



2ND SESSION, 37TH LEGISLATURE, ONTARIO
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Bill Pr15

An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre

Mr. Hampton

Private Bill

1st Reading June 26, 2001

2nd Reading

3rd Reading

Royal Assent

*(Reprinted as amended by the Standing Committee on
Regulations and Private Bills and as reported to
the Legislative Assembly November 26, 2001)*

*(The provisions in this bill will be renumbered after
3rd Reading)*

Printed by the Legislative Assembly of Ontario



EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre

Preamble

The Nishnawbe-Aski Nation, The Corporation of the Municipality of Sioux Lookout and the board of governors of the Sioux Lookout District Health Centre have applied for special legislation to establish the Sioux Lookout Meno-Ya-Win Health Centre and to dissolve the Sioux Lookout District Health Centre. The application is made in accordance with an agreement entered into on April 11, 1997 by the Nishnawbe-Aski Nation on behalf of the Sioux Lookout Zone First Nations, Her Majesty the Queen in right of Canada, Her Majesty the Queen in right of the Province of Ontario and The Town of Sioux Lookout (the "Four-Party Agreement").

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Health Centre established

1. (1) Sioux Lookout Meno-Ya-Win Health Centre is hereby established as a corporation without share capital.

Same

(2) The Health Centre is composed of the members of its board and such other persons as may be authorized by a by-law of the board.

Object of the Health Centre

2. (1) The object of the Health Centre is to serve the health care needs primarily of persons in the Municipality of Sioux Lookout, in the Township of Pickle Lake, in the areas without municipal organization surrounding them and in those First Nations communities that historically have been served by the hospitals of Sioux Lookout.

Same

(2) Without limiting the generality of subsection (1), the Health Centre shall establish and operate such hospital facilities and provide for such services and programs as the board considers necessary.

Powers of the Health Centre

3. The Health Centre has the capacity and the rights, powers and privileges of a natural person.

Board

4. (1) The affairs of the Sioux Lookout Meno-Ya-Win Health Centre shall be managed by its board.

Composition

(2) The board of the Health Centre is composed of the following members:

1. The persons required by the *Public Hospitals Act*.
2. Such other persons as the by-laws specify, to be selected in the manner provided by by-law.

Proportional representation

(3) The by-law governing board membership must ensure that the composition of the board meets the requirements of the principle of proportional representation by population as described in Article 7.1 of the Four-Party Agreement.

Duty

(4) Each board member has a duty to serve the best interests of the Health Centre.

Term of office

(5) The term of office of board members is as established by by-law.

Vacancy

(6) A vacancy on the board shall be filled in the manner provided by by-law.

Same

(7) Criteria for determining when a vacancy occurs may be established by by-law.

Same

(8) If one or more positions on the board is vacant, the board shall be deemed to be properly constituted for a period not exceeding 90 days after the deficiency in the number of members first occurs.

First board, members

(9) The following persons are appointed as board members when this Act comes into force:

1. The persons required by the *Public Hospitals Act*.
2. John A. Baird, Eugene Clifford Bull, Roger Christopher Cromarty, John Cutfeet, Ennis Francis Fiddler, Jonas J. Fiddler, Josias Fiddler, Marguerite Ann Hoey, Lorraine Kenny, Kai Eric Koivukoski, Knowles E. McGill, Wallace M. McKay, Orpah McKenzie, Margaret Anne Sanders, Roy Spence and Laureen Wassaykeesic.

First board, term of office

(10) Each board member appointed by paragraph 2 of subsection (9) holds office until immediately after the third annual meeting of the Health Centre.

Four-Party Agreement

5. (1) The Health Centre shall make a copy of the Four-Party Agreement available for inspection by the public upon request.

Same

(2) The Health Centre may delegate its duty under subsection (1) to the Clerk of the Municipality of Sioux Lookout, the Nishnawbi-Aski Nation or both.

Traditional foods

6. (1) The Health Centre may make available to patients, their visitors and Health Centre staff uninspected meat from animals and birds killed by way of hunting.

Same

(2) The Health Centre shall comply with such requirements relating to the uninspected meat as may be established under the *Health Protection and Promotion Act*.

Transfers from predecessor corporation

7. (1) On the day that section 10 comes into force, the assets and liabilities of the Sioux Lookout District Health Centre immediately before that section comes into force are assets and liabilities of the Sioux Lookout Meno-Ya-Win Health Centre.

Proceedings

(2) On the day that section 10 comes into force, the Sioux Lookout Meno-Ya-Win Health Centre replaces the Sioux Lookout District Health Centre as a party in any ongoing proceeding.

Claims

(3) Claims that may be made by or against the Sioux Lookout District Health Centre, as it exists immediately before section 10 comes into force, may be made by or

against the Sioux Lookout Meno-Ya-Win Health Centre in its place when that section comes into force.

Transfers of gifts, etc.

8. On the day that section 10 comes into force, all gifts, trusts and bequests made to or intended for the Sioux Lookout District Health Centre shall be construed as gifts, trust and bequests to the Sioux Lookout Meno-Ya-Win Health Centre for the purpose of carrying out its objects, unless the gift, trust or bequest expressly provides otherwise.

Transfers upon dissolution

9. Upon the dissolution of the Sioux Lookout Meno-Ya-Win Health Centre and with the approval of the Minister of Health, the remaining property of the Health Centre shall be given to charitable organizations that engage in activities in Ontario only.

**Aboriginal rights**

9.1 This Act does not abrogate, derogate from or add to any aboriginal or treaty right that is recognized and affirmed by section 35 of the *Constitution Act, 1982*.

**Repeal**

10. The *Sioux Lookout District Health Centre Act, 1990* is repealed.

Commencement

11. (1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.

(2) Section 10 comes into force 120 days after the day this Act receives Royal Assent.

Short title

12. The short title of this Act is the *Sioux Lookout Meno-Ya-Win Health Centre Act, 2001*.