

The Cancer Remedy Act, 1938

Statutes of Ontario, 1938

CHAPTER 4



ONTARIO

TORONTO

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1938



The Great Republic Act 1935

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STATUTES.



An Act for the Investigation of
Remedies for Cancer.

Statutes of Ontario, 1938

CHAPTER 4.

*Assented to April 8th, 1938.
Session Prorogued April 8th, 1938.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Cancer Remedy Act, 1938*. Short title.

2. In this Act,— Interpretation.

(a) "Commission" shall mean The Commission for the Investigation of Cancer Remedies appointed under the provisions of this Act; "Commission."

(b) "Minister" shall mean Minister of Health. "Minister."

3.—(1) The Lieutenant-Governor in Council may appoint a commission to be known as "The Commission for the Investigation of Cancer Remedies" which shall be a body corporate and the member or members of the Commission shall hold office during the pleasure of the Lieutenant-Governor in Council. Commission,— appointment of.

(2) Where there is more than one member of the Commission,— Chairman; quorum.

(a) the Lieutenant-Governor in Council may appoint one of the members of the Commission to be chairman;

(b) a majority of the members of the Commission shall constitute a quorum and a majority vote of the members present at any meeting of the Commission shall determine any question.

(4.—(1) The objects of the Commission shall be to investigate, approve, disapprove, encourage or report upon any substance or method of treatment which is believed to be, or likely to be, or is advertised, held out to be or used as a remedy for cancer, and the Commission may take such measures as it deems necessary to accomplish such objects. Objects of Commission.

Disburse-
ment of
moneys.

(2) The funds of the Commission shall consist of any moneys received by it from any sources, including any moneys appropriated for its use by the Parliament of Canada, the Legislature of Ontario or the King George V Silver Jubilee Cancer Fund, and the Commission may disburse, expend or otherwise deal with any of the funds of the Commission as it deems proper.

Commission
may enter
into agree-
ments.

(3) Subject to the approval of the Lieutenant-Governor in Council, the Commission may enter into agreements with any university, medical association, hospital or other association, corporation or person for the purpose of carrying out the objects of the Commission.

Officers,
clerks and
servants.

(4) The Commission may employ officers, clerks and servants and may engage the services of experts and other persons and may pay any such officer, clerk, servant, expert or other person such remuneration as it deems proper out of the funds of the Commission.

Remunera-
tion of
members
of Com-
mission.

(5) The members of the Commission shall be paid such remuneration out of the funds of the Commission as the Lieutenant-Governor in Council may determine.

Commission
to furnish
financial
statement.

5. The Minister may require the Commission to furnish him with a financial statement showing all moneys received and disbursed by the Commission and may require the Provincial Auditor or any other qualified auditor to conduct an audit of the funds of the Commission and the cost of such audit shall be paid out of the funds of the Commission.

Submission
of samples
of treatment

6.—(1) The Commission may require any person who (advertises) offers for sale, holds out, distributes, sells or administers either free of charge or for gain, hire or hope of reward, any substance or method of treatment as a remedy for cancer to submit samples of such substance or a description of such treatment and samples of any substance used with such treatment to the Commission together with the formula of such substance and such other information pertaining to such substance or method of treatment as the Commission may determine.

Information
not to be
divulged.

(2) The Commission shall not divulge any information relating to the composition or formula of any substance received by it.

Investiga-
tion of
treatment.

7. Where any substance or method of treatment is submitted to the Commission under the provisions of section 6, the Commission shall cause such substance or method of treatment to be investigated, and upon the conclusion of such investigation, shall make a determination or finding as

to the merit or value as a remedy for cancer of such substance or method of treatment; provided that the Commission may at any time before concluding its investigation make such determination or finding of a temporary nature as it deems proper, and every determination or finding of the Commission shall be recorded in the minutes of the Commission.

8. The Commission shall make a report of any determination or finding relating to any substance or method of treatment to,—

(a) the Minister; and

(b) the person who has submitted such substance or method to the Commission for investigation;

and the Minister may publish such report in such manner as he may deem proper.

9. No action in libel or slander or otherwise shall lie or be instituted against the Minister, the Commission, any member of the Commission or any officer, clerk or servant employed by the Commission or any expert or other person engaged by the Commission whether in the public or private capacity of such Minister, member, officer, clerk, servant, expert or other person in respect of any act or omission in connection with the administration or carrying out of the provisions of this Act.

10.—(1) Every person who violates any of the provisions of this Act or who fails or neglects to obey any order, direction or requirement of the Commission shall be guilty of an offence and for a first offence shall be liable to a penalty of not less than \$100 and not exceeding \$500, and in default of payment of any such penalty, to imprisonment for a period not exceeding thirty days, and for a second or subsequent offence shall be liable to a penalty of not less than \$500 and not exceeding \$2,500, and in default of payment of any such penalty, to imprisonment for a period not exceeding six months.

(2) The penalties imposed by this Act shall be recoverable under *The Summary Convictions Act*.

SHEILA SNOW FRASER ESSIAC ARCHIVE

Verified:

MK

Date:

09/12/2009