to which a licence to operate a brew on premise facility applies.
3. A government store.

(5) The warning sign shall be prominently displayed and visible to patrons, as follows:

1. On premises with a licence to sell liquor, in a location where liquor is sold and served.
2. On premises with a licence to operate a brew on premise facility, in a location where persons make beer or wine.
3. In a government store, in a location where liquor is purchased.

(6) The reference to the warning sign incorporated by reference under subsections (1) and (2) includes amendments made to the sign from time to time after February 1, 2005.

2. This Regulation comes into force on February 1, 2005.

2/05

ONTARIO REGULATION 435/04

made under the

HIGHWAY TRAFFIC ACT

Made: December 20, 2004

Filed: December 21, 2004

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. (1) Part 3 of Schedule 67 to Regulation 619 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraphs:

District of Nipissing — Twps. of Phelps and Poitras — Hamlet of Eldee

2. That part of the King's Highway known as No. 63 in the Township of Phelps in the Territorial District of Nipissing lying between a point situate 190 metres measured northerly from its intersection with the centre line of the roadway known as Mountain View Road and a point situate 500 metres measured southerly from its intersection with the centre line of the roadway known as S. Jct. of Veterans Road in the hamlet of Eldee in the Township of Poitras.

District of Nipissing — Twp. of Poitras — Hamlet of Thorne

3. That part of the King's Highway known as No. 63 in the Township of Poitras in the Territorial District of Nipissing lying between a point situate 150 metres measured northerly from its intersection with the centre line of the roadway known as N. Jct. of Veterans Road and a point situate 200 metres measured southerly from its intersection with the centre line of the roadway known as Maple Street in the hamlet of Thorne.

(2) Part 5 of Schedule 67 to the Regulation is amended by adding the following paragraph:

District of Nipissing — Twp. of Poitras — Hamlet of Eldee

2. That part of the King's Highway known as No. 63 in the Township of Poitras in the Territorial District of Nipissing lying between a point situate 500 metres measured southerly from its intersection with the centre line of the roadway known as S. Jct. of Veterans Road and a point situate 150 metres measured northerly from its intersection with the centre line of the roadway known as N. Jct. of Veterans Road in the hamlet of Eldee.

2. (1) Part 5 of Schedule 145 to the Regulation is amended by adding the following paragraph:

District of Sudbury — Municipality of St. Charles

3. That part of the King's Highway known as No. 535 in the Territorial District of Sudbury lying between a point situate 200 metres measured southerly from the south approach of the structure of the South Branch of the West Arm of Lake Nipissing in the Municipality of St. Charles and a point situate 50 metres measured northerly from its intersection with the centre line of the roadway known as North Shore Road.

(2) Part 6 of Schedule 145 to the Regulation is amended by adding the following paragraph:

District of Sudbury — Town of Hagar, Twp. of Dunnet

3. That part of the King's Highway known as No. 535 in the Township of Dunnet in the Territorial District of Sudbury lying between a point situate 860 metres measured southerly from its intersection with the King's Highway known as No. 17 and a point situate 500 metres measured northerly from its intersection with the King's Highway known as No. 17 in the Town of Hagar.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: December 20, 2004.

2/05

ONTARIO REGULATION 436/04

made under the

HIGHWAY TRAFFIC ACT

Made: December 20, 2004

Filed: December 21, 2004

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. (1) Paragraph 1 of Part 1 of Schedule 125 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

Lambton — City of Sarnia

Middlesex — City of London

1. That part of the eastbound lanes of the King's Highway known as No. 402 lying between a point situate 300 metres measured easterly from its intersection with the roadway known as Colborne Street in the City of Sarnia in the County of Lambton and a point situate at its intersection with the northern limit of the King's Highway known as No. 401 in the City of London in the County of Middlesex.

Middlesex — City of London

Lambton — City of Sarnia

2. That part of the westbound lanes of the King's Highway known as No. 402 lying between a point situate at its intersection with the northern limit of the King's Highway known as No. 401 in the City of London in the County of Middlesex and a point situate 2363 metres measured westerly from its intersection with the western limit of the roadway known as Waterworks Road in the City of Sarnia in the County of Lambton.

(2) Part 3 of Schedule 125 to the Regulation is amended by adding the following paragraph:

Lambton — City of Sarnia

1. That part of the westbound lanes of the King's Highway known as No. 402 in the City of Sarnia in the County of Lambton lying between a point situate 2363 metres measured westerly from its intersection with the western limit of the roadway known as Waterworks Road and a point situate 90 metres measured easterly from its intersection with the eastern limit of the roadway known as Blackwell Sideroad.

(3) Paragraph 1 of Part 4 of Schedule 125 to the Regulation is revoked and the following substituted:

Lambton — Village of Point Edward — City of Sarnia

1. That part of the eastbound lanes of the King's Highway known as No. 402 in the County of Lambton lying between a point situate 700 metres measured westerly from its intersection with the roadway known as Front Street in the Village of Point Edward and a point situate 300 metres measured easterly from its intersection with the roadway known as Colborne Street in the City of Sarnia.

Lambton — City of Sarnia — Village of Point Edward

2. That part of the westbound lanes of the King's Highway known as No. 402 in the County of Lambton lying between a point situate 90 metres measured easterly from its intersection with the eastern limit of the roadway known as Blackwell Sideroad in the City of Sarnia and a point situate 700 metres measured westerly from its intersection with the roadway known as Front Street in the Village of Point Edward.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: December 20, 2004.

2/05

ONTARIO REGULATION 437/04

made under the

HIGHWAY TRAFFIC ACT

Made: December 20, 2004
Filed: December 21, 2004

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. (1) Paragraph 4 of Part 1 of Schedule 13 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

District of Parry Sound — Municipality of Powassan, District of Nipissing — City of North Bay

4. That part of the King's Highway known as No.11 in the Territorial District of Parry Sound lying between a point situate 785 metres measured southerly from its intersection with the centre line of the roadway known as McFadden Line in the Municipality of Powassan and a point situate 850 metres measured southerly from its intersection with the centre line of the southerly junction of the King's Highway known as No. 17 in the City of North Bay in the Territorial District of Nipissing.

(2) Paragraphs 9, 10 and 14 of Part 3 of Schedule 13 to the Regulation are revoked and the following substituted:

District of Nipissing — City of North Bay

9. That part of the King's Highway known as No. 11 in the City of North Bay in the Territorial District of Nipissing beginning at a point situate 850 metres measured southerly from its intersection with the centre line of the southerly junction of the King's Highway known as No. 17 and extending northerly for a distance of 850 metres.
10. That part of the King's Highway known as Nos. 11 and 17 in the City of North Bay in the Territorial District of Nipissing lying between a point situate at its intersection with the centre line of the southerly junction of the King's Highway known as No. 17 and a point situate at its intersection with the westerly limit of the northerly junction of the King's Highway known as No. 17.

