

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
69 ELIZABETH II, 2020

Bill 213

**An Act to reduce burdens on people and businesses by enacting,
amending and repealing various Acts and revoking a regulation**

The Hon. P. Sarkaria

Associate Minister of Small Business and Red Tape Reduction

Government Bill

1st Reading October 6, 2020

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 BUSINESS CORPORATIONS ACT

A new clause 104 (1) (c) of the *Business Corporations Act* provides that, in the case of a corporation that is not an offering corporation, a resolution in writing signed by the holders of at least a majority of the shares or their attorney authorized in writing entitled to vote on that resolution at a meeting of the shareholders is as valid as if it had been passed by ordinary resolution at the meeting. In addition, if the resolution deals with all matters required by the Act to be dealt with at a meeting of shareholders where all business to be transacted at the meeting is to be passed by ordinary resolution, the resolution satisfies all the requirements of the Act relating to such a shareholder meeting. The new clause is subject to existing exceptions set out in the section. The section is also amended to require notice of the resolution referred to in clause 104 (1) (c) to be given to all shareholders entitled to vote on the resolution who did not sign it. Provision is made for circumstances where the articles or a unanimous shareholder agreement require a greater number of votes of shareholders to effect a particular action by ordinary resolution prevail over the number required by the Act by reason of subsection 5 (4). Consequential amendments are made to subsections 5 (5) and 154 (4).

Subsection 118 (3) of the Act, which governs how many directors of a corporation must be resident Canadians, is repealed. Consequential amendments are made.

Other technical amendments are made to various provisions of the Act.

SCHEDULE 2 CANADA CHRISTIAN COLLEGE AND SCHOOL OF GRADUATE THEOLOGICAL STUDIES ACT, 1999

The Schedule amends the *Canada Christian College and School of Graduate Theological Studies Act, 1999* to continue Canada Christian College and School of Graduate Theological Studies as a corporation without share capital under the name Canada University and School of Graduate Theological Studies and makes other related amendments.

Section 6 of the Act is amended to include Bachelor of Arts and Bachelor of Science as additional degrees the board may grant.

SCHEDULE 3 CHANGE OF NAME ACT

Subject to a transitional provision, the Schedule amends the *Change of Name Act* to remove the ability of a married person or person in a conjugal relationship outside marriage to elect to change the person's surname to that of their spouse or conjugal partner or to a name that combines the surnames of both spouses or conjugal partners. The Schedule preserves the ability of a person who is or was married or in a conjugal relationship outside marriage and who made such an election before the amendments come into force to resume the surname that person had immediately before the marriage or the conjugal relationship, except if the person has changed any of the person's names in the interim.

SCHEDULE 4 FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT ACT, 1996

The *Family Responsibility and Support Arrears Enforcement Act, 1996* is amended to allow the Director of the Family Responsibility Office to exercise discretion in determining methods of payment that may be used by a support payor to pay amounts owing under a support order. Other technical amendments are also made to the Act.

SCHEDULE 5 FISH AND WILDLIFE CONSERVATION ACT, 1997

Section 62.1 is added to the *Fish and Wildlife Conservation Act, 1997* to give the Minister the power to amend licences and authorizations issued or granted under the Act.

Various minor amendments are made to the regulation-making powers set out in sections 112 and 113 of the Act.

SCHEDULE 6 FORFEITED CORPORATE PROPERTY ACT, 2015

The Schedule makes various amendments to the *Forfeited Corporate Property Act, 2015*, including the following:

1. Currently, the Minister has certain powers to require persons occupying forfeited corporate real property as living accommodation to vacate the property. The Act is amended to extend these powers to forfeited corporate real property that is not being occupied as living accommodation.
2. Various amendments are made respecting forfeited corporate real property that was co-owned. In particular, the Act is amended to permit the Minister to transfer any type of forfeited corporate real property to a co-owner of the property.
3. The Act is amended to specify the availability of certain remedies in respect of forfeited corporate property.

As well, the Schedule repeals section 39 of the Act (Availability of co-operative's property to satisfy judgments) and amends the *Co-operative Corporations Act* to incorporate, in that Act, substantively the same rule as set out in section 39.

**SCHEDULE 7
INSURANCE ACT**

The Schedule makes several amendments to the *Insurance Act*. Various provisions of the Act are repealed, complementary amendments are made and transitional matters are provided for.

**SCHEDULE 8
MARRIAGE ACT**

The Schedule amends the *Marriage Act* to provide that persons authorized to solemnize marriage must comply with a Code of Practice made by the Minister.

**SCHEDULE 9
MINING ACT**

The Schedule makes various amendments to the *Mining Act*, including the following:

1. A new section 73.1 is added to the Act, permitting the Minister to make an order described in subsection 67 (1) (exclusion of time and work) or 73 (1) (extension of time) on the Minister's own initiative, without an application, if the Minister is satisfied that special circumstances exist. The order may apply to all mining claims or to one or more classes of mining claims. The new section specifies the implications of making such an order. A consequential amendment is made to the definition of "anniversary date" in subsection 1 (1).
2. Amendments are made to subsection 81 (6.1) and 82 (4) requiring that lease renewal applications under sections 81 and 82 (and under sections 83 and 84, by operation of those sections) be made through the mining lands administration system. A new subsection 138 (2.1) is added to the Act that specifies the effect on leases of an extension of time to apply for the renewal of a lease that is granted under subsection 138 (2) because the system is not available.
3. Various other amendments are made to sections 81 to 84 to make them more consistent and to remove obsolete references.
4. A new section 85.1 is added to the Act, permitting the Minister to direct that a fraction or gore that adjoins a mining claim for which an application for a lease is made may be included in the lease without itself being registered as a mining claim.
5. Subsection 185 (5), which sets a limit on the Minister's power under section 185 to grant relief from forfeiture, is repealed.

**SCHEDULE 10
MINISTRY OF THE ENVIRONMENT ACT**

The *Ministry of the Environment Act* is amended to permit the Minister to make regulations establishing fees for providing copies of and statements about documents and information in the custody or under the control of the Ministry.

**SCHEDULE 11
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES ACT**

The Schedule amends the *Ministry of Training, Colleges and Universities Act*. A new section 6.1 is added to exempt from development charges the development of land intended for use by a university that receives operating funds from the government.

**SCHEDULE 12
NIAGARA PARKS ACT**

The Schedule amends the *Niagara Parks Act* to remove the requirement for the Commission to seek the approval of the Lieutenant Governor in Council to appoint an auditor. In addition, administrative amendments are made to several provisions to update references to the Minister of Finance.

**SCHEDULE 13
NORTHERN SERVICES BOARDS ACT**

The Schedule amends several provisions of the *Northern Services Boards Act* to remove the requirement that documents be sent to the Minister or the Minister of Finance by registered mail or electronic mail and updates the definition of "Minister".

**SCHEDULE 14
OFFICIAL NOTICES PUBLICATION ACT**

The Schedule renames the *Official Notices Publication Act* as the *Ontario Gazette Act*. In addition, section 1 of the Act is amended to give discretion to the Queen's Printer to determine the timing and manner of publication of *The Ontario Gazette*.

Other Acts are consequentially amended to remove references to the print version of *The Ontario Gazette* and to print publication of Ontario laws and refer instead to publication, as well as to update a reference to the title of the Act.

**SCHEDULE 15
ONTARIO ENERGY BOARD ACT, 1998**

The Schedule amends several provisions of the *Ontario Energy Board Act, 1998* to remove references to the *Ontario Clean Energy Benefit Act, 2010*.

**SCHEDULE 16
ONTARIO HIGHWAY TRANSPORT BOARD REPEAL ACT, 2020**

The Schedule enacts the *Ontario Highway Transport Board Repeal Act, 2020*, which dissolves the Ontario Highway Transport Board and repeals the *Ontario Highway Transport Board Act*. It authorizes the Minister of Transportation to make transitional regulations to phase out the Act's application before it is repealed.

**SCHEDULE 17
ONTARIO NEW HOME WARRANTIES PLAN ACT**

Technical amendments are made to the *Ontario New Home Warranties Plan Act* with respect to transitional regulation-making authority.

**SCHEDULE 18
ONTARIO WATER RESOURCES ACT**

The *Ontario Water Resources Act* is amended to require certain persons who wish to apply for a permit to take ground water for the purpose of producing bottled water to first seek the support of the council of the local municipality where the water will be taken.

**SCHEDULE 19
PENSION BENEFITS ACT**

The *Pension Benefits Act* is amended.

The amendments to sections 80, 80.4, 81 and 81.0.1 of the Act permit the Chief Executive Officer of the Financial Services Regulatory Authority of Ontario to waive or vary certain requirements in the regulations or, in some cases, in the Authority's rules. The requirements that can be waived or varied relate to an administrator's obligation to give notice of the transfer of assets between pension plans and to the conversion of a pension plan from a single employer pension plan to a jointly sponsored pension plan. Section 115.1 of the Act is amended to give the Authority rule-making powers to prescribe notice requirements for specified purposes.

The Act is also amended to exempt certain pension plans that are individual pension plans or designated plans from application of the Act, the regulations and the Authority rules. New section 101.1 provides for the exemption of an individual pension plan or designated plan if the employer files an election to be exempt and if certain other conditions are satisfied. New section 101.2 provides for the exemption of an individual pension plan or designated plan established after the day the section comes into force, if certain conditions are satisfied. New section 101.3 provides for the exemption in cases where a pension plan's registration under the *Income Tax Act (Canada)* is or was revoked and, immediately before the day the notice of revocation was dated, the pension plan was an individual pension plan or designated plan.

**SCHEDULE 20
PERSONAL PROPERTY SECURITY ACT**

A new Part V.1 is added to the *Personal Property Security Act* to deal with vexatious registrations.

A vexatious registration is defined as the registration of a document that the registrar considers to have been tendered for the purpose of annoying or harassing the person named as the debtor in the document or for any other improper purpose and that has been tendered by or on behalf of a person who does not hold the security interest referred to in the document or is claiming an interest that is not registrable under the Act. For the purposes of the Part, "document" refers to a financing statement, a financing change statement, a claim for lien, a change statement or any other document being tendered for registration in the registration system.

The registrar is given the power to reject a document that, if registered would result in a vexatious registration. The rejection of a document may be appealed to the Divisional Court by any person who is named as a secured party on the document.

The registrar is also given the power to discharge a vexatious registration on his or her own initiative or in response to a written request from a person affected by the registration. A decision to discharge the registration or to not discharge the registration may be appealed to the Divisional Court by certain persons as specified.

The Part applies to every document tendered for registration and every registration in the registration system before or after the amendments take effect.

**SCHEDULE 21
PLANNING ACT**

The Schedule makes changes to the subdivision control provisions in section 50 of the *Planning Act* in relation to partial discharges of mortgages and partial cessation of charges, releases in interest by joint tenants or tenants in common, and the effect of prescribed statements regarding compliance with section 50 of the Act. The Schedule also adds a definition of provisional consent to section 53 of the Act and amends subsection 53 (1) of the Act so that a chargee of land or the chargee's agent may apply for a consent as defined in subsection 50 (1), in addition to an owner of land or the owner's agent.

**SCHEDULE 22
PRIVATE CAREER COLLEGES ACT, 2005**

Currently, the *Private Career Colleges Act, 2005* provides for the establishment of an advisory board to advise the administrators of the Training Completion Assurance Fund. The Schedule repeals that provision and a related regulation-making power.

**SCHEDULE 23
PUBLIC LANDS ACT**

The Schedule amends the *Public Lands Act* by adding sections 37.2, 37.3 and 37.4 to the Act. New sections 37.2 and 37.3 apply when, in specified circumstances, the administration and control of unpatented public lands is transferred from the Minister of Natural Resources and Forestry to another Minister or a Crown agency. Section 37.2 provides that a transfer of an interest in those unpatented lands to third parties by the Minister or Crown agency is legally effective, even though letters patent are not issued to effect the transfer. Furthermore, it provides that an easement in or over those unpatented lands that is granted to third parties by the Minister or Crown agency is valid. Section 37.3 provides that interests and easements in such lands that were transferred or granted by the Minister of Crown agency before the day these amendments came into force are deemed to be legally effective and valid.

Section 37.4 relates to reservations and conditions that apply to the interests in unpatented lands and easements transferred and granted under sections 37.2 and 37.3.

Other minor amendments are made to the Act. Consequential amendments are made to the *Land Titles Act*.

