

UNEDITED

The Cancer Control Act

being

Chapter 234 of *The Revised Statutes of Saskatchewan, 1953*
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER 234

An Act respecting the Control and Treatment of Cancer

Short title

1 This Act may be cited as *The Cancer Control Act*.

R.S.S. 1953, c.234, s.1.

Interpretation

2 In this Act:

“cancer”

1 “**cancer**” includes all forms and types of malignant growth and pre-cancerous conditions;

“chairman”

2 “**chairman**” means the chairman of the Saskatchewan Cancer Commission;

“clinic”

3 “**clinic**” means a clinic established under authority of this Act;

“commission”

4 “**commission**” means the Saskatchewan Cancer Commission;

“minister”

5 “**minister**” means the Minister of Public Health;

“patient”

6 “**patient**” means any person afflicted with cancer;

“physician”

7 “**physician**” means a duly qualified medical practitioner registered under *The Medical Profession Act*.

1944, c.78, s.2; 1946, c.83, s.2; 1949, c.100, s.1;
R.S.S. 1953, c.234, s.2.

Persons entitled to care and treatment

3 All patients who are residents and have been residents of Saskatchewan for a period of at least six months immediately prior to actual admission to a clinic shall be entitled to care and treatment at the expense of the province.

1944, c.78, s.3; 1946, c.83, s.3; R.S.S. 1953,
c.234, s.3.

Persons entitled to care and treatment

4(1) There shall be a commission known as the Saskatchewan Cancer Commission.

(2) The commission shall be composed of not more than seven members, exclusive of the members mentioned in subsection (4), as determined from time to time by, and appointed by, the Lieutenant Governor in Council.

(3) One of the members so appointed shall be named by the Lieutenant Governor in Council as chairman of the commission.

(4) The Director of Cancer Services and the Directors of Cancer Clinics shall be members of the commission, but without power to vote at meetings.

1946, c.83, s.4; R.S.S. 1953, c.234, s.4.

Meetings

5 Meetings of the commission shall be held at least once every four months and at other times at the call of the chairman or on written application to the chairman by any three members.

1946, c.83, s.4; R.S.S. 1953, c.234, s.5.

Chairman

6(1) The chairman shall be the chief executive officer of the commission and shall preside at meetings.

(2) The Lieutenant Governor in Council may appoint a person to act in place of the chairman, during his illness or absence from duty.

(3) When it appears that a person other than the chairman has acted for and in the place of the chairman, it shall be conclusively presumed that he has so acted in the absence of the chairman.

1944, c.78, s.5; R.S.S. 1953, c.234, s.6.

Where only member

7 If only one member of the commission is appointed, he shall be deemed to be the chairman for the purposes of this Act, and shall possess all the powers, exercise all the functions and perform all the duties of the commission.

1944, c.78, s.6; R.S.S. 1953, c.234, s.7.

Quorum

8 A majority of the appointed members shall constitute a quorum for the transaction of business, and during a vacancy the remaining member or members may exercise all the powers of the commission.

1944, c.78, s.7; 1946, c.83, s. 5; R.S.S. 1953, c.234, s.8.

Powers of one member

9 Any one member may hold an inquiry or conduct a hearing for the commission.

1944, c.78, s.8; R.S.S. 1953, c.234, s.9.

Orders by one member

10 Orders made by one member shall, when confirmed by the commission, be deemed to be the orders of the commission.

1944, c.78, s.9; R.S.S. 1953, c.234, s.10.

Officers and employees

11(1) There may be appointed a secretary to the commission, and such other officers, nurses, technicians, inspectors, clerks and assistants as may be required.

(2) The members of the commission and officials shall receive such remuneration and travelling expenses as the Lieutenant Governor in Council may determine.

1944, c.78, s.10; 1946, c.83, s.6; R.S.S. 1953, c.234, s.11.