District of Nipissing — City of North Bay

14. That part of the King's Highway known as No. 11 in the City of North Bay in the Territorial District of Nipissing lying between a point situate 525 metres measured northerly from its intersection with the centre line of the roadway known as Airport Road and a point situate 1535 metres measured northerly from its intersection with the centre line of the roadway known as Cedar Heights Road.

(3) Paragraph 5 of Part 5 of Schedule 13 to the Regulation is revoked and the following substituted:**District of Nipissing — City of North Bay**

5. That part of the King's Highway known as No. 11 in the City of North Bay in the Territorial District of Nipissing lying between a point situate at its intersection with the northerly limit of the northerly junction of the King's Highway known as No. 17 and a point situate 525 metres measured northerly from its intersection with the centre line of the roadway known as Airport Road.

2. (1) Paragraph 3 of Part 3 of Schedule 21 to the Regulation is revoked.**(2) Paragraph 4 of Part 3 of Schedule 21 to the Regulation is revoked and the following substituted:****District of Nipissing — City of North Bay**

4. That part of the King's Highway known as Nos. 11 and 17 in the City of North Bay in the Territorial District of Nipissing lying between a point situate at its intersection with the centre line of the easterly junction of the King's Highway known as No. 11 and a point situate at its intersection with the westerly limit of the westerly junction of the King's Highway known as No. 11.

3. (1) Paragraph 9 of Part 3 of Schedule 64 to the Regulation is revoked.**(2) Paragraph 10 of Part 4 of Schedule 64 to the Regulation is revoked and the following substituted:****District Municipality of Muskoka — Town of Huntsville**

10. That part of the King's Highway known as No. 60 in the Town of Huntsville in The District Municipality of Muskoka lying between a point situate at its intersection with the easterly limit of the King's Highway known as No. 11 and a point situate 200 metres measured westerly from its intersection with the centre line of the roadway known as Allison's Point.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: December 20, 2004.

2/05

ONTARIO REGULATION 438/04

made under the

ARTHUR WISHART ACT (FRANCHISE DISCLOSURE), 2000

Made: December 20, 2004

Filed: December 23, 2004

Amending O. Reg. 9/01

(Exemption of Franchisors under Subsection 13 (1) of the Act)

Note: Ontario Regulation 9/01 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Section 1 of Ontario Regulation 9/01 is amended by adding the following item:

Meineke Canada Company

Made by:

JIM WATSON
Minister of Consumer and Business Services

Date made: December 20, 2004.

2/05

ONTARIO REGULATION 439/04

made under the

PROVINCIAL OFFENCES ACT

Made: December 8, 2004
Filed: December 23, 2004

Amending Reg. 950 of R.R.O. 1990
(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedules:

SCHEDULE 67.3

Occupational Health and Safety Act (as it relates to Regulation 851 of the Revised Regulations of Ontario, 1990)

Item	Column 1	Column 2
1.	Employer failing to ensure a safe work surface for worker under s. 11 of Reg. 851	clause 25 (1) (c)
2.	Supervisor failing to ensure worker is working on a safe work surface under s. 11 of Reg. 851	clause 27 (1) (a)
3.	Worker failing to work on a safe work surface under s. 11 of Reg. 851	clause 28 (1) (a)
4.	Supervisor failing to ensure worker works with guarded opening under s. 13 (1) of Reg. 851	clause 27 (1) (a)
5.	Worker failing to work with guarded opening under s. 13 (1) of Reg. 851	clause 28 (1) (a)
6.	Supervisor failing to ensure worker works with covered opening under s. 15 of Reg. 851	clause 27 (1) (a)
7.	Worker failing to work with covered opening under s. 15 of Reg. 851	clause 28 (1) (a)
8.	Supervisor failing to ensure worker uses a machine with adequate guarding under s. 24 of Reg. 851	clause 27 (1) (a)
9.	Worker failing to use a machine with adequate guarding under s. 24 of Reg. 851	clause 28 (1) (a)
10.	Supervisor failing to ensure worker uses a machine with adequate guarding under s. 25 of Reg. 851	clause 27 (1) (a)
11.	Worker failing to use a machine with adequate guarding under s. 25 of Reg. 851	clause 28 (1) (a)
12.	Supervisor failing to ensure worker uses a machine with adequate guarding under s. 26 of Reg. 851	clause 27 (1) (a)
13.	Worker failing to use a machine with adequate guarding under s. 26 of Reg. 851	clause 28 (1) (a)
14.	Supervisor failing to ensure worker works with effective operating control that acts as a guard under s. 28 (c) of Reg. 851	clause 27 (1) (a)
15.	Worker failing to work with effective operating control that acts as a guard under s. 28 (c) of Reg. 851	clause 28 (1) (a)
16.	Employer failing to provide safe chain saw under s. 39 of Reg. 851	clause 25 (1) (a)
17.	Employer failing to ensure that chain saw provided under s. 39 of Reg. 851 is used safely	clause 25 (1) (d)
18.	Supervisor failing to ensure worker uses a chain saw safely under s. 39 of Reg. 851	clause 27 (1) (a)
19.	Worker failing to use chain saw safely under s. 39 of Reg. 851	clause 28 (1) (a)
20.	Supervisor failing to ensure no work is done on or near live exposed parts of electrical installations, equipment or conductors without the power supply being disconnected, locked out and tagged under s. 42 (1) of Reg. 851	clause 27 (1) (a)
21.	Worker working on or near live exposed parts of electrical installations, equipment or conductors without the power supply being disconnected, locked out and tagged under s. 42 (1) of Reg. 851	clause 28 (1) (a)