**SCHEDULE 24
PUBLIC VEHICLES REPEAL ACT, 2020**

The Schedule enacts the *Public Vehicles Repeal Act, 2020*, which repeals the *Public Vehicles Act* and authorizes the Minister of Transportation to make transitional regulations to phase out the Act's application before it is repealed. It also contains amendments to 10 other Acts, including the *Highway Traffic Act*, consequential to the repeal of the *Public Vehicles Act*.

The amendments to the *Highway Traffic Act* include the following new provisions: section 24, authorizing regulations to prescribe requirements for passenger transportation vehicles; and section 195.1, which provides that municipal business licensing by-laws do not apply to buses that only pass through a municipality and do not take on and discharge the same passenger within the municipality. Section 195.1 also provides for regulations designating other classes of passenger transportation vehicles not affected by municipal business licensing by-laws.

**SCHEDULE 25
REDEEMER REFORMED CHRISTIAN COLLEGE ACT, 1998**

The Schedule amends the *Redeemer Reformed Christian College Act, 1998* to continue Redeemer Reformed Christian College as a corporation without share capital under the name Redeemer University and makes other related amendments.

Clause 7.1 (i) of the Act is amended to allow the senate to grant additional degrees, as set out in the new Schedule to the Act.

**SCHEDULE 26
ST. LAWRENCE PARKS COMMISSION ACT**

The Schedule amends the *St. Lawrence Parks Commission Act* to remove the requirement for the Commission to seek the approval of the Lieutenant Governor in Council to appoint an auditor. In addition, administrative amendments are made to update references to the Minister of Finance.

**SCHEDULE 27
SURVEYORS ACT**

The Schedule amends clauses 7 (3) (c) and 8 (3) (c) of the *Surveyors Act* to allow members of the Association of Ontario Land Surveyors to confirm regulations and by-laws made by the Council by means of a vote conducted in accordance with the by-laws. The Council is also given the authority to make by-laws prescribing the means of such a vote and the procedure for the vote as well as the authority to make by-laws providing for meetings of members to be held by means of conference telephone or other communications equipment.

SCHEDULE 28
SURVEYS ACT

The Schedule repeals section 4 of the *Surveys Act* and re-enacts it. New definitions are added to the re-enacted section 4. Survey records are defined as any type of record or document made or prepared in the course of performing a survey including, among others, field notes. New provisions are added to deal with survey records upon ceasing to practise or operate and survey records can only be sold or transferred to a holder of a certificate of authorization. A party receiving survey records is required to inform the Registrar in writing within 30 days. Lastly, new subsection 4 (10) requires that municipalities and government bodies maintain survey records in their possession and that they consult with the Minister before disposing of them.

SCHEDULE 29
TYNDALE UNIVERSITY COLLEGE & SEMINARY ACT, 2003

The Schedule amends the *Tyndale University College & Seminary Act, 2003* to continue Tyndale University College & Seminary as a corporation without share capital under the name Tyndale University and makes other related amendments.

The Schedule to the Act is amended to include additional degrees the board of governors may grant under the Act.

**An Act to reduce burdens on people and businesses by enacting,
amending and repealing various Acts and revoking a regulation**

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

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Subject to subsections (2) and (3), this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Better for People, Smarter for Business Act, 2020*.

**SCHEDULE 1
BUSINESS CORPORATIONS ACT**

1 The definitions of “non-resident corporation” and “resident Canadian” in subsection 1 (1) of the *Business Corporations Act* are repealed.

2 Subsection 5 (5) of the Act is repealed and the following substituted:

Removal of director

- (5) The articles shall not require,
- (a) a greater number of votes of shareholders to remove a director than the number specified in section 122; or
 - (b) a greater number of shareholders or their attorney authorized in writing to sign a resolution referred to in clause 104 (1) (c) to remove a director than the number specified in that clause.

3 (1) Subsection 104 (1) of the Act is amended by striking out “and” at the end of clause (a), by adding “and” at the end of clause (b) and by adding the following clause:

- (c) in the case of a corporation that is not an offering corporation,
 - (i) a resolution in writing signed by the holders of at least a majority of the shares or their attorney authorized in writing entitled to vote on that resolution at a meeting of the shareholders is as valid as if it had been passed by ordinary resolution at a meeting of the shareholders, and
 - (ii) a resolution in writing dealing with all matters required by this Act to be dealt with at a meeting of shareholders where all business to be transacted at the meeting is to be passed by an ordinary resolution, and signed by the holders of at least a majority of the shares or their attorney authorized in writing entitled to vote on that resolution at a meeting of the shareholders, satisfies all the requirements of this Act relating to that meeting of shareholders.

(2) Section 104 of the Act is amended by adding the following subsections:

Notice to shareholders

(3) Within 10 business days after a resolution referred to in clause (1) (c) is signed by the holders of at least a majority of the shares or their attorney authorized in writing entitled to vote on that resolution at a meeting of the shareholders, the corporation shall give written notice of the resolution to the shareholders entitled to vote on the resolution who did not sign it.

Same

- (4) Notice under subsection (3) shall include,
- (a) the text of the resolution; and
 - (b) a statement that contains a description of and the reasons for the business dealt with by the resolution.

Where articles, etc. require greater number of votes

(5) If the articles or a unanimous shareholder agreement requiring a greater number of votes of shareholders to pass an ordinary resolution prevail over the number required by this Act by reason of subsection 5 (4), the following rules apply:

1. For the purposes of subclause (1) (c) (i), the number specified in the articles or the unanimous shareholder agreement is the minimum number of shareholders or their attorney authorized in writing that are required to sign the resolution.
2. For the purpose of subclause (1) (c) (ii), the resolution referred to in that subclause must be signed by at least the number of shareholders or their attorney authorized in writing specified in the articles or the unanimous shareholder agreement.

4 Subsection 116 (2) of the Act is amended by striking out “and the shareholders may confirm” and substituting “and the shareholders may, by ordinary resolution, confirm”.

5 Subsection 118 (3) of the Act is repealed.

6 Subsection 119 (4) of the Act is amended by striking out “shareholders of a corporation shall elect” and substituting “shareholders of a corporation shall, by ordinary resolution, elect”.

7 (1) Subsection 149 (1) of the Act is amended by striking out “at their first annual or special meeting shall appoint” and substituting “at their first annual or special meeting shall, by ordinary resolution, appoint”.

(2) Subsection 149 (4) of the Act is repealed and the following substituted:

Removal of auditor

(4) The shareholders may, except where the auditor has been appointed by order of the court under subsection (8), by ordinary resolution passed at a special meeting duly called for the purpose, remove an auditor before the expiration of the auditor’s term of office, and shall, by ordinary resolution passed at that meeting, appoint a replacement for the remainder of the auditor’s term.

(3) Subsection 149 (7) of the Act is amended by striking out “shall be fixed by the shareholders” and substituting “shall be fixed by ordinary resolution of the shareholders”.

8 Subsection 154 (4) of the Act is amended by striking out “clause 104 (1) (b) in lieu of the annual meeting” and substituting “clause 104 (1) (b) or subclause 104 (1) (c) (ii) in lieu of the annual meeting”.

9 (1) Section 240 of the Act is amended by adding the following subsection:

Termination of proceedings re director residency

(1.3) Any proceeding under this section commenced but not decided by order of the Director before the day subsection 9 (2) of Schedule 1 to the *Better for People, Smarter for Business Act, 2020* comes into force, related to a corporation’s failure to comply with subsection 118 (3) of this Act as it read immediately before that day, is terminated.

(2) Clause (b) of the definition of “sufficient cause” in subsection 240 (2) of the Act is amended by striking out “or subsection 118 (3)” at the end.

10 Paragraph 29 of section 272 of the Act is repealed.

Commencement

11 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 2**CANADA CHRISTIAN COLLEGE AND SCHOOL OF GRADUATE THEOLOGICAL STUDIES ACT, 1999**

1 (1) The definition of “College” in section 1 of the *Canada Christian College and School of Graduate Theological Studies Act, 1999* is repealed.

(2) Section 1 of the Act is amended by adding the following definition:

“University” means Canada University and School of Graduate Theological Studies;

2 Subsection 2 (1) of the Act is repealed and the following substituted:

Incorporation

(1) Canada Christian College and School of Graduate Theological Studies is continued as a corporation without share capital under the name Canada University and School of Graduate Theological Studies.

References to former name

(1.1) Unless the contrary intention appears, any reference in a document, other than a certificate, degree or diploma awarded or granted before this section comes into force, to Canada Christian College and School of Graduate Theological Studies shall be deemed to be a reference to Canada University and School of Graduate Theological Studies.

3 Section 6 of the Act is amended by adding “Bachelor of Arts, Bachelor of Science” before “Bachelor of Theology”.

4 The Act is amended by striking out “College” wherever it appears and substituting in each case “University”, except in the Preamble and subsections 2 (1), (1.1) and (2).

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 3
CHANGE OF NAME ACT**

1 The definition of “joint declaration” in section 1 of the *Change of Name Act* is repealed.

2 Section 3 of the Act is repealed.

3 Subsection 4 (2) of the Act is repealed and the following substituted:

Notice to spouse

(2) An applicant who is a spouse shall give the other spouse notice of the application.

4 Subsection 5 (7) of the Act is repealed and the following substituted:

Notice to spouse

(7) An applicant who proposes to change the child’s surname to the surname of the applicant’s spouse shall give the spouse notice of the application.

5 Clause 6 (2) (c) of the Act is repealed.

6 (1) Subsection 7.1 (1) of the Act is amended by,

- (a) striking out “registering a change of name requested under section 3 or”;
- (b) striking out “Ministry of Community Safety and Correctional Services” and substituting “Ministry of the Solicitor General”; and
- (c) striking out “election or”.

(2) Subsection 7.1 (2) of the Act is amended by,

- (a) striking out “disclose to the Ministry of Community Safety and Correctional Services” and substituting “disclose to the Ministry of the Solicitor General”; and
- (b) striking out “Ministry of Community Safety and Correctional Services and Registrar General” and substituting “Registrar General and Ministry of the Solicitor General”.

(3) Subsection 7.1 (3) of the Act is amended by,

- (a) striking out “Subsections 3 (4), 7 (1) and 7 (2)” at the beginning and substituting “Subsections 7 (1) and (2)”;
- (b) striking out “subsection 3 (3.1) or 6 (9), as the case may be, and” and substituting “subsection 6 (9), and”;
- (c) striking out “Ministry of Community Safety and Correctional Services” and substituting “Ministry of the Solicitor General”; and
- (d) striking out “electing or”.

7 (1) Clause 8 (1) (b.1) of the Act is amended by striking out “electing or”.

(2) Clause 8 (1) (c) of the Act is amended by striking out “in the case of a change of name made on an application under subsection 4 (1) or 5 (1)” at the beginning.

(3) Section 8 of the Act is amended by striking out “Ministry of Community Safety and Correctional Services” wherever it appears and substituting in each case “Ministry of the Solicitor General”.

8 (1) Clause 10 (6) (b.1) of the Act is amended by striking out “Ministry of Community Safety and Correctional Services” and substituting “Ministry of the Solicitor General”.

(2) Subsection 10 (7) of the Act is amended by striking out “Ministry of Community Safety and Correctional Services” and substituting “Ministry of the Solicitor General”.

9 The Act is amended by adding the following sections:

TRANSITION

Joint declarations

12.0.1 (1) This section applies to a person who filed a joint declaration under subsection 3 (6) before section 3 was repealed, if the joint declaration has not been revoked.

Change of name of person over 16

(2) If the person is an applicant under subsection 4 (1), the person shall give the person with whom they filed the joint declaration notice of the application.

Change of child's name

(3) If the person is an applicant under subsection 5 (1) and proposes to change the child's surname to the surname of the person with whom they filed the joint declaration, the person shall give the person with whom they filed the joint declaration notice of the application.

Procedure

(4) An application made under subsection 4 (1) or 5 (1) by the person shall state, by way of statutory declaration, in addition to the matters listed in subsection 6 (2), the full name of the other person who made the joint declaration, its date and the place where it was made.

Revocation

(5) The person may revoke the joint declaration when applying for a change of name under subsection 4 (1) or when making an election to resume a surname under subsection 12.0.2 (2), in which case this section ceases to apply to them.

