

Legislative
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67 ELIZABETH II, 2018

Bill 59

An Act to enact the Caregiver Recognition Act, 2018

Mr. J. Roberts

Private Member's Bill

1st Reading November 20, 2018

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill enacts the *Caregiver Recognition Act, 2018*. The Act sets out general principles relating to caregivers and proclaims the first Tuesday of April in each year as Caregiver Recognition Day. Ministries and government agencies may take steps to promote the general principles and may consider them when developing, implementing, providing or evaluating caregiver supports.

An Act to enact the Caregiver Recognition Act, 2018

Preamble

Recognition and awareness of caregivers should be increased, and their valuable social and economic contribution to society should be acknowledged and supported.

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

Definitions

1 In this Act,

“caregiver” means a family member, friend or person of choice who gives unpaid care to someone who has care needs due to a disability, a physical, neurological or mental condition, a chronic illness, frailty or age; (“aidant naturel”)

“caregiver supports” means policies, programs or services directed to caregivers; (“mesures de soutien aux aidants naturels”)

“general principles” means the general principles relating to caregivers as set out in the Schedule; (“principes généraux”)

“government agency” means,

- (a) any authority, board, commission, corporation, office or organization of persons a majority of whose directors, members or officers are appointed or chosen by or under the authority of the Lieutenant Governor in Council or a member of the Executive Council, or
- (b) any other entity prescribed by the regulations. (“organisme gouvernemental”)

General principles relating to caregivers

2 The general principles relating to caregivers are set out in the Schedule.

Caregiver Recognition Day

3 The first Tuesday of April in each year is proclaimed as Caregiver Recognition Day.

Promotion of general principles

4. Ministries and government agencies may take such practicable measures as they consider advisable to promote amongst their employees and others an awareness and understanding of the general principles.

Government to consider general principles re caregiver supports

5 Each ministry or government agency that is responsible for the development, implementation, provision or evaluation of caregiver supports may consider the general principles in developing, implementing, providing or evaluating caregiver supports.

Act does not create legally enforceable obligations

6 (1) This Act does not create rights or duties that are legally enforceable in court or other proceedings.

Failure to comply with Act

(2) A failure to comply with this Act does not affect the validity of any action or decision, and is not a ground for the review or challenge of any action or decision.

Conflict

(3) If a ministry or government agency is required by an Act to consider particular matters in the exercise of its duties or powers, nothing in this Act is to be taken to require it to act inconsistently with the other Act.

Regulations

7 The Lieutenant Governor in Council may make regulations,

- (a) prescribing entities for the purpose of the definition “government agency” in section 1;

- (b) defining any word or expression used in this Act that is not already defined in this Act;
- (c) respecting any other matter necessary or advisable to carry out the purposes of this Act.

Commencement

8 This Act comes into force on the day it receives Royal Assent.

Short title

9 The short title of this Act is the *Caregiver Recognition Act, 2018*.

SCHEDULE
GENERAL PRINCIPLES RELATING TO CAREGIVERS

- 1 The relationship between caregivers and the persons for whom they care should be recognized and respected.
- 2 The valuable social and economic contribution that caregivers make to society should be recognized and supported.
- 3 Caregivers should be acknowledged as individuals with their own needs within and beyond the caring role.
- 4 Caregivers should be supported to enjoy optimum health and social well-being and to participate in family, social and community life.
- 5 Caregivers should be considered as important contributors with other care providers in the provision of care, support or assistance, acknowledging the unique knowledge and experience of caregivers.
- 6 Caregivers should be treated with dignity and respect.
- 7 Caregivers should be supported to achieve greater economic well-being and sustainability and, where appropriate, should have opportunities to participate in employment and education.
- 8 Support for caregivers should be timely, responsive, appropriate and accessible.