Item	Column 1	Column 2
22.	Supervisor failing to ensure worker uses protective equipment and procedures while doing electrical work under s. 42.1 (2) of Reg. 851	clause 27 (1) (a)
23.	Employer failing to provide portable electrical tool protected by a ground fault circuit interrupter under s. 44.1 of Reg. 851	clause 25 (1) (a)
24.	Employer failing to ensure portable electrical tool protected by a ground fault circuit interrupter provided under s. 44.1 of Reg. 851 is used	clause 25 (1) (d)
25.	Supervisor failing to ensure worker using a portable electrical tool protected by a ground fault circuit interrupter under s. 44.1 of Reg. 851	clause 27 (1) (a)
26.	Worker failing to use a portable electrical tool protected by a ground fault circuit interrupter under s. 44.1 of Reg. 851	clause 28 (1) (a)
27.	Employer failing to ensure that lifting device is operated safely under s. 51 (2) (b) of Reg. 851	clause 25 (1) (c)
28.	Supervisor failing to ensure operator of a lifting device works safely under s. 51 (2) (b) of Reg. 851	clause 27 (1) (a)
29.	Operator of lifting device failing to work safely under s. 51 (2) (b) of Reg. 851	clause 28 (1) (a)
30.	Supervisor failing to ensure worker works on or near an immobilized and secure unattended vehicle under s. 57 of Reg. 851	clause 27 (1) (a)
31.	Worker failing to immobilize and secure unattended vehicle under s. 57 of Reg. 851	clause 28 (1) (a)
32.	Supervisor failing to ensure worker works around attended lifting equipment when forks, bucket, blades and similar parts are unsupported under s. 58 of Reg. 851	clause 27 (1) (a)
33.	Worker working around unattended lifting equipment when forks, bucket, blades and similar parts are unsupported under s. 58 of Reg. 851	clause 28 (1) (a)
34.	Supervisor failing to ensure that worker does not bring object closer than specified distance to overhead electric supply line under s. 60 of Reg. 851	clause 27 (1) (a)
35.	Worker bringing object closer than specified distance to overhead electric supply line under s. 60 of Reg. 851	clause 28 (1) (a)
36.	Employer failing to provide safe portable ladder under s. 73 of Reg. 851	clause 25 (1) (a)
37.	Employer failing to ensure that a portable ladder provided under s. 73 of Reg. 851 is used safely	clause 25 (1) (d)
38.	Supervisor failing to ensure worker uses a portable ladder safely under s. 73 of Reg. 851	clause 27 (1) (a)
39.	Worker failing to use portable ladder safely under s. 73 of Reg. 851	clause 28 (1) (a)
40.	Supervisor failing to ensure worker works around safely secured temporarily elevated machinery, equipment or material under s. 74 of Reg. 851	clause 27 (1) (a)
41.	Worker failing to work around safely secured temporarily elevated machinery, equipment or material under s. 74 of Reg. 851	clause 28 (1) (a)
42.	Supervisor failing to ensure worker works on a safely secured machine under s. 75 of Reg. 851	clause 27 (1) (a)
43.	Worker failing to work on a safely secured machine under s. 75 of Reg. 851	clause 28 (1) (a)
44.	Supervisor failing to ensure worker works on a machine with proper precautions where starting may endanger the safety of a worker under s. 76 of Reg. 851	clause 27 (1) (a)
45.	Worker failing to work on a machine with proper precautions where starting may endanger the safety of a worker under s. 76 of Reg. 851	clause 28 (1) (a)
46.	Employer failing to ensure appropriate head protection provided under s. 80 of Reg. 851 is used	clause 25 (1) (d)
47.	Supervisor failing to ensure worker wears appropriate head protection under s. 80 of Reg. 851	clause 27 (1) (a)
48.	Employer failing to ensure appropriate eye protection provided under s. 81 of Reg. 851 is used	clause 25 (1) (d)
49.	Supervisor failing to ensure worker wears appropriate eye protection under s. 81 of Reg. 851	clause 27 (1) (a)
50.	Employer failing to ensure appropriate foot protection provided under s. 82 of Reg. 851 is used	clause 25 (1) (d)
51.	Supervisor failing to ensure worker wears appropriate foot protection under s. 82 of Reg. 851	clause 27 (1) (a)
52.	Employer failing to ensure proper skin protection provided under s. 84 of Reg. 851 is used	clause 25 (1) (d)
53.	Supervisor failing to ensure worker works with proper skin protection under s. 84 of Reg. 851	clause 27 (1) (a)
54.	Worker failing to work with proper skin protection under s. 84 of Reg. 851	clause 28 (1) (a)
55.	Supervisor failing to ensure worker wears fall protection equipment under s. 85 of Reg. 851	clause 27 (1) (a)
56.	Employer failing to ensure protective clothing provided is worn to protect from hazards caused by molten metal under s. 93 of Reg. 851	clause 25 (1) (d)
57.	Supervisor failing to ensure worker wears protective clothing provided to protect from hazards caused by molten metal under s. 93 of Reg. 851	clause 27 (1) (a)
58.	Worker failing to wear protective clothing provided to protect from hazards caused by molten metal under s. 93 of Reg. 851	clause 28 (1) (a)
59.	Employer failing to ensure a tree is felled, limbed, bucked or topped safely under s. 109 of Reg. 851	clause 25 (1) (c)
60.	Supervisor failing to ensure logger fells, limbs, bucks or tops a tree safely under s. 109 of Reg. 851	clause 27 (1) (a)
61.	Logger failing to fell, limb, buck or top a tree in safely under s. 109 of Reg. 851	clause 28 (1) (a)
62.	Employer failing to ensure a hang up is dealt with safely under s. 110 of Reg. 851	clause 25 (1) (c)
63.	Supervisor failing to ensure worker deals with a hang up safely under s. 110 of Reg. 851	clause 27 (1) (a)
64.	Worker failing to deal with a hang up safely under s. 110 of Reg. 851	clause 28 (1) (a)
65.	Employer failing to ensure a spring pole is cut safely under s. 111 of Reg. 851	clause 25 (1) (c)
66.	Supervisor failing to ensure worker cuts a spring pole safely under s. 111 of Reg. 851	clause 27 (1) (a)
67.	Worker failing to cut spring pole safely under s. 111 of Reg. 851	clause 28 (1) (a)

Item	Column 1	Column 2
68.	Employer failing to ensure that skidding is done under s. 112 of Reg. 851	clause 25 (1) (c)
69.	Supervisor failing to ensure logger skids under s. 112 of Reg. 851	clause 27 (1) (a)
70.	Logger failing to skid under s. 112 of Reg. 851	clause 28 (1) (a)
71.	Employer failing to provide a vehicle used for hauling logs that complies with s. 116 (1) of Reg. 851	clause 25 (1) (a)
72.	Employer failing to ensure vehicle provided for hauling logs is used in compliance with s. 116 (1) of Reg. 851	clause 25 (1) (d)
73.	Supervisor failing to ensure worker uses a vehicle used for hauling logs in compliance with s. 116 (1) of Reg. 851	clause 27 (1) (a)
74.	Worker failing to use a vehicle used for hauling logs in compliance with s. 116 (1) of Reg. 851	clause 28 (1) (a)
75.	Employer failing to provide vehicle used to transport loggers in compliance with s. 119 of Reg. 851	clause 25 (1) (a)
76.	Supervisor failing to ensure worker uses a vehicle used to transport loggers in compliance with s. 119 of Reg. 851	clause 27 (1) (a)

SCHEDULE 67.4

Regulation 851 of the Revised Regulations of Ontario, 1990 under the *Occupational Health and Safety Act*

Item	Column 1	Column 2
1.	Worker failing to use protective equipment and procedures while doing electrical work	subsection 42.1 (2)
2.	Worker failing to wear appropriate head protection	section 80
3.	Worker failing to wear appropriate eye protection	section 81
4.	Worker failing to wear appropriate foot protection	section 82
5.	Worker failing to wear fall protection equipment	section 85

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ONTARIO REGULATION 440/04

made under the

FARM PRODUCTS MARKETING ACT

Made: December 15, 2004

Filed: December 23, 2004

Amending Reg. 442 of R.R.O. 1990
(Wheat — Marketing)Note: Regulation 442 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.**1. Regulation 442 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:****BLÉ — COMMERCIALISATION**

INTERPRÉTATION

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

«agent» Personne qui, à titre d'agent de la commission locale, reçoit du blé d'un producteur. («agent»)

«blé» Toutes les variétés de blé produites en Ontario. («wheat»)

«commission locale» La Commission ontarienne de commercialisation du blé. («local board»)

«plan» Le plan ontarien de commercialisation du blé. («plan»)

«producteur» Quiconque se livre à la production du blé. («producer»)

«transformation» S'entend notamment du nettoyage, du séchage, du traitement, de la rotation, du lavage, du broyage, du laminage, de la mise en poudre, du concassage, de l'éclatement ou de la distillation, avec ou sans autres ingrédients, ainsi que de la transformation ou de la fabrication de denrées alimentaires ou de boissons provenant en tout ou en partie du blé. («processing»)

«transformateur» Quiconque se livre à la transformation du blé. («processor»)

2. Le présent règlement prévoit la régie et la réglementation de tout ou partie des aspects de la commercialisation du blé en Ontario, y compris l'interdiction totale ou partielle de pareille commercialisation.