Clarification

- (6) For greater certainty, if a person revokes the joint declaration when applying for a change of name under subsection 4 (1),
- (a) they do not need to give the person with whom they filed the joint declaration notice of the application, despite subsection (2) of this section; and
 - (b) the application need not state the full name of the other person who made the joint declaration, its date and the place where it was made, despite subsection (4) of this section.

Resuming pre-election surname**Application**

12.0.2 (1) This section applies to a person who elected before April 30, 2021 to change their surname under section 3, before that section was repealed on that date, to,

- (a) the surname that their spouse had immediately before their marriage;
- (b) a surname consisting of the surnames that both spouses had immediately before their marriage, hyphenated or combined;
- (c) the surname that the person with whom they filed a joint declaration under subsection 3 (6), before section 3 was repealed, had immediately before their conjugal relationship; or
- (d) a surname consisting of the surnames that both they and the person with whom they filed a joint declaration under subsection 3 (6), before section 3 was repealed, had immediately before their conjugal relationship, hyphenated or combined.

Election to resume surname

(2) The person may elect to resume the surname that they had immediately before the marriage or conjugal relationship.

Exception

(3) Subsection (2) does not apply if the person, after the election referred to in subsection (1), had any of their names changed under,

- (a) an application under subsection 4 (1) or 5 (1);
- (b) the law of a province or territory of Canada, other than Ontario; or
- (c) the law of a foreign state.

Exception to the exception

(4) Despite subsection (3), subsection (2) does apply if the person's most recent change of name was an election under section 3 before it was repealed, and the person is electing to resume the surname that they had immediately before the marriage or conjugal relationship that that election related to.

Clarification

(5) For greater certainty, nothing in this section prohibits an application for a change of name under subsection 4 (1) or 5 (1).

Procedure

(6) A person who wishes to make an election under subsection (2) shall do so in the prescribed manner, pay the required fee, if any, and provide all the prescribed documents that are in the person's possession.

Police records check

(7) A person who wishes to make an election under subsection (2) shall provide the Registrar General with a police records check, as described in subsections 6 (9) and (10), if it would be required for an application under subsection 4 (1) or 5 (1).

No notice required

(8) A person who elects to change their surname under this section need not inform the other spouse or person with whom they filed a joint declaration under subsection 3 (6) before section 3 was repealed.

Certificate

- (9) On receiving the fee, if any, and documents, the Registrar General shall, in accordance with the *Vital Statistics Act*,
- (a) if the person's birth was registered in Ontario under that Act or a predecessor of it, register the change of name, note it on the birth registration and issue a change of name certificate and a new birth certificate to the person; or
 - (b) if the person's birth was not registered in Ontario under that Act or a predecessor of it, register the change of name and issue a change of name certificate to the person.

Application of other sections

(10) Sections 7.1 and 8 apply with respect to a change of name requested under this section, and for that purpose, the following modifications apply:

1. A reference in section 7.1 or 8 to an application for a change of name shall be read as a reference to a request for an election under this section.
2. The reference in subsection 7.1 (1) to section 4 or 5 shall be read as a reference to this section.
3. The reference in subsection 7.1 (3) to subsections 7 (1) and (2) shall be read as a reference to subsection (9) of this section.
4. The reference in subsection 7.1 (3) to subsection 6 (9) shall be read as a reference to subsection (7) of this section.
5. Clause 8 (1) (c) does not apply.

Outstanding elections

12.0.3 (1) This Act, as it read immediately before April 30, 2021, continues to apply with respect to an election received by the Registrar General before April 30, 2021 to change the person's surname under section 3, as that section read immediately before it was repealed on that date.

Repeal

(2) This section is repealed on October 31, 2021.

10 Section 13 of the Act is repealed and the following substituted:**Regulations**

13 The Lieutenant Governor in Council may make regulations governing anything that, in this Act, may or must be prescribed or done by regulation.

Vital Statistics Act

11 (1) Subsection 30.1 (1) of the *Vital Statistics Act* is repealed.

(2) Section 30.1 of the Act is amended by adding the following subsection:

Same

(3) On receiving the fee, if any, and documents required by section 12.0.2 of the *Change of Name Act*, the Registrar General shall comply with subsection 12.0.2 (9) of that Act.

Commencement

12 This Schedule comes into force on the later of April 30, 2021 and the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

SCHEDULE 4
FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT ACT, 1996

1 (1) Section 6 of the *Family Responsibility and Support Arrears Enforcement Act, 1996* is amended by adding the following subsection:

Methods of paying support

(1.0.1) In carrying out his or her duties under subsection (1), the Director may determine methods of payment that may be used by a payor to pay amounts owing under a support order.

(2) Subsection 6 (1.1) of the Act is amended by adding “including policies and procedures respecting the method of payment to be used by a payor” after “subsection (1)”.

2 Subsection 20 (1) of the Act is amended by striking out “and to any alternative payment order made under section 28” and substituting “to any alternative payment order made under section 28 and to any decision of the Director to use a different method of payment”.

3 Subsection 27 (7) of the Act is amended by striking out “or 23 (4)”.

4 Subclause 35 (6) (a) (ii) of the Act is amended by striking out “or paternity agreement”.

Commencement

5 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

SCHEDULE 5
FISH AND WILDLIFE CONSERVATION ACT, 1997

1 The *Fish and Wildlife Conservation Act, 1997* is amended by adding the following section:

Amendments to licences and authorizations

62.1 (1) The Minister may amend a licence or authorization,

- (a) with the consent of the holder of the licence or authorization; or
- (b) without the consent of the holder of the licence or authorization if the Minister is of the opinion that the amendment is reasonably necessary for the conservation or management of wildlife or fish.

Exception

(2) Subsection (1) does not authorize an amendment of the prescribed conditions to which a licence is subject under subsection 62 (1).

Notice of amendment

(3) The Minister shall give a notice of the amendment to the holder of the licence or authorization in accordance with subsection (4).

Methods of giving notice

(4) The notice of amendment shall be,

- (a) delivered personally;
- (b) sent by mail addressed to the holder of the licence or authorization at the holder's last known address; or
- (c) given by any other method prescribed by the regulations.

Receipt of notice

(5) The notice of amendment is deemed to have been received by the holder of the licence or authorization,

- (a) if it is delivered personally, on the day it is received;
- (b) if it is sent by mail, on the fifth day after mailing, unless the holder of the licence or authorization establishes that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control, receive the notice until a later date; or
- (c) if it is given by a method prescribed by the regulations, on the day prescribed by the regulations.

Effective date

(6) The amendment takes effect on the day the notice of amendment is deemed to be received under subsection (5).

Proof of amendment

(7) The holder of a licence or authorization who receives a notice of amendment shall attach the notice to the licence or authorization or otherwise keep the notice with the licence or authorization.

2 (1) Paragraph 35 of section 112 of the Act is repealed and the following substituted:

35. governing aquaculture;

(2) Paragraph 49.1 of section 112 of the Act is amended,

- (a) **by striking out “for the purpose of clause 76 (1) (c)” and substituting “for the purposes of clauses 62.1 (4) (c) and 76 (1) (c)”;** and
- (b) **by striking out “for the purpose of clause 76 (2) (c)” and substituting “for the purposes of clauses 62.1 (5) (c) and 76 (2) (c)”.**

3 Subsection 113 (1) of the Act is amended by adding the following paragraph:

6.1 prescribing, for the purposes of clause 47 (1) (a), species of fish that may be cultured.

Commencement

4 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 6
FORFEITED CORPORATE PROPERTY ACT, 2015**

1 Section 9 of the *Forfeited Corporate Property Act, 2015* is amended by adding the following subsection:

Same, revived corporation

(2) For greater certainty, the revival of a prior corporate owner does not entitle the prior corporate owner to any interest or income received by the Crown in connection with forfeited corporate property while the corporation was dissolved.

2 The Act is amended by adding the following section before the heading “Management of Forfeited Corporate Property”:

Agreements re forfeited corporate property

10.1 The Minister may enter into agreements respecting the management and disposition of forfeited corporate property.

3 (1) Subsection 16 (1) of the Act is amended by striking out “as living accommodation” at the end.

(2) Clauses 16 (2) (a) and (b) of the Act are repealed and the following substituted:

(a) directing any persons occupying the property to vacate the property on or before the date specified in the notice;

(b) directing the removal of the personal property of any person occupying the property on or before the specified date; and

4 Section 25 of the Act is amended by adding the following subsection:

Condominium Act, 1998

(5) Any disposition of forfeited corporate real property by the Minister is subject to the restrictions in sections 11 and 139 of the *Condominium Act, 1998*.

5 Subsection 26 (6) of the Act is amended by adding the following clause:

(b.1) whether the property was owned by the prior corporate owner as a tenant in common;

6 Section 28 of the Act is repealed.

7 (1) Subsection 29 (1) of the Act is amended by striking out “described in subsection (2)” in the portion before paragraph 1 and substituting “in accordance with subsections (1.1) and (2)”.

(2) Subsection 29 (1) of the Act is amended by adding the following paragraph:

0.1 Any other co-owners registered on title to the property.

(3) Subsection 29 (1) of the Act is amended by adding the following paragraphs:

2.1 A board of a local roads area established under the *Local Roads Boards Act*.

2.2 A Local Services Board established under Part I of the *Northern Services Boards Act*.

(4) Section 29 of the Act is amended by adding the following subsection:

Transfer to co-owner

(1.1) Any type of property may be transferred under this section if the property is transferred to a co-owner.

(5) Subsection 29 (2) of the Act is amended by adding “if the property is not transferred to a co-owner” at the end of the portion before paragraph 1.

(6) Paragraph 2 of subsection 29 (2) of the Act is amended by striking out the portion before subparagraph i and substituting the following:

2. A lot or block on a plan of subdivision, provided that,

.

(7) Subparagraph 2 i of subsection 29 (2) of the Act is amended by striking out “a walkway or a pathway” and substituting “constitutes a means of access, such as a walkway, roadway, laneway, pathway, lagoon or other waterway”.

(8) Subsection 29 (7) of the Act is repealed and the following substituted:

Content of order

(7) The order shall direct that any changes necessary to effect the transfer be made to the parcel register.

8 (1) Subsection 30 (1) of the Act is amended by adding the following paragraph:

2.1 Amounts owed to the Crown under an agreement.

(2) Section 30 of the Act is amended by adding the following subsection:

Same

(3) If a prior corporate owner is revived, amounts determined under subsection (1) may be recovered from the corporation.

9 The Act is amended by adding the following section:

REMEDIES

Availability of remedies

34.1 For greater certainty,

- (a) a vesting order may not be granted under section 100 of the *Courts of Justice Act* in respect of forfeited corporate property;
- (b) a declaratory order may be granted in respect of forfeited corporate property; and
- (c) forfeited corporate real property may be sold in power of sale proceedings in accordance with clause 242 (1) (d) of the *Business Corporations Act*.

10 Section 39 of the Act is repealed.***Co-operative Corporations Act*****11 The *Co-operative Corporations Act* is amended by adding the following section:****Availability of co-operative's property to satisfy judgments**

168.1 (1) Despite clause 168 (1) (c), this section applies if, as a result of the dissolution of a co-operative, property becomes forfeited corporate property within the meaning of the *Forfeited Corporate Property Act, 2015*.

Same, property to which *Forfeited Corporate Property Act, 2015* applies

(2) Property described in subsection (1) to which the *Forfeited Corporate Property Act, 2015* applies is no longer available to satisfy a judgment, order or decision against the co-operative or to be sold in power of sale proceedings after the earliest of,

- (a) the day the Minister responsible for the administration of the *Forfeited Corporate Property Act, 2015* disposes of the Crown's interest in the property;
- (b) the day an order cancelling encumbrances against the property under section 18 of the *Forfeited Corporate Property Act, 2015* takes effect;
- (c) in the case of real property, the day a notice under section 24 of the *Forfeited Corporate Property Act, 2015*, indicating that the Crown intends to use the property for Crown purposes, is registered on title to the property; and
- (d) in the case of personal property, the day the Crown begins to use the property for Crown purposes.

Same, property to which *Escheats Act, 2015* applies

(3) Property described in subsection (1) to which the *Escheats Act, 2015* applies is no longer available to satisfy a judgment, order or decision against the co-operative or to be sold in power of sale proceedings after the earliest of,

- (a) the day the Public Guardian and Trustee takes possession of the property;
- (b) the day the Public Guardian and Trustee disposes of the Crown's interest in the property; and
- (c) the day the Crown begins to use the property for Crown purposes.

