

Legislative  
Assembly  
of Ontario



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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*.**