3. La Commission soustrait à l'application du présent règlement :

- a) le blé utilisé sur les lieux de l'exploitation agricole où il a été produit;
- b) le blé vendu par un producteur directement à un autre producteur qui l'utilise sur les lieux de son exploitation agricole.

PERMIS

4. (1) Nul ne doit commencer ni continuer à se livrer à la production de blé sans permis à cet effet.

(2) Sont réputés titulaires d'un permis les producteurs qui ne sont pas en défaut de verser les droits exigés aux termes de l'article 5 et qui n'ont pas violé les conditions dont le permis est assorti.

5. Les producteurs versent à la commission locale les droits de permis que fixe celle-ci.

POUVOIRS DE LA COMMISSION LOCALE

6. (1) La Commission autorise la commission locale à se servir des droits de permis et des autres sommes d'argent qui lui sont redevables pour couvrir ses dépenses, faire appliquer et exécuter la Loi et les règlements et réaliser l'objet du plan.

(2) La Commission autorise la commission locale à créer un fonds relatif au plan en vue du paiement de sommes d'argent qui peuvent être exigibles aux fins mentionnées au paragraphe (1).

(3) La Commission délègue les pouvoirs suivants à la commission locale :

- a) exiger de quiconque se livre à la production ou à la commercialisation du blé qu'il fasse inscrire ses nom, adresse et profession auprès de la commission locale;
- b) exiger de quiconque se livre à la production ou à la commercialisation du blé qu'il fournisse des renseignements relatifs à la production ou à la commercialisation du blé, et notamment qu'il dresse et dépose des déclarations, selon ce que décide la commission locale;
- c) nommer des personnes pour examiner les livres, dossiers et documents et inspecter les biens-fonds, les locaux et le blé de quiconque se livre à la commercialisation du blé;
- d) stimuler, accroître et améliorer la commercialisation du blé par des moyens qu'elle estime appropriés;
- e) collaborer avec une commission de commercialisation, une commission locale ou une agence de commercialisation du Canada ou d'une province du Canada dans le but de commercialiser du blé;
- f) prendre les mesures, rendre les ordonnances et donner les directives nécessaires pour faire observer et appliquer les dispositions de la Loi, des règlements et du plan.

7. Sous réserve de l'article 4, la Commission délègue ses pouvoirs de réglementation à l'égard du blé à la commission locale, aux fins suivantes :

- a) prévoir la délivrance d'un permis à l'ensemble ou à l'une quelconque des personnes avant qu'elles ne commencent ou ne continuent à se livrer à la commercialisation du blé;
- a.1) prévoir que la commission locale peut assortir un permis des conditions qu'elle estime appropriées;
- b) interdire à quiconque de se livrer à la commercialisation du blé sans permis et sans observer les conditions du permis;
- c) prévoir le refus de délivrer un permis lorsque l'auteur de la demande ne possède pas l'expérience, les ressources financières ni le matériel nécessaires pour exercer de façon satisfaisante les activités commerciales qui font l'objet de sa demande;
- d) prévoir la suspension ou la révocation d'un permis, ou le refus de le renouveler, en raison du défaut de son titulaire d'observer ou d'appliquer les dispositions de la Loi, des règlements, du plan ou d'une ordonnance, d'un ordre ou d'une directive de la Commission ou de la commission locale;
- d.1) prévoir l'application, le montant, la disposition et l'emploi de pénalités si, après une audience, la commission locale est d'avis que l'auteur de la demande ou le titulaire du permis n'a pas respecté ou a enfreint une condition dont un

permis est assortie ou une disposition de la Loi, des règlements, d'un plan ou d'une ordonnance, d'un ordre ou d'une directive de la Commission, du directeur ou d'une commission locale;

- e) prévoir la fixation de droits de permis et l'acquittement annuel, trimestriel ou mensuel de ceux-ci, selon différents montants ou en versements échelonnés, par l'ensemble ou l'une quelconque des personnes qui produisent du blé, ainsi que la perception de ces droits et leur recouvrement au moyen d'une action devant un tribunal compétent;
- f) exiger de quiconque reçoit du blé qu'il déduise des sommes payables pour le blé tous droits de permis payables à la commission locale par la personne de laquelle il reçoit le blé, et qu'il verse ces droits à la commission locale;
- g) exiger de quiconque produit et transforme du blé qu'il fournisse à la commission locale des états indiquant les quantités de blé qu'il a produites et transformées dans une année;
- h) prescrire la forme des permis;
- i) sous réserve de l'article 3, prévoir de soustraire toute catégorie, variété, qualité ou grosseur de blé ou toute personne ou catégorie de personnes se livrant à la production ou à la commercialisation de celui-ci à l'application d'un ou de tous les règlements pris ou d'une ou de toutes les ordonnances rendues ou directives données en vertu du plan;
- j) exiger la constitution d'un cautionnement ou d'une preuve de solvabilité de quiconque se livre à la commercialisation du blé, et prévoir l'administration et l'emploi de tous fonds ou cautionnement ainsi constitués;
- j.1) prévoir la fixation de remises pour les paiements immédiats, de pénalités avec intérêts en cas de retard de paiement pour les droits de permis et les frais de gestion payables par quiconque se livre à la production, à la commercialisation ou à la transformation du blé;
- k) prévoir la régie et la réglementation de la commercialisation du blé, y compris les temps et lieux où il peut être commercialisé;
- l) exiger de quiconque produit du blé qu'il le mette en vente et le vende à la commission locale ou par son entremise;
- m) interdire à quiconque de transformer ou d'emballer du blé qui n'a pas été vendu à la commission locale, par celle-ci ou par son entremise;
- n) prévoir la régie et la réglementation des accords conclus entre les producteurs de blé et quiconque se livre à la commercialisation ou à la transformation du blé, et prévoir des interdictions à l'égard d'une disposition ou clause de ces accords;
- o) prévoir la conclusion, par la commission locale ou par son entremise, d'accords relatifs à la commercialisation du blé et en prescrire la forme et les conditions.