Commencement

12 (1) Subject to subsection (2), this Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

(2) Sections 5 and 6, subsections 7 (1), (2), (4), (5) and (8) and sections 10 and 11 come into force on the later of January 1, 2021 and the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 7
INSURANCE ACT**

1 The definition of “industrial contract” in section 1 of the *Insurance Act* is repealed.

2 Subsection 36 (1) of the Act is amended by striking out “printed and published forthwith” and substituting “published on the website of the Authority promptly”.

3 (1) Paragraph 15.0.1 of subsection 121 (1) of the Act is repealed.

(2) Paragraph 23.1 of subsection 121 (1) of the Act is amended by striking out “defining serious impairment of an important physical, mental or psychological function for the purpose of section 267.1 and” at the beginning.

(3) Paragraph 23.2 of subsection 121 (1) of the Act is amended by striking out “serious impairment of an important physical, mental or psychological function for the purposes of section 267.1 or”.

4 Subsection 179.1 (4) of the Act is repealed and the following substituted:

Same

(4) Despite subsection (3), if the court considers it just to do so, it may dispense with the notice to a person other than,

(a) the insurer; or

(b) if the contract is a contract of group insurance or of creditor’s group insurance, the insured.

5 Clause 182 (2) (a) of the Act is amended by striking out “or, in the case of an industrial contract, twenty-eight days from and excluding the day on which the premium is due”.

6 (1) Subsections 224 (2) to (5) of the Act are repealed.

(2) Section 224 of the Act is amended by adding the following subsections:

Transition

(8) The following provisions, as they read immediately before the day section 8 of Schedule 7 to the *Better for People, Smarter for Business Act, 2020* came into force, continue to apply to proceedings commenced before that day:

1. Section 266.

2. Section 267.

3. Section 267.1.

4. Subsection 267.5 (1).

Same

(9) Sections 266 to 267.1, as they read immediately before the day section 8 of Schedule 7 to the *Better for People, Smarter for Business Act, 2020* came into force, continue to apply to new proceedings for loss or damage from bodily injury or death arising from the use or operation, before November 1, 1996, of an automobile in Canada, the United States of America or a jurisdiction designated in the *Statutory Accident Benefits Schedule*, during the applicable periods as provided for in those sections.

7 Section 232.1 of the Act is repealed.

8 Sections 266 to 267.1 of the Act are repealed.

9 Clauses 267.2 (1) (a) and (b) of the Act are amended by adding “as it read immediately before the day section 8 of Schedule 7 to the *Better for People, Smarter for Business Act, 2020* came into force” after “267.1 (8)” wherever it appears.

10 Subsection 267.4 (1) of the Act is amended by striking out “section 29 of the *Automobile Insurance Rate Stability Act, 1996* comes into force” and substituting “November 1, 1996”.

11 Paragraphs 2 and 3 of subsection 267.5 (1) of the Act are repealed and the following substituted:

2. Damages for income loss suffered more than seven days after the incident and before the trial of the action in excess of 70 per cent of the amount of gross income that is lost during that period, as determined in accordance with the regulations.

3. Damages for loss of earning capacity suffered after the incident and before the trial of the action in excess of 70 per cent of the loss of earning capacity during that period, as determined in accordance with the regulations.

12 Subsection 268 (1.4) of the Act is amended by striking out “section 29 of the *Automobile Insurance Rate Stability Act, 1996* comes into force” in the portion before clause (a) and substituting “November 1, 1996”.

13 Subsection 268.1 (1) of the Act is amended by striking out “after 1994”.

14 Subsection 306.1 (4) of the Act is repealed and the following substituted:

Same

- (4) Despite subsection (3), if the court considers it just to do so, it may dispense with the notice to a person other than,
- (a) the insurer; or
 - (b) if the contract is a contract of group insurance or of creditor's group insurance, the insured.

15 Clause 426 (3) (a) of the Act is amended by striking out "other than industrial policyholders" at the end.

16 (1) The definition of "changeover date" in subsection 431.1 (1) of the Act is amended by adding "as it read immediately before the day subsection 16 (2) of Schedule 7 to the *Better for People, Smarter for Business Act, 2020* came into force" at the end.

(2) Subsections 431.1 (2) to (8) of the Act are repealed.

Commencement

17 (1) Subject to subsection (2), this Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

(2) Sections 3 and 6 to 13 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 8
MARRIAGE ACT**

1 The *Marriage Act* is amended by adding the following section:

Compliance with Code of Practice

20.0.1 Every person authorized to solemnize marriage shall comply with any Code of Practice set out in the regulations.

2 Sections 21 to 23 of the Act are repealed.

3 Subsection 24 (1) of the Act is amended by striking out the portion before paragraph 1 and substituting the following:

(1) The following persons are also authorized to solemnize marriages under the authority of a licence:

4 The Act is amended by adding the following sections:

Register

33.0.1 (1) The Minister shall keep a register of the name of every person registered as a person authorized to solemnize marriage, the date of such registration, and such other particulars as the Minister considers advisable.

Certificate of registration

(2) The Minister may issue a certificate of registration under this section in the prescribed form.

Notice of change

33.0.2 The religious body, band, First Nation, Métis or Inuit organization or community or Indigenous entity that recognized a person as a person entitled to solemnize marriage under subsection 20.1 (1) or section 20.2 shall notify the Minister reasonably promptly of,

- (a) the name of every such person who has died or has ceased to be associated with the entity; and
- (b) the name and address of every such person who has moved.

Cancellation of registration

33.0.3 The Minister may cancel the registration of a person registered as authorized to solemnize marriage if it appears to the Minister that,

- (a) the person has ceased to possess the qualifications entitling them to be so registered;
- (b) the person failed to comply with any Code of Practice set out in the regulations; or
- (c) the person should not, in the public interest, continue to be authorized to solemnize marriage.

Publication of registration and cancellation

33.0.4 The Minister shall publish notice in *The Ontario Gazette* when a person is registered under this Act as authorized to solemnize marriage, and when any such registration is cancelled.

5 Section 34 of the Act is amended by adding the following subsection:

Minister

(2) The Minister may make regulations setting out a Code of Practice for persons authorized to solemnize marriage.

Commencement

6 This Schedule comes into force on the later of October 8, 2020 and the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 9
MINING ACT**

1 Clause (c) of the definition of “anniversary date” in subsection 1 (1) of the *Mining Act* is amended by striking out “subsection 64 (5) or 67 (2)” and substituting “subsection 64 (5), 67 (2) or 73.1 (3)”.

2 The Act is amended by adding the following section:

Minister’s orders in special circumstances

73.1 (1) If the Minister is satisfied that special circumstances exist, the Minister may, without an application and on the Minister’s own initiative, make any of the following orders with respect to all mining claims or one or more classes of mining claims:

1. An order described in subsection 67 (1).
2. An order described in subsection 73 (1).

When order may be made

(2) The Minister may make an order under this section with respect to a mining claim before or after its anniversary date.

If anniversary date changed

(3) If the Minister makes an order described in subsection 67 (1) excluding a period of time for doing something under this Act, subsection 67 (2) applies with necessary modifications with respect to the applicable anniversary dates.

If order made after anniversary date

(4) If the Minister makes an order under this section with respect to a mining claim after its anniversary date, the claim holder’s interest in the mining claim is deemed not to have ceased under section 72 and the mining claim is deemed not to be forfeit under that section.

Copy of order sent to recorder

(5) The Minister shall promptly provide a copy of an order made under this section to the recorder’s office.

Posting and filing copy

- (6) On receiving a copy of the order, a recorder shall,
 - (a) promptly note the order in the mining lands administration system and record the order on the abstract of the mining claims to which the order applies, and may post the order on the Internet; and
 - (b) take the steps necessary to give effect to the order.

Not a regulation

(7) Part III (Regulations) of the *Legislation Act, 2006* does not apply with respect to an order made under this section.

3 (1) Subsection 81 (6) of the Act is amended by striking out “(8), (9) and (10)” and substituting “(8) and (10)”.

(2) Subsection 81 (6.1) of the Act is amended by adding “through the mining lands administration system” after “shall be made”.

4 Subsection 82 (4) of the Act is amended by adding “through the mining lands administration system” after “shall be made”.

5 (1) Subsection 83 (5) of the Act is amended by striking out “(9), (9.1)”.

(2) Section 83 of the Act is amended by adding the following subsection:

Reduction or waiver of interest owing

(8) The Minister may reduce or waive the amount of any interest added to rental payments under subsection (7).

6 Subsection 84 (6) of the Act is amended by striking out “(9), (9.1)”.

7 The Act is amended by adding the following section:

Adjoining fractions and gores

85.1 (1) If an adjoining fraction or gore is identified that the Minister determines should form part of a lease of a mining claim, the Minister may direct that the fraction or gore be included in the lease without the fraction or gore being registered as a mining claim.

Same

(2) Subsection (1) applies regardless of whether the fraction or gore is identified through the surveying of the mining claim in relation to an application for the lease or at some other time before the issuance of the lease.

8 Section 138 of the Act is amended by adding the following subsection:

Same, effect on leases

(2.1) If a recorder grants an extension of time under subsection (2) in relation to an application to renew a lease under this Act, the lease is deemed not to expire or have expired, as the case may be, until the expiry of the extension of time.

9 Subsection 185 (5) of the Act is repealed.

Commencement

10 (1) Subject to subsection (2), this Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

(2) Subsection 3 (2) and sections 4, 8 and 9 come into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 10
MINISTRY OF THE ENVIRONMENT ACT

1 The *Ministry of the Environment Act* is amended by adding the following section:

Fees

6 (1) Subject to subsection (2), the Minister may make regulations,

- (a) requiring the payment of fees for the supply of,
 - (i) copies of any document or information in the custody or under the control of the Ministry, or
 - (ii) statements containing information from or about a document or information in the custody or under the control of the Ministry;
- (b) governing the amount of, or methods of calculating the amount of, fees provided for in clause (a);
- (c) providing for the refund, in whole or in part, of a fee provided for in clause (a).

No fees for FIPPA

(2) A regulation under this section may not require the payment of a fee in respect of a request for access to a record pursuant to the *Freedom of Information and Protection of Privacy Act*.

Commencement

2 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

SCHEDULE 11
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES ACT

1 The *Ministry of Training, Colleges and Universities Act* is amended by adding the following section:

Exemption, development charges

6.1 (1) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the *Development Charges Act, 1997* if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

Same

(2) For greater certainty, the exemption from development charges referred to in subsection (1) applies with respect to land described in that subsection regardless of whether an application referred to in clause 26.2 (1) (a) or (b) of the *Development Charges Act, 1997* has been made with respect to that land on or before the day section 1 of Schedule 11 to the *Better for People, Smarter for Business Act, 2020* comes into force.

Commencement

2 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 12
NIAGARA PARKS ACT**

1 The following provisions of the *Niagara Parks Act* are amended by striking out “the Treasurer of Ontario” or “Treasurer” wherever they appear and substituting in each case “the Minister of Finance”:

1. Subsection 5 (2).
2. Subsection 16 (2).
3. Section 17.

2 Section 19 of the Act is amended by striking out “designated by the Lieutenant Governor in Council” at the end and substituting “appointed by the Commission”.

Commencement

3 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 13
NORTHERN SERVICES BOARDS ACT**

1 The definition of “Minister” in section 1 of the *Northern Services Boards Act* is repealed and the following substituted:

“Minister” means the Minister of Energy, Northern Development and Mines or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

2 (1) Clause 3 (4.1) (b) of the Act is amended by striking out “by mail and by electronic mail”.

(2) Subsection 3 (4.2) of the Act is amended by striking out “mailing” and substituting “sending”.

3 The Act is amended by striking out “by registered mail” wherever it appears.

Commencement

4 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 14
OFFICIAL NOTICES PUBLICATION ACT**

1 The short title of the *Official Notices Publication Act* is repealed and the following substituted:

Ontario Gazette Act

2 Section 1 of the Act is amended by striking out “at the times and in the form and style now established or at such times or in such form and style as the Lieutenant Governor in Council may order” at the end and substituting “at the times and in the form and style determined by the Queen’s Printer”.

Evidence Act

3 (1) Section 25 of the *Evidence Act* is amended by striking out “printed” and substituting “published”.

(2) Clause 26 (e) of the Act is amended by striking out “printed” and substituting “published”.

