

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
67 ELIZABETH II, 2018

Bill 55

An Act to amend various Acts with respect to the disclosure of confidential information

Mr. S. Crawford

Private Member's Bill

1st Reading November 14, 2018

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Consumer Protection Act, 2002* to provide that if a government institution makes a request to a lender to obtain personal information of a consumer with whom the lender has entered into a credit agreement, the lender may only disclose the personal information if the consumer consents to the disclosure. Similar amendments are made to the *Consumer Reporting Act* and the *Credit Unions and Caisses Populaires Act, 1994*.

An Act to amend various Acts with respect to the disclosure of confidential information

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

1 The *Consumer Protection Act, 2002* is amended by adding the following section:**Disclosure of personal information**

76.1 (1) If a government institution makes a request, under its lawful authority, to a lender to obtain personal information of a consumer with whom the lender has entered into a credit agreement and whose personal information the lender has in its possession or control, it is a term of the agreement that the lender may disclose the consumer's personal information to the government institution only if the consumer consents to the disclosure.

Definitions

(2) In subsection (1),

“government institution” means the Government of Ontario or the Government of Canada, and includes any ministry, department, agency, board, commission, official or other body of those governments; (“institution du gouvernement”)

“personal information” has the same meaning as in subsection 2 (1) of the *Freedom of Information and Protection of Privacy Act*. (“renseignements personnels”)

2 Section 19 of the *Consumer Reporting Act* is amended by adding the following subsections:**Request from government institution**

(3) If a government institution makes a request, under its lawful authority, to a consumer reporting agency to obtain information regarding a consumer, the consumer reporting agency may disclose the consumer's information to the government institution only if the consumer consents to the disclosure.

Definition

(4) In subsection (3),

“government institution” means the Government of Ontario or the Government of Canada, and includes any ministry, department, agency, board, commission, official or other body of those governments.

3 Section 143 of the *Credit Unions and Caisses Populaires Act, 1994* is amended by adding the following subsections:**Exception — request from government institution**

(4) Despite subsection (1), if a government institution makes a request, under its lawful authority, to obtain information respecting a member, the information may be disclosed to the government institution only if the member consents to the disclosure.

Definition

(5) In subsection (4),

“government institution” means the Government of Ontario or the Government of Canada, and includes any ministry, department, agency, board, commission, official or other body of those governments.

Commencement

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

Short title

5 The short title of this Act is the *Safeguarding our Information Act, 2018*.