NOMINATION DES AGENTS

8. La Commission autorise la commission locale à nommer des agents, à prescrire leurs fonctions et leurs conditions d'emploi et à prévoir leur rémunération.

COMMERCIALISATION DU BLÉ

9. (1) Tout le blé doit être commercialisé par la commission locale ou par son entremise.

(2) Il n'est permis à personne de commercialiser du blé si ce n'est à la commission locale ou par son entremise.

10. La Commission confère les pouvoirs suivants à la commission locale :

- 1. Diriger et régir, par ordonnance ou directive, en tant que mandant ou mandataire, la commercialisation du blé, y compris les temps et lieux où il peut être commercialisé.
- 2. Fixer la qualité de chaque catégorie, variété, qualité et grosseur de blé que doit commercialiser chacun des producteurs.
- 3. Interdire la commercialisation de toute catégorie, variété, qualité ou grosseur de blé.
- 4. Établir le ou les prix du blé ou d'une catégorie, variété, qualité ou grosseur de blé qui sont payés aux producteurs ou à la commission locale, selon le cas, et fixer des prix différents pour diverses parties de l'Ontario.
- 5. Fixer et imposer des frais de gestion relatifs à la commercialisation du blé.
- 6. Exiger que le ou les prix du blé payables ou dus au producteur de blé soient payés à la commission locale ou par son entremise.
- 7. Recouvrer au moyen d'une action devant un tribunal compétent le ou les prix du blé ou une partie de ceux-ci.
- 8. Acheter ou autrement acquérir la ou les quantités de blé que la commission locale estime opportunes et le vendre ou en disposer d'une autre façon.

9. Payer, sur les frais de gestion qui lui sont imposés en vertu de la disposition 5, les dépenses qu'elle engage pour réaliser l'objet du plan.
10. Payer aux producteurs le ou les prix du blé, moins les frais de gestion imposés en vertu de la disposition 5, et fixer les échéances auxquelles ou avant lesquelles ces paiements doivent être faits.
11. Au paiement effectué en vertu de la disposition 10 de l'article 10 est joint un état indiquant la catégorie, la variété, la qualité ou la grosseur ainsi que la quantité de blé commercialisé, le ou les prix payés et les détails des frais de gestion imposés.
12. La Commission autorise la commission locale à diriger la mise en commun de toutes les sommes provenant de la vente du blé en un seul ou plusieurs fonds aux fins de leur distribution et, après déduction des débours et frais nécessaires et légitimes, à distribuer le reste de ces sommes de façon que chaque producteur en reçoive une part basée sur la quantité, la catégorie, la variété, la qualité ou la grosseur du blé qu'il a livré. Elle autorise également la commission locale à effectuer un versement initial lors de la livraison du blé et des versements subséquents jusqu'à ce que le reste des sommes provenant de la vente soit distribué aux producteurs.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION :
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: December 15, 2004.
Pris le : 15 décembre 2004.

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ONTARIO REGULATION 441/04
made under the
FARM PRODUCTS MARKETING ACT

Made: December 15, 2004
Filed: December 23, 2004

Amending Reg. 392 of R.R.O. 1990
(Beans — Marketing)

Note: Regulation 392 has not previously been amended.

1. Regulation 392 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

HARICOTS — COMMERCIALISATION

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

«commission locale» La commission appelée «The Ontario Bean Producers' Marketing Board». («local board»)

«haricots» Haricots ronds blancs produits en Ontario. («beans»)

«marchand» Personne qui, à titre d'agent de la commission locale, achète des haricots d'un producteur. («dealer»)

«plan» Le plan appelé «The Ontario Bean Producers' Marketing Plan». («plan»)

«producteur» Quiconque se livre à la production de haricots. («producer»)

«transformation» S'entend notamment de la cueillette, du polissage, du séchage et de la mise en conserve ou de la transformation avec ou sans autres ingrédients, ou de la transformation ou de la fabrication de denrées alimentaires ou de boissons provenant en tout ou en partie de haricots. («processing»)

2. Le présent règlement prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation des haricots en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

POUVOIRS DE LA COMMISSION LOCALE

3. (1) La Commission autorise la commission locale à se servir des droits de permis, des frais de gestion et des autres sommes d'argent qui lui sont redevables pour couvrir ses dépenses, faire appliquer et exécuter la Loi et les règlements, et réaliser l'objet du plan.

(2) La Commission autorise la commission locale à créer un fonds relatif au plan en vue du paiement de sommes d'argent qui peuvent être exigibles aux fins mentionnées au paragraphe (1).

4. La Commission autorise la commission locale à interdire la commercialisation de toute qualité ou grosseur de haricots.

5. La Commission délègue les pouvoirs suivants à la commission locale :

- a) exiger de quiconque se livre à la production ou à la commercialisation de haricots qu'il fasse inscrire ses nom, adresse et profession auprès de la commission locale;
- b) exiger de quiconque se livre à la production ou à la commercialisation de haricots qu'il fournisse des renseignements relatifs à la production ou à la commercialisation des haricots, et notamment qu'il dresse et dépose des déclarations, selon ce que décide la commission locale;
- c) nommer des personnes pour examiner les livres, dossiers et documents et inspecter les biens-fonds, locaux et haricots de quiconque se livre à la commercialisation de haricots;
- d) stimuler, accroître et améliorer la commercialisation des haricots par les moyens qu'elle estime appropriés;
- e) collaborer avec une commission de commercialisation, une commission locale ou une agence de commercialisation du Canada ou d'une province du Canada dans le but de commercialiser des haricots;
- f) prendre les mesures, rendre les ordonnances et donner les directives nécessaires pour faire observer et appliquer les dispositions de la Loi, des règlements ou du plan.

6. La Commission délègue ses pouvoirs de réglementation à l'égard des haricots à la commission locale, aux fins suivantes :

- a) prévoir la délivrance d'un permis à l'ensemble ou à l'une quelconque des personnes avant qu'elles ne commencent ou ne continuent à se livrer à la production ou à la commercialisation de haricots;
- b) interdire à quiconque de se livrer à la production ou à la commercialisation de haricots sans permis à cet effet;
- c) prévoir le refus de délivrer un permis lorsque l'auteur de la demande ne possède pas l'expérience, les ressources financières ni le matériel nécessaires pour exercer de façon satisfaisante les activités commerciales qui font l'objet de sa demande, ou pour un autre motif que la commission locale estime approprié;
- d) prévoir la suspension ou la révocation d'un permis, ou le refus de le renouveler, en raison du défaut de son titulaire d'observer ou d'appliquer une disposition de la Loi, des règlements, du plan ou d'une ordonnance, d'un ordre ou d'une directive de la Commission ou de la commission locale;
- e) prévoir la fixation de droits de permis et l'acquittement annuel, semestriel, trimestriel ou mensuel de ceux-ci, selon différents montants ou en versements échelonnés, par l'ensemble ou l'une quelconque des personnes qui produisent ou commercialisent des haricots, ainsi que la perception de ces droits et leur recouvrement au moyen d'une action devant un tribunal compétent;
- f) exiger de quiconque reçoit des haricots qu'il déduise des sommes payables pour les haricots tous droits de permis payables à la commission locale par la personne de laquelle il reçoit les haricots, et qu'il verse ces droits à la commission locale;
- g) exiger de quiconque produit et transforme des haricots qu'il fournisse à la commission locale des états indiquant les quantités de haricots qu'il a produites et transformées dans une année donnée;