(3) Section 28 of the Act is amended by striking out “printed” and substituting “published”.

Financial Administration Act

4 Subsection 24 (2) of the *Financial Administration Act* is amended by striking out “*Official Notices Publication Act*” and substituting “*Ontario Gazette Act*”.

Legislation Act, 2006

5 (1) Clause 2 (c) of the *Legislation Act, 2006* is amended by striking out “printed” and substituting “published”.

(2) The following provisions of the Act are amended by striking out “in the print version of *The Ontario Gazette*” wherever it appears and substituting in each case “in *The Ontario Gazette*”:

1. Paragraph 3 of subsection 23 (2).
2. Subsections 24 (1), (2), (3) and (5).
3. Clause 25 (1) (b) and subsection 25 (2).
4. Subsection 27 (3).
5. Section 29.

Revocation

6 Ontario Regulation 530/73 (*The Ontario Gazette — Style*), made under the Act, is revoked.

Commencement

7 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 15
ONTARIO ENERGY BOARD ACT, 1998

1 Clause (c.1) of the definition of “enforceable provision” in section 3 of the *Ontario Energy Board Act, 1998* is repealed.

2 Subsection 70 (2.2) of the Act is repealed.

Commencement

3 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

SCHEDULE 16
ONTARIO HIGHWAY TRANSPORT BOARD REPEAL ACT, 2020

Dissolution of Board

1 The Ontario Highway Transport Board is dissolved and all its assets and liabilities are hereby transferred to and vested in the Crown in right of Ontario without compensation.

Continued immunity

2 (1) No former member of the Board and no former officer, agent or employee of the Board is personally liable for anything done by him or her in good faith under the authority of the *Ontario Highway Transport Board Act* before its repeal.

Protection from being called as witnesses

(2) No former member of the Board or any of its staff is required to give testimony in any civil suit with regard to information obtained by the former member or staff in the discharge of his or her official duty.

Costs orders unaffected

3 An order as to costs made by the Ontario Highway Transport Board under section 24 of the *Ontario Highway Transport Board Act* before its repeal is not affected by the repeal of the Act.

Transitional regulations

- 4** (1) The Minister of Transportation may make regulations,
- (a) establishing a transition period before the repeal of the *Ontario Highway Transport Board Act* during which the application of the Act will be phased out;
 - (b) providing that a provision or requirement of the *Ontario Highway Transport Board Act* ceases to apply, applies in a modified way or only applies, either as written or in a modified way, to specified geographic areas or specified persons or for a specified period during the transition period;
 - (c) governing the continuation or conclusion of hearings commenced under the *Ontario Highway Transport Board Act* before its repeal;
 - (d) governing other transitional matters that may arise due to the anticipated repeal of the *Ontario Highway Transport Board Act*.

Conflict

(2) In the event of a conflict between the *Ontario Highway Transport Board Act* and a regulation made under subsection (1) of this section, the regulation made under subsection (1) prevails.

Repeal of Act

5 The *Ontario Highway Transport Board Act* is repealed.

Commencement

6 (1) Subject to subsection (2), the Act set out in this Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

(2) Sections 1, 2, 3 and 5 come into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

7 The short title of the Act set out in this Schedule is the *Ontario Highway Transport Board Repeal Act, 2020*.

SCHEDULE 17
ONTARIO NEW HOME WARRANTIES PLAN ACT

1 (1) Clause 22.1 (z) of the *Ontario New Home Warranties Plan Act* is repealed and the following substituted:

- (z) governing any transitional matter the Lieutenant Governor in Council considers necessary or advisable to facilitate the effective implementation of,
 - (i) a revocation by the Lieutenant Governor in Council of a designation under subsection 2 (5),
 - (ii) the repeal of all or any part of this Act and its replacement in full or in part by another Act, or
 - (iii) amendments to this Act arising from the enactment of Schedule 5 to the *Rebuilding Consumer Confidence Act, 2020*;

(2) Section 22.1 of the Act is amended by adding the following subsection:

- (2) Without limiting the generality of clause (1) (z), a regulation made under that clause may provide rules governing,
 - (a) the enrolment and qualification for enrolment of homes in the Plan;
 - (b) the continuation of terms and conditions on registration;
 - (c) the continuation of agreements between a registrant or another person and the Corporation;
 - (d) the continuation of anything provided to the Corporation by a registrant or another person, including any security, guarantee, indemnity, information or document; or
 - (e) any problems or issues arising from anything mentioned in subclause (1) (z) (i), (ii) or (iii).

Commencement

2 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 18
ONTARIO WATER RESOURCES ACT**

1 The *Ontario Water Resources Act* is amended by adding the following section:

Municipal support for water bottling application

34.0.1 (1) A person to whom this section applies shall not make an application under section 34.1 for a permit to take ground water for the purpose of producing bottled water, or to increase the amount of ground water the person is permitted to take for the purpose of producing bottled water, unless the person,

- (a) has requested the council of the local host municipality to pass a municipal council resolution supporting the proposed ground water taking; and
- (b) having made the request, is permitted to proceed with the application under this section.

Application of section

(2) This section applies to a person who intends to take a total of 379,000 litres or more of ground water per day from one or more locations in the local host municipality for the purpose of producing bottled water, whether under a new permit or by increasing the amount the person is entitled to take pursuant to an existing permit.

Making request

- (3) A person who makes a request to the council of a local host municipality under this section,
- (a) shall give the request to the council together with a description of the proposed ground water taking, including,
 - (i) the location of the ground water taking,
 - (ii) the amount of ground water the applicant would be authorized to take if the application under section 34.1 is granted, and
 - (iii) any technical studies that would support the application; and
 - (b) shall give the Director notice of the request together with the information described in subclauses (a) (i) and (ii).

Resolutions

- (4) The council of a local host municipality that receives a request under this section may pass a municipal council resolution,
- (a) supporting the application; or
 - (b) objecting to the application.

Copy of resolution

(5) The council of a local host municipality that passes a municipal council resolution under this section shall give a copy of the resolution to the person making the request and to the Director.

Where support

(6) Where the council of a local host municipality has passed a municipal council resolution under clause (4) (a) supporting the application, the person who made the request may proceed with the application under section 34.1.

Where objection

(7) Where the council of a local host municipality has passed a municipal council resolution under clause (4) (b) objecting to the application, the person who made the request may not proceed with the application under section 34.1, subject to subsection (8).

Where objection withdrawn

(8) Where the council of a local host municipality has passed a municipal council resolution under clause (4) (b) objecting to an application, then passes a subsequent resolution withdrawing the objection, the person who made the request may proceed with the application under section 34.1.

Where support withdrawn

(9) Where the council of a local host municipality has passed a municipal council resolution supporting an application, then passes a subsequent resolution withdrawing the support, the person making the request is not prohibited from proceeding with the application under section 34.1, but the Director may take the withdrawal of support into account in considering the application.

Where objection reinstated

(10) Subsection (9) applies with necessary modification where the council of a local host municipality withdraws its objection to an application and then subsequently passes another municipal council resolution to again object to the application.

Where no resolution

(11) If the council of a local host municipality does not pass a municipal council resolution under subsection (4) within 12 months of being given a request under this section, the person who made the request may proceed with the application under section 34.1.

Duration of effect

(12) Where a municipal council resolution has been passed under this section supporting an application or withdrawing an objection to an application and the person making the request has not applied under section 34.1 within five years from the date of passage, the person making the request may not proceed with the application unless they comply with all of the requirements of this section as if the first request had never been made.

Regulations

(13) The Lieutenant Governor in Council may make regulations clarifying and governing the application of this section.

Not in public utilities sphere

(14) For greater certainty, a municipal council resolution described in this section is not a matter that falls within item 4f of the public utilities sphere of jurisdiction in the Table to section 11 of the *Municipal Act, 2001*.

Definitions

(15) In this section,

“bottled water” means potable water that is intended for human consumption and that is packaged in bottles or other portable containers; (“eau embouteillée”)

“local host municipality” means the local municipality where the taking of ground water or increased taking of ground water for the purpose of producing bottled water would take place; (“municipalité locale hôte”)

“local municipality” has the meaning assigned to it by subsection 1 (1) of the *Municipal Act, 2001*. (“municipalité locale”)

Commencement

2 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 19
PENSION BENEFITS ACT**

1 Subsection 79.2 (7) of the *Pension Benefits Act* is repealed and the following substituted:

Duty of administrator

(7) The administrator of each pension plan shall comply with such requirements as may be prescribed with respect to the giving of notice of the transfer of assets between the pension plans, including requirements respecting the time within which the notice must be given and the information that must be contained in it.

Same

(7.1) The administrator of each pension plan shall comply with such other requirements as may be prescribed with respect to the transfer of assets between the pension plans.

2 Section 80 of the Act is amended by adding the following subsection:

Waiver of notice requirements

(16) The Chief Executive Officer may, if he or she considers it appropriate in the circumstances, waive or vary the application of any provision of the regulations that is made for the purpose of subsection 79.2 (7), or any Authority rule made for the purpose of that subsection.

3 (1) Clause 80.4 (12.1) (a) of the Act is amended by adding “or any Authority rule made for the purpose of any of those subsections” at the end.

(2) Clause 80.4 (12.1) (b) of the Act is repealed and the following substituted:

- (b) in the case of a transfer of assets to a pension plan that is registered as a jointly sponsored pension plan within nine months after the date on which an application under subsection (11) is made in respect of the transfer to the plan,
 - (i) any provision or Authority rule described in clause (a),
 - (ii) any provision of the regulations that is made for the purposes of subsection (3), (13) or (17), and
 - (iii) any provision of the regulations that is made for the purposes of subsections 79.2 (3) to (7.1).

4 (1) Section 81 of the Act is amended by adding the following subsection:

Adoption of successor pension plan

Application

(0.1) This section applies with respect to pension plans in either of the following circumstances:

1. A pension plan is established by an employer to be a successor to an existing pension plan and the employer ceases to make contributions to the original pension plan.
2. A multi-employer pension plan established pursuant to a collective agreement or trust agreement is amended to be a successor to an existing multi-employer pension plan established pursuant to a collective agreement or trust agreement and the participating employers cease to make contributions to the original multi-employer pension plan.

(2) Section 81 of the Act is amended by adding the following subsection:

Waiver of notice requirements

(8) The Chief Executive Officer may, if he or she considers it appropriate in the circumstances, waive or vary the application of any provision of the regulations that is made for the purpose of subsection 79.2 (7), or any Authority rule made for the purpose of that subsection.

5 Subsection 81.0.1 (13.1) of the Act is amended by adding “or any Authority rule made for the purpose of any of those subsections” at the end.

6 The Act is amended by adding the following sections immediately after the heading “Exemptions and Special Arrangements”:

Special exemption, certain individual pension plans and designated plans

101.1 (1) An employer of a pension plan that is an individual pension plan or a designated plan for the purposes of the *Income Tax Act* (Canada), and for which a certificate of registration has been issued under section 16 of this Act, may elect to be exempt from the application of this Act, the regulations and the Authority rules, except as necessary to give effect to this section, if the following conditions are satisfied at the time the election is filed:

1. Every member of the pension plan, if any, is connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada).

2. Every former member of the pension plan, if any, and every retired member of the pension plan, if any, was connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada) immediately before becoming a former member or retired member, as the case may be.
3. The following persons have consented to the exemption in accordance with subsection (3):
 - i. Every member, former member and retired member of the pension plan.
 - ii. Every person who, on the day they give the consent, is not a member, former member or retired member of the pension plan but is a spouse of a member, former member or retired member of the pension plan who is not living separate and apart from the member, former member or retired member on that day.
 - iii. Any other person entitled to pension benefits under the pension plan.

Election

(2) The election referred to in subsection (1) must be filed with the Chief Executive Officer and must contain the following information:

1. The name of the individual pension plan or designated plan and its provincial registration number.
2. A statement from the administrator of the pension plan certifying that, as of the date on which the election is filed, the requirements set out in paragraphs 1 and 2 of subsection (1), as applicable, are satisfied.
3. A statement from the administrator of the pension plan certifying that consent to the exemption has been obtained from every person referred to in paragraph 3 of subsection (1).
4. A copy of every consent obtained from the persons referred to in paragraph 3 of subsection (1).
5. A copy of every declaration obtained from the members, former members and retired members of the pension plan.
6. The date on which the exemption is effective, which must be at least 14 days after the date on which the election is filed, but no later than 60 days after that date.
7. A statement from the employer acknowledging that, after the election is filed, no person may become a member of the pension plan unless the person is connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada) on the date on which they become a member.