Duties and powers of commission

12 The commission shall be charged with the administration of this Act and may, subject to the approval of the minister:

- (a) institute inquiries and collect facts and statistics relating to the incidence of mortality from and treatment of cancer;
- (b) disseminate information in such manner and form as may be found best adapted to aid in the control and successful treatment of cancer;
- (c) secure the observance and execution of the provisions of this Act and the regulations;
- (d) issue reports, statistics, circulars and other publications deemed advisable;
- (e) provide for the establishment of consultative diagnostic clinics required for the diagnosis of cancer;
- (f) provide for the establishment of one or more clinics for the treatment of patients or the stay, treatment and medical and surgical care of patients;
- (g) provide for the stay, treatment and medical and surgical care in hospitals of patients;
- (h) erect buildings, or purchase land and erect buildings, or purchase land and buildings, for the purpose of establishing clinics;
- (i) obtain a supply of radium with the necessary equipment and appurtenances, and apparatus, instruments, equipment and supplies for the diagnosis and treatment of cancer;
- (j) make regulations governing the administration and operation of clinics and admission thereto, and prescribing the charges to be made for the care and treatment of patients other than those provided for in section 3;
- (k) make regulations governing the provision of care and diagnostic services to a person suspected by a physician of being afflicted with cancer and who is and has been for a period of at least six months immediately prior to actual admission to a clinic a resident of Saskatchewan, and prescribing the charges to be made to such person therefor when it is found that he is not afflicted with cancer;
- (l) make regulations governing the use and sale of radium, radium emanations and radium derivatives;
- (m) communicate, as far as practicable, with the governmental authorities of other provinces and places, and with public bodies and organizations both within and without the province, for the purpose of acquiring and disseminating information concerning the control and treatment of cancer;
- (n) make such regulations and do such other things as will aid in carrying out the provisions of this Act and the regulations in a satisfactory manner.

1944, c.78, s.11; 1946, c.83, s.7; 1952, c.92, s.1;
R.S.S. 1953, c.234, s.12.

Disposal of fees

13 Any charges collected by the commission for the use and from the sale of radium, radium emanations and radium derivatives, and from any other source, shall form part of the consolidated fund.

1944, c.78, s.12; R.S.S. 1953, c.234, s.13.

Expenses of administration

14 The remuneration of members of the commission and officials, and other expenditures incurred in the administration of this Act, not provided for in section 15, shall be chargeable to and payable out of moneys appropriated by the Legislature for the purpose.

1944, c.78, s.13; R.S.S. 1953, c.234, s.14.

Capital expenditures

15(1) In order to provide the funds required for the purchase of a supply of radium, the purchase of equipment and apparatus of a permanent nature, for the erection of buildings and the purchase of land and buildings, the Lieutenant Governor in Council may authorize the Provincial Treasurer to raise, by way of loan upon the credit of the province, such sum or sums of money as may be required, and for that purpose to issue bonds, debentures, inscribed stock or such other securities of the province as the Lieutenant Governor in Council deems advisable.

(2) The said sums of money shall be raised as provided by *The Saskatchewan Loans Act*, and may be borrowed for any term or terms not exceeding forty years and at such rate of interest as the Lieutenant Governor in Council determines, and shall be raised upon the credit of the consolidated fund and shall be chargeable thereon.

1944, c.78, s.14; R.S.S. 1953, c.234, s.15.

Furnishing information

16(1) Every official of a public institution supported in whole or in part by the province, every medical health officer, every secretary of a board of health and every physician shall answer promptly communications from the commission, collect and tabulate facts according to instructions given them by the commission and supply correct information as to all matters submitted to them.

(2) Every clerk or secretary of a city, town, village or rural municipality shall answer promptly communications from the commission and supply correct information regarding any patient.

(3) Any person mentioned in subsection (1) or (2), who fails to comply with the provisions thereof, is guilty of an offence and liable on summary conviction to a fine not exceeding \$25.

1944, c.78, s.15; R.S.S. 1953, c.234, s.16.

Recovery of expenses by municipality and commission

17(1) Notwithstanding the repeal of *The Saskatchewan Cancer Commission Act* by chapter 78 of the statutes mission of 1944, any sum paid by a municipality to the commission under the repealed Act or any former *Saskatchewan Cancer Commission Act* may be recovered from the patient, or from the husband or wife of the patient, or from the father or mother of the patient where the patient is a child dependent upon such father or mother for support, by action or by distraint by the treasurer of the municipality, and in the event of the death of the patient the council may recover the said sum from his executors or administrators.

(2) The municipality shall have a charge upon the lands of the patient, or of the husband or wife of the patient, or of the father or mother of the patient where the patient is a child dependent upon such father or mother for support, for expenses incurred under the said repealed Act or any former *Saskatchewan Cancer Commission Act*, and may file a caveat for the protection of such charge in the proper land titles office.

(3) The repeal of the said Act shall not affect the right of recovery of moneys owing to the Saskatchewan Cancer Commission on the first day of May, 1944.

1944, c.78, s.17; R.S.S. 1953, c.234, s.17.

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