- h) prescrire la forme des permis;
- i) prévoir de soustraire toute catégorie, variété, qualité ou grosseur de haricots ou toute personne ou catégorie de personnes se livrant à la production ou à la commercialisation de ceux-ci à l'application d'un ou de tous les règlements pris ou d'une ou de toutes les ordonnances rendues ou directives données en vertu du plan;
- j) exiger la constitution d'un cautionnement ou d'une preuve de solvabilité de quiconque se livre à la commercialisation de haricots, et prévoir l'administration et l'emploi de tous fonds ou cautionnement ainsi constitués;
- k) prévoir la régie et la réglementation de la commercialisation des haricots, y compris les temps et lieux où ils peuvent être commercialisés;
- l) prévoir la régie et la réglementation des accords conclus entre les producteurs de haricots et quiconque se livre à leur commercialisation ou à leur transformation, et prévoir des interdictions à l'égard d'une disposition ou clause de ces accords;
- m) exiger de quiconque produit des haricots qu'il les mette en vente et les vende à la commission locale ou par son entremise;
- n) interdire à quiconque de transformer ou d'emballer des haricots qui n'ont pas été vendus à la commission locale, par celle-ci ou par son entremise;
- o) prévoir la conclusion, par la commission locale ou par son entremise, d'accords relatifs à la commercialisation des haricots et en prescrire la forme et les conditions.

NOMINATION DES AGENTS

7. La Commission autorise la commission locale à nommer des agents, à prescrire leurs fonctions et leurs conditions d'emploi et à prévoir leur rémunération.

COMMERCIALISATION DES HARICOTS

8. (1) Tous les haricots doivent être commercialisés par la commission locale ou par son entremise.
- (2) Il n'est permis à personne de commercialiser des haricots si ce n'est à la commission locale ou par son entremise.
9. La Commission confère les pouvoirs suivants à la commission locale :
1. Diriger et régir, par ordonnance ou directive, en tant que mandant ou mandataire, la commercialisation des haricots, y compris les temps et lieux où ils peuvent être commercialisés.
 2. Fixer la qualité de chaque catégorie, variété, qualité et grosseur de haricots que doit commercialiser chacun des producteurs.
 3. Interdire la commercialisation de toute catégorie, variété, qualité ou grosseur de haricots.
 4. Établir le ou les prix des haricots ou d'une catégorie, variété, qualité ou grosseur de haricots qui sont payés aux producteurs ou à la commission locale, selon le cas, et fixer des prix différents pour diverses parties de l'Ontario.
 5. Fixer et imposer des frais de gestion relatifs à la commercialisation des haricots.
 6. Exiger que le ou les prix des haricots payables ou dus au producteur de haricots soient payés à la commission locale ou par son entremise.
 7. Recouvrer au moyen d'une action devant un tribunal compétent le ou les prix des haricots ou une partie de ceux-ci.
 8. Acheter ou autrement acquérir la ou les quantités de haricots que la commission locale estime opportunes et les vendre ou en disposer d'une autre façon.
 9. Payer, sur les frais de gestion qui lui sont imposés en vertu de la disposition 5, les dépenses qu'elle engage pour réaliser l'objet du plan.
 10. Payer aux producteurs le ou les prix des haricots, moins les frais de gestion imposés en vertu de la disposition 5, et fixer les échéances auxquelles ou avant lesquelles ces paiements doivent être faits.
10. Au paiement effectué en vertu de la disposition 9 de l'article 9 est joint un état indiquant la catégorie, la variété, la qualité ou la grosseur ainsi que le nombre ou la quantité de haricots commercialisés, le ou les prix payés et les détails des frais de gestion qu'impose la commission locale.
11. La Commission autorise la commission locale à diriger la mise en commun de toutes les sommes provenant de la vente de haricots en un seul ou plusieurs fonds aux fins de leur distribution et, après déduction des débours et frais nécessaires et légitimes, à distribuer le reste de ces sommes de façon que chaque producteur en reçoive une part basée sur la quantité, la

catégorie, la variété, la qualité ou la grosseur des haricots livrés. Elle autorise également la commission locale à effectuer un versement initial lors de la livraison des haricots et des versements subséquents jusqu'à ce que le reste des sommes provenant de la vente soit distribué aux producteurs.

COMITÉ CONSULTATIF

12. Est constitué un comité consultatif appelé «The Bean Industry Advisory Committee» qui se compose d'un président et de huit membres.

13. Après le 1^{er} janvier et au plus tard le 15 janvier de chaque année, les nominations au comité consultatif sont faites de la façon suivante :

- a) la Commission nomme le président;
- b) la commission locale nomme quatre membres;
- c) les marchands nomment trois membres;
- d) l'association appelée Ontario Food Processors' Association nomme un membre.

14. Sous réserve de l'article 15, les membres du comité consultatif nommés aux termes de l'article 13 demeurent en fonction jusqu'au 15 janvier de l'année suivant celle de leur nomination.

15. Lorsqu'un membre du comité consultatif décède, démissionne ou n'est plus disponible pour exercer ses fonctions avant la fin de son mandat, la ou les personnes qui l'ont nommé nomment une personne pour en terminer le mandat.

16. Lorsque les personnes visées aux alinéas 13 a), b), c) et d) omettent de nommer un membre au comité consultatif conformément à l'article 13 ou 15, la Commission peut nommer les membres nécessaires pour en compléter la composition.

17. Le comité consultatif est autorisé à adresser des conseils et des recommandations à la commission locale, aux marchands ou à l'Ontario Food Processors' Association aux fins suivantes :

1. Promouvoir de bonnes relations entre les personnes qui se livrent à la production et à la commercialisation de haricots.
2. Favoriser une meilleure efficacité de la production et de la commercialisation des haricots.
3. Empêcher et corriger les irrégularités et les injustices dans la commercialisation des haricots.
4. Améliorer la qualité et la variété des haricots.
5. Améliorer la diffusion de renseignements relatifs au marché des haricots.
6. Sans préjudice de la portée générale de ce qui précède, décider d'une question à l'égard de laquelle la Commission ou la commission locale peut être autorisée en vertu de la Loi à prendre des règlements.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: December 15, 2004.
Pris le : 15 décembre 2004.

ONTARIO REGULATION 442/04
made under the
FARM PRODUCTS MARKETING ACT

Made: December 16, 2004
Filed: December 23, 2004

Amending O. Reg. 247/99
(Potatoes — Marketing)

Note: Ontario Regulation 247/99 has not previously been amended.