Consent

(3) For the purposes of paragraph 3 of subsection (1), the consent of every person referred to in paragraph 3 of subsection (1) to the exemption of a pension plan must be signed by the person and must include both of the following:

1. A statement that the person consents to the exemption.
2. A statement that the person acknowledges that as a result of the exemption, this Act, the regulations and the Authority rules would not apply to any benefits or entitlements accrued under the pension plan, whether the benefits or entitlements accrued before or after the effective date of the exemption.

Declaration

(4) For the purposes of paragraph 5 of subsection (2), every member, former member and retired member of the pension plan must sign a declaration attesting to one of the following facts:

1. That they have a spouse and the spouse has consented to the exemption in accordance with subsection (3).
2. That they were living separate and apart from their spouse on the date on which they consented to the exemption in accordance with subsection (3).
3. That they did not have a spouse on the date on which they consented to the exemption in accordance with subsection (3).

Exemption

(5) The following apply if an employer of a pension plan files an election under this section and the requirements set out in subsections (1), (2), (3) and (4) have been met:

1. Except as necessary to give effect to this section, this Act, the regulations and the Authority rules do not apply as of the effective date of the exemption set out in the election in respect of any matter relating to the pension plan, including in respect of any benefits or entitlements accrued under the pension plan, whether the matter arose or the benefits or entitlements accrued before or after the effective date.
2. The powers and duties conferred on or assigned to the Chief Executive Officer, the Authority, the Tribunal or any other person, body or court on or to whom powers and duties related to the enforcement of this Act, the regulations or the Authority rules are conferred or assigned, do not apply in respect of any matter relating to the pension plan as of the effective date of the exemption set out in the election, including in respect of any benefits or entitlements accrued under

the pension plan, whether the matter arose or the benefits or entitlements accrued before or after the effective date. However, those powers and duties do apply in respect of the restriction set out in subsection (6).

Restriction re new members

(6) After an election referred to in subsection (1) is filed in respect of a pension plan, no person may become a member of the pension plan unless the person is connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada) on the date on which they become a member.

Exemption not cancelled

(7) An exemption under this section continues to apply with respect to a pension plan even if a member, former member or retired member who was connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada) ceases to be connected with the employer after the date on which the election is filed.

Special exemption, certain new individual pension plans and designated plans

101.2 (1) This section applies with respect to a pension plan that is an individual pension plan or a designated plan for the purposes of the *Income Tax Act* (Canada) that is established after the day section 6 of Schedule 19 to the *Better for People, Smarter for Business Act, 2020* comes into force and all the members of which are, as of the date on which the pension plan is established, connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada).

Exemption

(2) The pension plan is exempt from the application of this Act, the regulations and the Authority rules, except as necessary to give effect to this section, as of the date on which the pension plan is established.

Same

(3) The powers and duties conferred on or assigned to the Chief Executive Officer, the Authority, the Tribunal or any other person, body or court on or to whom powers and duties related to the enforcement of this Act, the regulations or the Authority rules are conferred or assigned, do not apply in respect of any matter relating to the pension plan. However, those powers and duties do apply in respect of the restriction set out in subsection (5).

No registration

(4) For greater certainty, the administrator of the pension plan shall not apply to the Chief Executive Officer for registration of the pension plan under this Act.

Restriction re new members

(5) After the date on which the exemption becomes effective, no person may become a member of the pension plan unless the person is connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada) on the date on which they become a member.

Exemption not cancelled

(6) An exemption under this section continues to apply with respect to a pension plan even if a member, former member or retired member who was connected with the employer within the meaning of subsection 8500 (3) of the *Income Tax Regulations* (Canada) ceases to be connected with the employer after the date on which the exemption became effective.

Special exemption, revocation of registration under *Income Tax Act* (Canada)

101.3 (1) If a pension plan's registration under the *Income Tax Act* (Canada) was revoked on or before the day section 6 of Schedule 19 to the *Better for People, Smarter for Business Act, 2020* comes into force and, immediately before the day on which the notice of revocation under subsection 147.1 (13) of the *Income Act* (Canada) was dated, the pension plan was an individual pension plan or a designated plan for the purposes of that Act, the pension plan is exempt from the application of this Act, the regulations and the Authority rules as of the day section 6 of Schedule 19 to the *Better for People, Smarter for Business Act, 2020* comes into force.

Same

(2) If a pension plan's registration under the *Income Tax Act* (Canada) is revoked after the day section 6 of Schedule 19 to the *Better for People, Smarter for Business Act, 2020* comes into force and, immediately before the day on which the notice of revocation under subsection 147.1 (13) of the *Income Act* (Canada) was dated, the pension plan was an individual pension plan or a designated plan for the purposes of that Act, the pension plan is exempt from the application of this Act, the regulations and the Authority rules as of the day on which the notice of revocation is dated.

Effect of exemption

(3) If a pension plan is exempt from the application of this Act, the regulations and the Authority rules under subsection (1) or (2),

- (a) the exemption applies in respect of any matter relating to the pension plan as of the date on which the exemption became effective, including in respect of any benefits or entitlements accrued under the pension plan, whether the matter arose or the benefits or entitlements accrued before or after that date; and

- (b) the powers and duties conferred on or assigned to the Chief Executive Officer, the Authority, the Tribunal or any other person, body or court on or to whom powers and duties related to the enforcement of this Act, the regulations or the Authority rules are conferred or assigned, do not apply in respect of any matter relating to the pension plan as of the date on which the exemption became effective, including in respect of any benefits or entitlements accrued under the pension plan, whether the matter arose or the benefits or entitlements accrued before or after that date.

7 Subsection 115.1 (1) of the Act is amended by adding the following paragraphs:

27. Prescribing notice requirements for the purposes of subsection 79.2 (7).
28. Prescribing notice requirements for the purposes of subsection 80.4 (4).
29. Prescribing notice requirements for the purposes of subsection 80.4 (5).
30. Prescribing notice requirements for the purposes of subsection 80.4 (9).
31. Prescribing notice requirements for the purposes of subsection 80.4 (12).
32. Prescribing notice requirements for the purposes of subsection 81.0.1 (5).
33. Prescribing notice requirements for the purposes of subsection 81.0.1 (6).
34. Prescribing notice requirements for the purposes of subsection 81.0.1 (10).
35. Prescribing notice requirements for the purposes of subsection 81.0.1 (13).

Commencement

8 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 20
PERSONAL PROPERTY SECURITY ACT**

1 The *Personal Property Security Act* is amended by adding the following Part:

**PART V.1
VEXATIOUS REGISTRATIONS**

Definitions

66.1 (1) In this Part,

“discharge” includes a partial discharge; (“mainlevée”)

“vexatious registration” means the registration of a document that,

- (a) the registrar considers to have been tendered,
 - (i) for the purpose of annoying or harassing the person named as the debtor in the document, or
 - (ii) for any other improper purpose, and
- (b) has been tendered by or on behalf of a person who,
 - (i) does not hold the security interest referred to in the document, or
 - (ii) is claiming an interest that is not registrable under this Act. (“enregistrement vexatoire”)

Reference to “document”

(2) A reference to a “document” in this Part is a reference to a financing statement, a financing change statement, a claim for lien, a change statement or any other document being tendered for registration in the registration system.

Application

66.2 This Part applies in relation to,

- (a) every document tendered for registration before or after the coming into force of this section; and
- (b) every registration in the registration system before or after the coming into force of this section.

Rejection of vexatious registration

66.3 (1) The registrar may reject a document that, if registered, would result in a vexatious registration.

Reasons and right to appeal

- (2) The registrar shall give each person who is named as a secured party on the document,
 - (a) written reasons for rejecting the document; and
 - (b) at the same time, notice of the right to appeal the decision to the Divisional Court.

Discharge of vexatious registration

66.4 (1) The registrar may discharge a vexatious registration,

- (a) on his or her own initiative; or
- (b) in response to a written request from any person who is affected by the registration.

Same

(2) A request referred to in clause (1) (b) must explain why the registration is a vexatious registration.

Notification of other affected parties

(3) The registrar may notify such other persons who may be affected by the registration as the registrar considers appropriate that a request referred to in clause (1) (b) has been received.

Registrar may require information

(4) The registrar may require a person who has made a request referred to in clause (1) (b) to provide information or material that the registrar considers to be necessary in order to make a determination or otherwise act under this Part.

Reasons and right to appeal

- (5) The registrar shall give each person affected by the registration that the registrar considers appropriate,
 - (a) written reasons for discharging the registration or for a decision not to discharge the registration; and
 - (b) at the same time, notice that,

- (i) in the case of a decision to discharge the registration, any person named as a secured party on the registration has a right to appeal the decision to the Divisional Court, or
- (ii) in the case of a decision not to discharge the registration, the person who made the request referred to in clause (1) (b) has a right to appeal the decision to the Divisional Court.

Appeal to Divisional Court

66.5 (1) The rejection of a document under section 66.3 may be appealed to the Divisional Court by any person who is named as a secured party on the document.

Same

(2) The discharge of a registration under section 66.4 may be appealed to the Divisional Court by any person who is named as a secured party on the registration.

Same

(3) A decision not to discharge a registration under section 66.4 may be appealed to the Divisional Court by the person who made the request referred to in clause 66.4 (1) (b).

How to appeal

(4) To appeal under this section, the appealing party shall file a notice of appeal with the Divisional Court within 14 days after receiving the registrar's written reasons and give a copy of the notice to the registrar and any other person who is affected by and named in the document or registration, as the case may be.

Registrar a party

(5) The registrar is a party to the appeal.

Powers of court

- (6) On the appeal, the court may,
 - (a) affirm or reverse the registrar's decision or make any decision that the registrar could make under this Part;
 - (b) in the case of a re-registration of a discharged registration, give directions as to priority; and
 - (c) make any other order the court considers appropriate, including an order as to costs.

Compliance with court order — notice not required

66.6 Where the registrar registers a document or discharges a registration in accordance with a court order under section 66.5, the registrar may do so without notice to any person named as a secured party on the registration or to any other person affected by the registration.

Action not required

66.7 Subject to any court order under section 66.5, nothing in this Part is to be construed as requiring the registrar to,

- (a) reject a document or discharge a registration; or
- (b) act on the request of or on behalf of a person affected by a document or a registration.

2 Subsection 74 (1) of the Act is amended by adding the following clause:

- (c.1) respecting any matter that the Lieutenant Governor in Council considers necessary or advisable in relation to vexatious registrations under Part V.1;

Commencement

3 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 21
PLANNING ACT**

1 (1) Subsection 50 (16) of the *Planning Act* is amended by striking out “mentioned in the mortgage or charge” and substituting “that is then subject to the mortgage or charge”.

(2) Subsection 50 (17) of the Act is repealed and the following substituted:

Saving

(17) Subsection (16) does not apply to a partial discharge of a mortgage or partial cessation of a charge if the land described in the partial discharge or partial cessation could otherwise be conveyed by way of a deed or transfer by the registered owner of the land in compliance with the provisions of this section.

(3) Subsection 50 (19) of the Act is repealed and the following substituted:

Release of interest by joint tenant or tenant in common

(19) If two or more persons are joint tenants or tenants in common of a parcel of land while also together holding the fee in any abutting land and one of those tenants releases or conveys their interest in the parcel of land to one or more of the other tenants, the tenant is deemed, for the purposes of subsections (3) and (5), to convey the land by way of a deed or transfer and to retain the fee in the abutting land.

(4) Subsection 50 (22) of the Act is amended by striking out “the conveyance of any interest in the land” in the portion following clause (d) and substituting “the conveyance of or creation of any interest in the land”.

2 (1) Section 53 of the Act is amended by adding the following subsection:

(0.1) In this section,

“provisional consent” means a consent given under subsection (1) in respect of which a certificate cannot be issued under subsection (42) because,

- (a) the 20-day period mentioned in subsection (19) has not elapsed,
- (b) any appeals under subsection (19) remain outstanding, or
- (c) conditions have been imposed but have not been fulfilled.

(2) Subsection 53 (1) of the Act is amended by striking out “An owner of land or the owner’s agent duly authorized in writing may apply” at the beginning and substituting “An owner or chargee of land, or such owner’s or chargee’s agent duly authorized in writing, may apply”.

