

Emergency Management and Civil Protection Act

R.S.O. 1990, CHAPTER E.9

Consolidation Period: From July 1, 2019 to the [e-Laws currency date](#).

Last amendment: 2019, c. 7, Sched. 17, s. 64.

Legislative History: 1999, c. 12, Sched. P, s. 3-9; 2002, c. 14, s. 2-17; 2002, c. 17, Sched. C, s. 10; 2003, c. 1, s. 14; 2006, c. 13, s. 1, 2; 2006, c. 32, Sched. C, s. 17; 2006, c. 35, Sched. C, s. 32; 2009, c. 33, Sched. 9, s. 4; 2019, c. 7, Sched. 17, s. 64.

Orders in emergency

Purpose

7.1 (1) The purpose of this section is to authorize the Lieutenant Governor in Council to make appropriate orders when, in the opinion of the Lieutenant Governor in Council, victims of an emergency or other persons affected by an emergency need greater services, benefits or compensation than the law of Ontario provides or may be prejudiced by the operation of the law of Ontario. 2006, c. 13, s. 1 (5).

Order

(2) If the conditions set out in subsection (3) are satisfied, the Lieutenant Governor in Council may, by order made on the recommendation of the Attorney General, but only if the Lieutenant Governor in Council is of the opinion described in subsection (1),

(a) temporarily suspend the operation of a provision of a statute, regulation, rule, by-law or order of the Government of Ontario; and

(b) if it is appropriate to do so, set out a replacement provision to be in effect during the temporary suspension period only. 2006, c. 13, s. 1 (5).

Conditions

(3) The conditions referred to in subsection (2) are:

1. A declaration has been made under section 7.0.1.
2. The provision,
 - i. governs services, benefits or compensation, including,
 - A. fixing maximum amounts,
 - B. establishing eligibility requirements,
 - C. requiring that something be proved or supplied before services, benefits or compensation become available,
 - D. restricting how often a service or benefit may be provided or a payment may be made in a given time period,
 - E. restricting the duration of services, benefits or compensation or the time period during which they may be provided,
 - ii. establishes a limitation period or a period of time within which a step must be taken in a proceeding, or
 - iii. requires the payment of fees in respect of a proceeding or in connection with anything done in the administration of justice.
3. In the opinion of the Lieutenant Governor in Council, the order would facilitate providing assistance to victims of the emergency or would otherwise help victims or other persons to deal with the emergency and its aftermath. 2006, c. 13, s. 1 (5).

Maximum period, renewals and new orders

(4) The period of temporary suspension under an order shall not exceed 90 days, but the Lieutenant Governor in Council may,

- (a) before the end of the period of temporary suspension, review the order and, if the conditions set out in subsection (3) continue to apply, make an order renewing the original order for a further period of temporary suspension not exceeding 90 days;
- (b) at any time, make a new order under subsection (2) for a further period of temporary suspension not exceeding 90 days. 2006, c. 13, s. 1 (5).

Further renewals

(5) An order that has previously been renewed under clause (4) (a) may be renewed again, and in that case clause (4) (a) applies with necessary modifications. 2006, c. 13, s. 1 (5).

Effect of temporary suspension: time period

(6) If a provision establishing a limitation period or a period of time within which a step must be taken in a proceeding is temporarily suspended by the order and the order does not provide for a replacement limitation period or period of time, the limitation period or period of time resumes running on the date on which the temporary suspension ends and the temporary suspension period shall not be counted. 2006, c. 13, s. 1 (5).

Effect of temporary suspension: fee

(7) If a provision requiring the payment of a fee is temporarily suspended by the order and the order does not provide for a replacement fee, no fee is payable at any time with respect to things done during the temporary suspension period. 2006, c. 13, s. 1 (5).

Restriction

- (8) This section does not authorize,
- (a) making any reduction in respect of services, benefits or compensation;
 - (b) shortening a limitation period or a period of time within which a step must be taken in a proceeding; or
 - (c) increasing the amount of a fee. 2006, c. 13, s. 1 (5).

Section Amendments with date in force (d/m/y)

2002, c. 14, s. 11 - 15/04/2003

2003, c. 1, s. 14 (1-3) - 05/05/2003

2006, c. 13, s. 1 (5) - 30/06/2006