1. Clause (a) of the definition of “processing” in section 2 of Ontario Regulation 247/99 is amended by striking out “freezing or processing” and substituting “freezing, peeling or processing”.

2. Paragraph 1 of section 18 of the Regulation is revoked and the following substituted:

1. The capital may be invested only in investments that are referred to in subsection 16 (1) of Regulation 400 of the Revised Regulations of Ontario, 1990 (By-laws for Local Boards) made under the Act and that are in other respects reasonable and proper.

3. Sections 19, 20, 21 and 22 of the Regulation are revoked and the following substituted:

19. (1) Negotiating agencies shall be established in accordance with section 21 for the purpose of adopting agreements between the local board and a processor or a class of processors in relation to the following matters:

1. Minimum prices for processing potatoes or for any variety, grade or size of processing potatoes.
2. Terms, conditions and forms of agreements relating to the producing or marketing of processing potatoes.
3. Any charges, costs or expenses relating to the producing or marketing of processing potatoes.

(2) A processor shall, as a condition of the processor’s licence issued under this Regulation, comply with an agreement referred to in subsection (1).

20. (1) For the purpose of establishing negotiating agencies under section 21, the following classes of processors are established:

1. Processors who use potatoes to produce potato chips.
2. Processors who use potatoes to produce soups and stews.
3. Processors who use potatoes to produce pre-peeled potatoes.

(2) There shall be no more than six negotiating agencies established under section 21 in any given year, each established for the purpose of adopting an agreement respecting the matters referred to in subsection 19 (1) as they relate to a different processor or class of processors, as follows:

1. One negotiating agency for each of the four processors in Ontario who produce potato chips and are licensed as processors under this Regulation as of April 1, 2004.
2. One negotiating agency for all of the processors in Ontario who use potatoes to produce soups and stews.
3. One negotiating agency for all of the processors in Ontario who produce pre-peeled potatoes.

(3) An agreement adopted by a negotiating agency with respect to matters referred to in subsection 19 (1) takes effect on July 1 of a given year and covers one crop and the subsequent crops that are specified in the agreement.

(4) There shall be no more than six agreements adopted by negotiating agencies in effect in Ontario at any given time.

21. (1) If an agreement respecting matters referred to in subsection 19 (1) and adopted for a particular processor or class of processors expires in a given year, a negotiating agency shall be established on or before December 31 of the year preceding the year in which the agreement expires for the purpose of adopting a replacement agreement.

(2) A negotiating agency shall be composed of no more than six members, consisting of no more than three members appointed by the local board and no more than three members appointed by the processor or class of processors who are subject to the agreement.

(3) In the case of the expiry of an agreement affecting a processor who uses potatoes to make potato chips, the processor shall, on or before December 10 of the year preceding the year in which the agreement expires, give notice to the

Commission and the local board of the names of up to three individuals to be appointed to the negotiating agency as the processor's representatives.

(4) In the case of the expiry of an agreement affecting all processors who use potatoes to produce soups or stews, the processors shall, on or before December 10 of the year preceding the year in which the agreement expires,

- (a) select up to three individuals to be appointed to the negotiating agency in a manner of their choosing; and
- (b) give notice to the Commission and the local board of the names of the individuals.

(5) In the case of the expiry of an agreement affecting all processors who use potatoes to produce pre-peeled potatoes, the processors shall, on or before December 10 of the year preceding the year in which the agreement expires,

- (a) select up to three individuals to be appointed to the negotiating agency in a manner of their choosing; and
- (b) give notice to the Commission and the local board of the names of the individuals.

(6) The members of a negotiating agency shall be appointed for a 12-month period.

(7) If a member dies, resigns or is unable to act, the local board or the processor or group of processors who appointed the member shall appoint a replacement in accordance with subsection (3), (4) or (5), as the case may be.

22. (1) The members of a negotiating agency shall appoint an observer on or before January 5 immediately following the establishment of the negotiating agency to act as a witness to the negotiations.

(2) If the members of the negotiating agency are not able to agree on an observer on or before January 5, the Commission shall appoint the observer.

(3) An individual shall not be appointed as an observer with respect to more than one negotiating agency in one year.

(4) Any member of the negotiating agency may request that the observer attend the meetings of the negotiating agency that the member specifies.

(5) An observer appointed under this section shall attend the meetings of the negotiating agency that a member of the negotiating agency under subsection (4) requests.

22.1 (1) If a processor or class of processors fails to appoint members to a negotiating agency in accordance with section 21 or if the members appointed by the processor or class of processors refuse to negotiate with the members appointed by the local board, an agreement shall be deemed to be made between the local board and the processor or class of processors after the other negotiating agencies established under paragraph 1 of subsection 20 (2) have adopted agreements for the year in question or after arbitration awards have been made under section 26, as the case may be.

(2) The agreement that is deemed to be made under subsection (1) shall be consistent with the immediately preceding agreement reached between the local board and the processor or class of processors in question and either the agreements that the other negotiating agencies have adopted for the year in question or the arbitration awards made under section 26, as the case may be.

(3) After the other negotiating agencies have adopted agreements for the year in question or arbitration awards have been made under section 26, as the case may be, an agreement shall be deemed to be made between the local board and processors who begin producing potato chips and who are licensed as processors after April 1, 2004.

(4) The agreement that is deemed to be made under subsection (3) shall be consistent with the agreements that the other negotiating agencies have adopted for the year in question or the arbitration awards made under section 26, as the case may be.

(5) It is a condition of an agreement that is deemed to be made under subsections (1) or (3) that subsection 7 (4) of the Act applies to the agreement.

4. Subsection 23 (1) of the Regulation is revoked and the following substituted:

(1) A negotiating agency may refer to conciliation any matter referred to in subsection 19 (1).

5. Section 24 of the Regulation is amended by adding the following subsection:

(0.1) A negotiating agency shall endeavour to reach an agreement by or before 4 p.m. on the second Friday in February preceding the expiry of the agreement currently in effect.

6. Section 25 of the Regulation is amended by adding the following subsections:

(4) The processor members and the local board members of the negotiating agency shall prepare briefs and send copies of the briefs to the arbitration board and to the opposing members at least 72 hours before the date of the arbitration.

(5) No person shall include matters or arguments in a brief prepared under subsection (4) unless the members of the negotiating agency have discussed them during negotiations.

(6) No person shall raise matters or arguments at the arbitration hearing unless the members of the negotiating agency have discussed them during negotiations.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: December 16, 2004.

2/05

ONTARIO REGULATION 443/04

made under the

MILK ACT

Made: December 23, 2004

Filed: December 24, 2004

Amending Reg. 753 of R.R.O. 1990
(Grades, Standards, Designations, Classes, Packing and Marking)

Note: Regulation 753 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Section 3 of Regulation 753 of the Revised Regulations of Ontario, 1990 is amended by adding “filled milk products within the meaning of subsection 4 (3)” after “double cream” and by striking out “section 4” and substituting “subsection 4 (1)”.