Commencement

3 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

SCHEDULE 22
PRIVATE CAREER COLLEGES ACT, 2005

1 Section 4 of the *Private Career Colleges Act, 2005* is repealed.

2 Paragraph 6 of subsection 55 (1) of the Act is repealed.

Commencement

3 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 23
PUBLIC LANDS ACT**

1 The definition of “Crown grant” in subsection 37 (1) of the *Public Lands Act* is amended by adding “but does not include a transfer of such an interest or a grant of an easement under section 37.2” at the end.

2 Subsection 37.1 (3) of the Act is repealed and the following substituted:

Order sent to land registry office

(3) The Minister may, in the Minister’s discretion, forward the order by which the administration and control of public lands is transferred under this section to the proper land registry office.

Registration

(4) Upon receipt of an order under subsection (3), the land registrar shall, without fee or other charge, register the order, note particulars of the registration on a copy and forward the copy to the person or entity receiving the transfer at the address furnished by the Ministry.

3 The Act is amended by adding the following sections:

Transfers of land without letters patent

37.2 (1) Subject to subsections (7) and (9), this section applies if,

- (a) the administration and control of unpatented public lands is transferred from the Minister to another Minister of the Crown in right of Ontario or to a Crown agency within the meaning of the *Crown Agency Act* by an order made under subsection 37.1 (1), by an order in council or under any Act of the Province other than the *Mining Act*; and
- (b) the order, order in council or Act referred to in clause (a) does not include a provision requiring that,
 - (i) the administration and control of the unpatented lands be returned to the Minister at some specified point in time or upon such other specified term, or
 - (ii) the unpatented lands be used by the other Minister or Crown agency only for a specified purpose.

Authorization to dispose of interests, grant easements

(2) On and after the day section 2 of Schedule 23 to the *Better for People, Smarter for Business Act, 2020* comes into force, a Minister or Crown agency to whom responsibility for the administration and control of the unpatented public lands has been transferred in accordance with subsection (1) may,

- (a) transfer a freehold or leasehold interest in the unpatented lands to a third party, without letters patent being issued under the Great Seal to effect the transfer; and
- (b) grant an easement in or over the unpatented lands to a third party.

Effectiveness of transfer of interest

(3) A transfer of a freehold or leasehold interest under clause (2) (a) has the same legal effect as a Crown grant of the interest carried out through the issuance of letters patent.

Same, easement

(4) An easement granted under clause (2) (b) is valid and legally binding on the Crown and on all subsequent owners of the lands affected by the easement.

References to letters patent, etc. in other legislation

(5) Subject to anything in this section, section 37.3 or 37.4, the following rules apply to the interpretation of any provision of this Act, the regulations, any other Act including the *Mining Act* or any regulation made under another Act:

1. Any reference in the provision to letters patent or to a patent with respect to land shall be deemed to include a reference to the instrument by which a freehold or leasehold interest is transferred under clause (2) (a), unless a contrary intention appears in the context of that provision.
2. Any reference in the provision to lands or interests in land that are patented or granted by the Crown shall be deemed to include a reference to freehold and leasehold interests transferred under clause (2) (a), unless a contrary intention appears in the context of that provision.
3. Any reference in the provision to the issuance or granting of letters patent shall be deemed to include a reference to the transferring of freehold and leasehold interests under clause (2) (a), unless a contrary intention appears in the context of that provision.
4. Any reference in the provision to a patentee shall be deemed to include a reference to the third party to whom a freehold or leasehold interest was transferred under clause (2) (a), unless a contrary intention appears in the context of that provision.

Same, exceptions

- (6) Despite subsection (5) and for greater certainty,
- (a) section 36 of this Act does not apply with respect to land that is the subject of a transfer under clause (2) (a) or of an easement granted under clause (2) (b) and any reference in that section to lands that are patented by the Crown shall not include a reference to lands that are the subject of a transfer under clause (2) (a);
 - (b) section 24 of the *Evidence Act* shall not apply with respect to instruments by which a freehold or leasehold interest is transferred under clause (2) (a) and any reference in that section to letters patent shall not include a reference to those instruments; and
 - (c) section 35 of the *Land Titles Act* does not apply with respect to land that is transferred to a third party under clause (2) (a) and any reference in that section to land granted to a patentee shall not include a reference to an interest in land transferred to a third party under clause (2) (a).

Release from reversionary clause

- (7) If an order under subsection 37.1 (1), or an order-in-council, that transfers responsibility for the administration and control of unpatented public lands from the Minister to another Minister or to a Crown agency contains either a provision requiring that the administration and control of the unpatented lands be returned to the Minister at some point in time or upon such other specified terms or a provision requiring that the unpatented lands be used by the other Minister or Crown agency only for a specified purpose,
- (a) the Minister may, by order, release the other Minister or Crown agency from any such requirement; and
 - (b) upon an order being made under clause (a), this section applies with respect to the order made under subsection 37.1 (1) or the order in council and with respect to any subsequent transfers of interests or grants of easements that may be made by the other Minister or Crown agency under subsection (2).

Registration

- (8) Subsections 37.1 (3) and (4) apply with necessary modifications to an order made under clause (7) (a).

Non-application

- (9) This section does not apply with respect to unpatented public lands that are the subject of an order, order in council or Act described in subsection (1) if the Minister or Crown agency that receives responsibility for the administration and control of those lands has the authority under this Act or any other Act,
- (a) to sell, lease or otherwise dispose of the lands, without requesting the issuance of letters patent under the Great Seal to effect the disposition; or
 - (b) to grant an easement in or over the lands.

Validity of previous transfers

37.3 (1) This section applies if, before the day section 2 of Schedule 23 to the *Better for People, Smarter for Business Act, 2020* came into force,

- (a) the administration and control of unpatented public lands was transferred from the Minister to another Minister of the Crown in right of Ontario or to a Crown agency within the meaning of the *Crown Agency Act* by an order made under subsection 37.1 (1), by an order in council or under an Act of the Province, other than the *Mining Act*; and
- (b) the Minister of the Crown or Crown agency referred to in clause (a) purported to,
 - (i) transfer a freehold or leasehold interest in all or part of the unpatented lands referred to in that clause to a third party, without letters patent being issued under the Great Seal to effect the transfer of the interest, or
 - (ii) grant an easement in or over the unpatented lands to a third party.

Deemed validity

- (2) If an interest or easement in unpatented lands was transferred or granted in accordance with clause (1) (b) before the day section 2 of Schedule 23 to the *Better for People, Smarter for Business Act, 2020* came into force, then,
- (a) as of the day the transfer of the interest was registered in the relevant land registry office, it is deemed to have been as legally effective with respect to the transfer of the interest in unpatented lands as a Crown grant of the interest carried out through the issuance of letters patent would have been; or
 - (b) as of the day the easement is granted or, if registered in the relevant land registry office, as of the day it is registered, it is deemed to have been validly granted and legally binding on the Crown and all subsequent owners of the lands affected by the easement.

Application

(3) Subsections 37.2 (5) and (6) apply with necessary modifications to a transfer of an interest in unpatented lands that is deemed to be legally effective under clause (2) (a) and clause 37.2 (6) (a) applies with necessary modifications to an easement deemed to be validly granted under clause (2) (b).

Reservations, etc. in transfers under ss. 37.2 and 37.3

37.4 (1) A Crown transfer is subject to the reservations and conditions set out in this section.

Definition, Crown transfer

(2) In this section,

“Crown transfer” means a transfer of a freehold or leasehold interest in unpatented lands by a Minister of the Crown in right of Ontario or a Crown agency within the meaning of the *Crown Agency Act* that is carried out under section 37.2 or deemed to be legally effective under section 37.3.

Reservation of ores, etc.

(3) All ores, mines and minerals on or under the lands that are the subject of a Crown transfer are reserved to the Crown and, for greater certainty,

- (a) section 60 does not apply to such lands;
- (b) subsections 61 (1) and (2) apply with necessary modifications, to a Crown transfer carried out before May 6, 1913 and deemed to be legally effective under section 37.3; and
- (c) subsection 61 (3) applies, with necessary modifications, to a Crown transfer carried out after May 6, 1913 and deemed to be legally effective under section 37.3, or carried out under section 37.2, as though the reservation under this section was expressly reserved in the instrument by which the Crown transfer was carried out.

Navigable waters

(4) The free use, passage and enjoyment of, in, over and upon all navigable waters found on or under, or flowing through or upon, any part of the lands that are the subject of a Crown transfer is reserved to the Crown.

Reservation for construction of roads

(5) Five per cent of the acreage of the lands that are the subject of a Crown transfer is reserved to the Crown for the purpose of constructing roads and, for greater certainty,

- (a) section 64 and subsection 65 (1) do not apply to the Crown transfer;
- (b) subsection 65 (2) applies to the Crown transfer, with necessary modifications, as though the reservation of the area for the construction of the road was contained in the instrument by which the Crown transfer was carried out; and
- (c) section 66 applies with necessary modifications to a reservation under this subsection as though it was a reservation relating to roads under section 65.

Passage over portages

(6) Subsection 65 (4) applies with necessary modifications where a portage exists over unpatented lands at the time a Crown transfer of the unpatented lands is carried out under section 37.2 or deemed to be legally effective under section 37.3.

Easements

(7) The reservations and conditions in subsections (3), (4) and (6) apply with necessary modifications with respect to an easement granted under section 37.2 or deemed to be validly granted under section 37.3.

Additional reservations and conditions

(8) In addition to the reservations and conditions described in subsections (3) to (7), a Crown transfer and an easement granted under section 37.2 or deemed to be validly granted under section 37.3 are subject to such reservations and conditions as may be specified in,

- (a) the order, order in council or statute referred to in clause 37.2 (1) (a) by which the administration and control of the unpatented public lands was transferred from the Minister to another Minister or a Crown agency; or
- (b) any order made by the Minister under subsection (9) or any order in council that has the effect of adding a reservation or condition to an order or order in council referred to in clause (a) and that was made before the date of the transfer or grant.

Same, order

(9) If the administration and control of unpatented public lands has been transferred from the Minister to another Minister of the Crown in right of Ontario or to a Crown agency within the meaning of the *Crown Agency Act* by an order made under subsection 37.1 or by an order in council, the Minister may make an order specifying reservations and conditions that apply

with respect to those lands in addition to any reservations and conditions that may have been specified in the order under section 37.1 or the order in council.

Registration

(10) Subsections 37.1 (3) and (4) apply with necessary modifications to an order made under subsection (9).

Binding future interests

(11) For the purposes of the registration under the *Land Titles Act* of an interest in unpatented lands transferred by a Crown transfer, or of an easement granted under section 37.2 or deemed to be validly granted under section 37.3, any reservation or condition applicable to the Crown transfer or easement under this section shall apply to all subsequent interests derived from that Crown transfer or easement, even though the reservation or condition is not entered or shown in the register.

Amendments to the *Land Titles Act*

4 Subsection 44 (1) of the *Land Titles Act* is amended by adding the following paragraph:

7.1 Any liabilities, rights and interests reserved to the Crown, or any conditions imposed, in accordance with section 37.4 of the *Public Lands Act*, with respect to transfers of freehold or leasehold interests in unpatented lands, or easements in or over such lands, that are authorized under section 37.2 of that Act or deemed to be legally effective or validly granted, as the case may be, under section 37.3 of that Act.

Commencement

5 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 24
PUBLIC VEHICLES REPEAL ACT, 2020**

Transitional regulations

- 1 (1) The Minister of Transportation may make regulations,
- (a) establishing a transition period before the repeal of the *Public Vehicles Act* during which its application may be phased out;
 - (b) providing that a provision or requirement of the *Public Vehicles Act* or of Regulation 982 of the Revised Regulations of Ontario, 1990 (General) made under that Act ceases to apply, applies in a modified way or only applies, either as written or in a modified way, to specified geographic areas or specified persons or for a specified period during the transition period;
 - (c) governing other transitional matters that may arise due to the anticipated repeal of the *Public Vehicles Act*.

Conflict

- (2) In the event of a conflict between the *Public Vehicles Act* or Regulation 982 and a regulation made under subsection (1) of this section, the regulation made under subsection (1) prevails.

