



## **PLEASE NOTE**

This document, prepared by the [Legislative Counsel Office](#), is an office consolidation of this Act, current to November 8, 2005. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the [Table of Public Acts](#).

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## CHAPTER R-12

### REHABILITATION OF DISABLED PERSONS ACT

#### 1. In this Act

#### Definitions

- (a) “designated group” means any group of persons designated by the Minister pursuant to this Act to be in need of rehabilitation services, and includes an association of those persons; designated group
- (b) “disabled person” means disabled person
- (i) a person who has a physical, mental, psychological, emotional or other impairment that impedes him from participating to the best of his ability in social and economic activities,
  - (ii) a person who is eligible for rehabilitation services under the terms of an agreement entered into pursuant to section 7, or
  - (iii) a person whose participation in social and economic activities in relation to his ability, is impeded by familial, social or other extrinsic factors;
- (c) “Minister” means the Minister of Social Services and Seniors; Minister
- (d) “occupation” includes any trade, calling, vocation or profession; occupation
- (e) “occupational training” includes academic, manual, prevocational and supplementary training for the purpose of increasing the capability of disabled persons for self care and self support; occupational training
- (f) “prosthetic appliance” includes any device necessary to support or take the place of a part of the body or to increase the efficiency of a sense organ; prosthetic appliance
- (g) “rehabilitation” means the establishment or the restoration of a disabled person to self sufficiency at his highest attainable level. R.S.P.E.I. 1974, Cap. R-12, s.2; 1980, c.2, s.3; 2005,c.40,s.31. rehabilitation

2. The Minister may provide such goods and services as he may consider necessary for the rehabilitation of any disabled person upon such terms and conditions as he may consider fit, and without limiting the generality of the foregoing, may provide or assist disabled persons by way of grant, loan or otherwise in obtaining the following: Rehabilitation services

- (a) diagnosis, counselling, training, placement and transportation;
- (b) tools, books, material, equipment and other personal property necessary for rehabilitation purposes;
- (c) dental and orthodontic treatment and care;
- (d) drugs, medical and surgical supplies, and prosthetic appliances;

- (e) maintenance, foster home care, and other forms of substitute care;
- (f) such other goods and services as the Minister may consider necessary for the better carrying out of the intent of this Act. R.S.P.E.I. 1974, Cap. R-12, s.3.

Powers of Minister re rehabilitation of groups and associations

**3. The Minister may**

- (a) declare any association, group or organization, whether incorporated or not, to be in need of rehabilitation services;
- (b) make grants to any association, group or organization, whether incorporated or not, that has for its object the rehabilitation of disabled persons;
- (c) purchase, lease or otherwise acquire any real property that the Minister considers necessary for the purpose of promoting the objects of this Act;
- (d) sell, lease, exchange or otherwise deal with real property acquired pursuant to clause (c) upon such terms and conditions as he may consider advisable;
- (e) establish, construct or acquire, and maintain and operate a training facility for the rehabilitation of disabled persons or designated groups;
- (f) plan, develop, operate and manage any project or enterprise for the rehabilitation of disabled persons;
- (g) establish a provincial registry for disabled persons;
- (h) in cooperation with private organizations and agencies, provide for the voluntary coordination of activities in the field of rehabilitation;
- (i) conduct specialist clinics for groups of disabled persons where their rehabilitation may be expedited by doing so;
- (j) provide for such other matters as he may consider advisable for the rehabilitation of disabled persons. R.S.P.E.I. 1974, Cap. R-12, s.4.

Information supplied to department; privileged

**4. (1)** All information with respect to any individual obtained by the Minister or an officer or employee in the course of the administration of this Act and the regulations or the carrying out of an agreement entered into under section 7 is privileged and no person shall knowingly, except as provided in this Act, communicate or allow to be communicated to any person not legally entitled thereto to inspect or have access to any such information.

Information, to whom available

**(2)** Any information obtained by the Minister or an officer or employee in the course of the administration of the Act and the regulations or the carrying out of the agreement entered into under section 7 may be communicated to any officer or employee in any

department or agency of the Government of Prince Edward Island or of the Government of Canada or of the government of another province, or of a private agency, where the information is required by the officer or employee in the provision of assistance or services to the person or persons about whom the information is communicated.

(3) Notwithstanding any other Act or law, no officer or employee shall be required, in connection with any legal proceedings, to give evidence relating to any information that is privileged under subsection (1) or to produce any statement or other writing containing any such information.

Officers of Crown  
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information

(4) Subsections (1) and (3) do not apply in respect of proceedings relating to the administration or enforcement of this Act. R.S.P.E.I. 1974, Cap. R-12, s.5; 1993, c.30, s.61 *{eff.}* Sept. 9/93.

Exception

5. The Minister shall submit annually to the Legislative Assembly a report of the administration of this Act within thirty days of the commencement of the Legislative Assembly. R.S.P.E.I. 1974, Cap. R-12, s.6.

Annual Report

6. The Lieutenant Governor in Council may make such regulations as he considers advisable for the proper administration of this Act and for regulating the expenditures to be made thereunder, and without limiting the generality of the foregoing, may make regulations

Regulations

- (a) prescribing the conditions of eligibility of applicants for goods and services under this Act;
- (b) prescribing the form of applications for goods and services under this Act, and a time, manner and place of making such application;
- (c) prescribing the information to be submitted by an applicant, and providing for the investigation into any application and into the eligibility of an applicant;
- (d) establishing standards governing who is liable for repayment of goods or services provided under this Act, prescribing the time within which payment is to be made for the repayment, and such other regulations as may be necessary to ensure the effective and efficient collection of any moneys owing to the Crown under this Act;
- (e) governing the manner in which information and records of a confidential nature obtained from an applicant are to be kept;
- (f) classifying applicants and prescribing the kind or kinds of goods and services that may be granted to an applicant in any classification;
- (g) providing for such other matters and things as may be considered desirable for the better carrying out of the provisions of this Act according to their true intent. R.S.P.E.I. 1974, Cap. R-12, s.7.

- Power to enter into agreement
- 7.** Subject to the approval of the Lieutenant Governor in Council, the Minister may, on behalf of the Government of Prince Edward Island, enter into agreements or arrangements with the Government of Canada, or with the government of any province or provinces of Canada, or with an agency or any designated group for the purpose of providing for the rehabilitation of disabled persons. R.S.P.E.I. 1974, Cap. R-12, s.8.
- Offences and penalties
- 8.** Every person who knowingly
- (a) makes a false or misleading statement in any application or report under this Act or makes any such application or report that by reason of any non-disclosure of facts is false or misleading;
  - (b) provides any person employed in the administration or enforcement of this Act with any statement or information that is false in any material part;
  - (c) contravenes section 4 by communicating or allowing to be communicated to any person privileged information or by allowing any person to inspect or have access to any statement or other writing containing any such information,
- is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding \$1,000 or to both. R.S.P.E.I. 1974, Cap. R-12, s.9.
- Limitation of action
- 9.** No action shall be brought against any person who acts under this Act or the regulations for anything done by him in good faith in the performance or intended performance of his duties under the Act or the regulations. R.S.P.E.I. 1974, Cap. R-12, s.10.
- Recovery of costs of services in certain cases
- 10.** Without limiting any other rights or remedies under this Act, the Minister may recover from a recipient of any goods or services provided under this Act or from his estate, the cost of any goods or services obtained under this Act by fraud or misrepresentation. R.S.P.E.I. 1974, Cap. R-12, s.1974(2nd), c.43, s.11.