2. (1) Paragraph 3 of section 4 of the Regulation is amended by adding “not less than 51 per cent by volume of milk in any form, and” at the end of the portion before subclause (i).

(2) Paragraph 4 of section 4 of the Regulation is revoked and the following substituted:

4. Dairy-edible oil spread within the meaning of subsection (2).
5. Filled milk products within the meaning of subsection (3).
6. Products reprocessed from a product described in paragraph 1, 2, 3, 4 or 5.

(3) Section 4 of the Regulation is amended by adding the following subsections:

(2) Dairy-edible oil spread is a spread that,

- (a) is derived from milk or a component of milk in any form;
- (b) contains a fat or oil other than milk-fat; and
- (c) resembles or is intended to be used as a substitute for butter.

(3) Subject to subsection (4), a filled milk product is any of the following products where it is processed from milk or from milk and a component of milk in any form and contains a fat or oil other than milk-fat:

1. A milk or cream that is in a fluid form including, but not limited to, buttermilk, double cream, flavoured cream, flavoured milk, flavoured partly-skimmed milk, flavoured skim-milk, partly-skimmed milk, skim-milk, table cream, and whipping cream.
2. Any milk beverage that contains not less than 51 per cent by volume of milk in any form.

(4) The following are not filled milk products within the meaning of subsection (3):

1. A milk product described in paragraph 2 of subsection (1).
2. A milk beverage described in paragraph 3 of subsection (1).

3. (1) Clause 5 (2) (g.1) of the Regulation is amended by striking out “section 4” in the portion before subclause (i) and substituting “subsection 4 (1)”.

(2) Section 5 of the Regulation is amended by adding the following subsections:

(6) Subject to subsections (7) and (8), a fluid milk product shall not contain a fat or oil other than milk-fat.

(7) Where a flavouring is a permitted ingredient of a fluid milk product under clause (2) (c.1), (d), (e) or (f), the fluid milk product may contain up to 0.5 per cent by weight of oil or fat other than milk-fat when contained in a flavouring agent.

(8) A fluid milk product that is a milk beverage described in paragraph 3 of subsection 4 (1) may contain,

- (a) up to 0.5 per cent by weight of oil or fat other than milk-fat when contained in a flavouring agent; and
- (b) in addition to the oil or fat mentioned in clause (a), up to 0.5 per cent by weight of oil or fat other than milk-fat, if the oil or fat contains omega-3 polyunsaturated fatty acids and its inclusion in the milk beverage would allow a person to make a nutrient content claim that the milk beverage is a source of omega-3 polyunsaturated fatty acids.

4. Section 13 of the Regulation is amended by adding the following subsections:

(4) Dairy-edible oil spread,

- (a) shall contain not less than 80 per cent by weight of total fats or oils of which milk-fat shall make up not less than 50 per cent by weight; and
- (b) may contain any ingredient that is required or permitted to be included in margarine under subclause (b) (ii) and clause (c) of article B.09.016 of the *Food and Drug Regulations* made under the *Food and Drugs Act* (Canada).

(5) Subject to subsection (6), a dairy-edible oil spread or its container shall be clearly marked or labelled to indicate the following, expressed as a percentage of the weight of total fats or solids:

1. The per cent weight of milk-fat.
2. The per cent weight of oil or fat other than milk-fat.

(6) Where a dairy-edible oil spread is comprised of butter and margarine within the meaning of subsection (7), the spread or its container may, instead of meeting the requirements set out in subsection (5), be marked or labelled to indicate the following, expressed as a percentage of the total weight of the product:

1. The per cent weight of butter.
2. The per cent weight of margarine.

(7) Margarine, for the purposes of subsection (6), means a plastic or fluid emulsion of water in oil or fat other than milk-fat, whether or not it contains an ingredient that is required or permitted to be included in margarine under Article B.09.016 of the *Food and Drug Regulations* made under the *Food and Drugs Act* (Canada), that,

- (a) is intended to be used as a substitute for butter; and
- (b) contains not less than 80 per cent by weight of oil or fat.

5. This Regulation comes into force on the later of January 1, 2005 and the day it is filed.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: December 23, 2004.

ONTARIO REGULATION 444/04

made under the

MILK ACT

Made: December 23, 2004

Filed: December 24, 2004

Amending Reg. 761 of R.R.O. 1990

(Milk and Milk Products)

Note: Regulation 761 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Section 1.1 of Regulation 761 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

1.1 (1) This Regulation does not apply to,

- (a) milk described in subclause 5 (1) (a) (i) where the milk is sold or offered for sale to Dairy Farmers of Ontario for non-food use or to any other person for use in plants in which milk or milk products are processed exclusively for non-food use;
- (b) dairy-edible oil spread; and
- (c) plants in which dairy-edible oil spread is processed and in which no other milk products are processed.

(2) Section 14 and subsection 15 (1) of the Act do not apply in respect of plants in which dairy-edible oil spread is processed and in which no other milk products are processed.

(3) For the purposes of this section, dairy-edible oil spread is a spread within the meaning of subsection 4 (2) of Regulation 753 of the Revised Regulations of Ontario, 1990 (Grades, Standards, Designations, Classes, Packing and Marking) made under the Act, where,

- (a) the spread is processed from butter; and
- (b) the spread is not processed from,
 - (i) any milk product other than butter, or
 - (ii) milk or a component of milk in any form.

2. This Regulation comes into force on the later of January 1, 2005 and the day it is filed.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: December 23, 2004.

2/05

ONTARIO REGULATION 445/04

made under the

HIGHWAY TRAFFIC ACT

Made: December 23, 2004

Filed: December 24, 2004

Amending O. Reg. 510/99

(Community Safety Zones)

Note: Ontario Regulation 510/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Ontario Regulation 510/99 is amended by adding the following Schedule:SCHEDULE 11
DISTRICT OF ALGOMA

1. (1) That part of the King's Highway known as No. 17 in the Garden River Indian Reserve in the District of Algoma lying between a point situate 1250 metres measured easterly from its intersection with the centre line of the bridge over Garden River and a point situate 1460 metres measured westerly from its intersection with the centre line of the bridge over the Garden River.

(2) This designation is effective 24 hours a day, seven days a week and every month of the year.

Made by:

MONTE KWINTER
Minister of Community Safety and Correctional Services

Date made: December 23, 2004.

2/05

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the eLaws web site (www.e-laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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TEXTE D'INFORMATION POUR LA GAZETTE DE L'ONTARIO

Information

La Gazette de l'Ontario paraît chaque samedi, et les annonces à y insérer doivent parvenir à ses bureaux le jeudi à 15h au plus tard, soit au moins neuf jours avant la parution du numéro dans lequel elles figureront. Pour les semaines incluant le lundi de Pâques, le 11 novembre et les congés statutaires, accordez une journée de surplus. Pour connaître l'horaire entre Noël et le Jour de l'An s'il vous plaît communiquez avec le bureau de La Gazette de l'Ontario au (416) 326-5310 ou par courriel à GazettePubsOnt@mbs.gov.on.ca

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