Repeal of Act

- 2 The *Public Vehicles Act* is repealed.**

CONSEQUENTIAL AMENDMENTS

City of Hamilton Act, 1999

- 3 (1) Subsection 11.11 (1) of the *City of Hamilton Act, 1999* is amended by striking out “Subject to the *Public Vehicles Act*” at the beginning.**

- (2) Subsection 11.12 (6) of the Act is repealed.**

City of Ottawa Act, 1999

- 4 (1) Subsection 12.17 (1) of the *City of Ottawa Act, 1999* is amended by striking out “Subject to the *Public Vehicles Act*” at the beginning.**

- (2) Subsection 12.18 (6) of the Act is repealed.**

City of Toronto Act, 2006

- 5 (1) Subsection 56 (5) of the *City of Toronto Act, 2006* is repealed.**

- (2) Section 58 of the Act is repealed and the following substituted:**

Geographic jurisdiction for passenger transportation systems, etc.

58 The whole of Steeles Avenue where it is the boundary of the City is deemed to be part of the City for the purposes of the City or the TTC exercising powers with respect to a passenger transportation system.

- (3) Section 59 of the Act is amended by striking out “and subject to the *Public Vehicles Act*”.**

Education Act

- 6 Paragraph 14 of subsection 170 (1) of the *Education Act* is repealed and the following substituted:**

vehicle insurance

14. where it furnishes transportation for pupils in a vehicle that is owned by the board, provide and carry with an insurer licensed under the *Insurance Act* for each such vehicle at least the amount of insurance that is required to be provided by the owner, lessee or operator of a comparable passenger transportation vehicle under section 24 of the *Highway Traffic Act*;

Highway Traffic Act

- 7 (1) The definition of “public vehicle” in subsection 1 (1) of the *Highway Traffic Act* is repealed.**

- (2) Subsection 7 (16) of the Act is repealed.**

- (3) Subsection 7 (24) of the Act is amended by adding the following clauses:**

- (1.1) prescribing limitations or restrictions on the use of a motor vehicle for which a permit of a specified class is issued;
- (1.2) prescribing uses of motor vehicles for which a specified class of permit is required;

- (4) Section 8 of the Act is repealed and the following substituted:**

Permit limitations re use of motor vehicle

Limitations or restrictions

8 (1) No person shall drive or permit the operation of a motor vehicle on a highway except in accordance with any limitations or restrictions on the use of a motor vehicle under the class of permit issued for the motor vehicle.

Prescribed class of permit for specified uses

(2) No person shall drive or permit the operation of a motor vehicle on a highway if the motor vehicle is being used in a way that is required by the regulations to have a specified class of permit unless the permit for the motor vehicle is of the prescribed class.

Penalty

(3) Every person who contravenes subsection (1) or (2) is guilty of an offence and on conviction is liable to a fine of not less than \$250 and not more than \$20,000 and, in addition, the person's driver's licence may be suspended for a period of not more than one year.

(5) Subsection 17.0.2 (1) of the Act is amended by adding "before its repeal" after "the *Public Vehicles Act*".

(6) Part II of the Act is amended by adding the following section:

Regulations re passenger transportation vehicles

24 (1) The Lieutenant Governor in Council may make regulations,

- (a) prescribing requirements, qualifications and standards for drivers of passenger transportation vehicles;
- (b) prescribing requirements, qualifications and standards for owners, lessees and operators of passenger transportation vehicles and for persons who accept, facilitate, broker requests for, advertise or offer transportation in passenger transportation vehicles;
- (c) prescribing documents to be retained by persons listed in clause (b), requiring the surrender of such documents and governing their retention and surrender;
- (d) prescribing documents to be carried in a passenger transportation vehicle and requiring and governing their surrender;
- (e) prescribing standards and specifications for the use, operation, inspection and maintenance of passenger transportation vehicles;
- (f) governing tariffs for passenger transportation vehicles and the obligations of persons listed in clause (b) respecting tariffs, including requiring notice to be given of a reduction or discontinuance of service;
- (g) prescribing hours of work and periods of rest for drivers of passenger transportation vehicles;
- (h) requiring the use of any equipment on or in a passenger transportation vehicle and prescribing standards and specifications of the equipment;
- (i) prescribing signs and markings to be displayed on passenger transportation vehicles and governing their display;
- (j) prescribing rules applicable to the carrying of passengers, including rules respecting the number of passengers that may be carried, where passengers may ride in passenger transportation vehicles and prohibiting or restricting standing in passenger transportation vehicles;
- (k) prescribing requirements related to loading and carrying goods or property on or in passenger transportation vehicles or vehicles drawn by passenger transportation vehicles;
- (l) restricting the drawing of trailers behind passenger transportation vehicles and prescribing standards and conditions applicable to the drawing of trailers;
- (m) exempting any class of person or vehicle from any regulation made under this subsection and prescribing conditions and circumstances for any such exemption.

Same, insurance for passenger transportation vehicles

(2) The Lieutenant Governor in Council may make regulations,

- (a) requiring owners, lessees and operators of passenger transportation vehicles to carry insurance, and prescribing the form, amount, nature, class, provisions and conditions of the insurance and requirements respecting evidence of such insurance;
- (b) prescribing obligations in respect of insurance on persons who accept, facilitate, broker requests for, advertise or offer transportation by persons to whom a regulation made under clause (a) applies;
- (c) prescribing obligations of drivers of passenger transportation vehicles with respect to the carrying and surrender of evidence of insurance;

- (d) exempting any class of person or vehicle from any regulation made under this subsection and prescribing conditions and circumstances for any such exemption.

Same, reports

(3) The Lieutenant Governor in Council may make regulations requiring owners, lessees or operators of passenger transportation vehicles and persons who accept, facilitate, broker requests for, advertise or offer transportation in passenger transportation vehicles to report to the Ministry on their operations and activities, and governing such reports.

Information

(4) The Ministry shall keep confidential all information reported to it pursuant to a regulation made under subsection (3) but it may disclose summaries or analyses that include information derived from the reports.

Same

(5) Subsection (4) prevails over the *Freedom of Information and Protection of Privacy Act*.

Offence

(6) A person who contravenes a regulation made under subsection (1) or (3) is guilty of an offence and on conviction is liable to a fine of not less than \$250 and not more than \$20,000.

Same, insurance-related offences

(7) A person who contravenes a regulation made under clause (2) (a) or (b) is guilty of an offence and is liable on a first conviction to a fine of not less than \$5,000 and not more than \$25,000 and on each subsequent conviction to a fine of not less than \$10,000 and not more than \$50,000 and, in addition, the person's driver's licence may be suspended for a period of not more than one year.

Same

(8) A person who contravenes a regulation made under clause (2) (c) is guilty of an offence and on conviction is liable to a fine of not less than \$250 and not more than \$20,000.

Limitation on prosecutions

(9) No proceeding for an offence under subsection (2) shall be instituted more than three years after the facts on which the proceeding is based are alleged to have occurred.

Definition

(10) In this section,

“passenger transportation vehicle” means a bus or other motor vehicle that is used to transport passengers for compensation, but does not include a vehicle operated by or on behalf of a municipality as part of a passenger transportation system within the municipality.

(7) **Clause 39.1 (1) (a) of the Act is repealed.**

(8) **The Schedule to section 46 of the Act is amended by striking out “*Public Vehicles Act*” and substituting “*Public Vehicles Act*, before its repeal”.**

(9) **The Schedule to section 46 of the Act, as re-enacted by subsection 22 (1) of Schedule 19 of the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by striking out “*Public Vehicles Act*” and substituting “*Public Vehicles Act*, before its repeal”.**

(10) **Subsection 47 (10) of the Act is amended by striking out “or the *Public Vehicles Act* or of any regulation thereunder” and substituting “or any regulation”.**

(11) **Subsection 47 (11) of the Act is amended by striking out “or for the enforcement of the *Public Vehicles Act*”.**

(12) **Subsection 62 (11) of the Act is amended by striking out “every commercial motor vehicle or combination of a commercial motor vehicle and a trailer having a length in excess of 9.2 metres or a width in excess of 2.05 metres shall carry three lighted lamps displaying green or amber lights at the front, except in the case of a public vehicle which shall display amber lights at the front” and substituting “every commercial motor vehicle or combination of a commercial motor vehicle and a trailer having a length in excess of 9.2 metres or a width in excess of 2.05 metres shall carry three lighted lamps displaying amber lights at the front”.**

(13) **Paragraph 2 of subsection 62 (15.1) of the Act is amended by striking out “or the *Public Vehicles Act*”.**

(14) **Subsection 122 (1) of the Act is amended by striking out “a public vehicle or”.**

(15) **Subsection 122 (4) of the Act is amended by striking out “or” at the end of clause (d), by adding “or” at the end of clause (e) and by adding the following clause:**

(f) vehicles used to transport passengers for compensation, other than those operated solely within the limits of one municipality.

(16) Clause (b) of the definition of “emergency vehicle” in subsection 159 (11) of the Act is amended by striking out “or the *Public Vehicles Act*”.

(17) Subsection 174 (1) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Railway crossings

Buses required to stop

(1) The driver of a bus, other than a school bus within the meaning of section 175, upon approaching on a highway a railway crossing that is not protected by gates or railway crossing signal lights, unless otherwise directed by a flagman, shall,

.

(18) Subsection 174 (3) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Passenger transportation vehicle or school bus with manual transmission

(3) The driver of a bus with manual transmission or of a school bus with manual transmission who is required by subsection (1) or (2) to stop at a railway crossing shall, when it is safe to do so,

.

(19) Section 174 of the Act is amended by adding the following subsection:

Regulations

(4) The Lieutenant Governor in Council may make regulations exempting classes of persons or vehicles from the application of this section.

(20) Part XII of the Act is amended by adding the following section:

Non-application of municipal by-laws

Intercommunity buses

195.1 (1) A business licensing by-law of a municipality that applies to owners, operators or drivers of vehicles providing passenger transportation for compensation does not apply in respect of buses that,

- (a) travel between two points, at least one of which is outside the municipality; and
- (b) do not take on and discharge the same passenger within the municipality.

Regulations

(2) The Lieutenant Governor in Council may make regulations designating other classes of passenger transportation vehicles within the meaning of section 24 to which a business licensing by-law of a municipality would not apply in whole or in part in specified circumstances.

(21) Clause 216.1 (6) (b) of the Act is amended by striking out “the *Dangerous Goods Transportation Act* and the *Public Vehicles Act*” and substituting “and the *Dangerous Goods Transportation Act*”.

(22) Subsection 216.1 (9) of the Act is repealed and the following substituted:

Definition

(9) For the purposes of this section,

“commercial vehicle” means a commercial motor vehicle, a motor vehicle towing a trailer or a vehicle used to transport passengers for compensation.

(23) Section 224 of the Act is amended by striking out “the *Public Vehicles Act*” and substituting “the *Public Vehicles Act*, before its repeal”.

(24) Subsection 227 (1) of the Act is amended by striking out “the *Public Vehicles Act*” and substituting “the *Public Vehicles Act*, before its repeal”.

(25) Clause 228 (2) (a) of the Act is amended by striking out “the *Off-Road Vehicles Act* or the *Public Vehicles Act*” and substituting “or the *Off-Road Vehicles Act*”.

(26) Clause 228 (2) (b) of the Act is amended by striking out “the *Off-Road Vehicles Act* or the *Public Vehicles Act*” and substituting “or the *Off-Road Vehicles Act*”.

(27) Subsection 228 (7) of the Act is amended by striking out “the *Off-Road Vehicles Act* or the *Public Vehicles Act*” and substituting “or the *Off-Road Vehicles Act*”.

Home Care and Community Services Act, 1994

8 Section 60 of the *Home Care and Community Services Act, 1994* is repealed.

Metrolinx Act, 2006

9 Section 40 of the *Metrolinx Act, 2006* is repealed.

Municipal Act, 2001

10 (1) Subsection 69 (6) of the *Municipal Act, 2001* is repealed and the following substituted:

Existing rights

- (6) Nothing in this section affects any rights of a person holding a valid operating licence under the *Public Vehicles Act* if,
- (a) those rights existed on the day before the area was designated under subsection (2);
 - (b) the area was designated before the repeal of the *Public Vehicles Act*;
 - (c) the person held a valid operating licence under the *Public Vehicles Act* on the day before the repeal of that Act; and
 - (d) the person regularly exercised those rights in the 12 months immediately before the repeal of the *Public Vehicles Act*.

(2) Subsection 69 (7) of the Act is amended by striking out “and subject to the *Public Vehicles Act*”.

(3) Sections 71, 72 and 73 of the Act are repealed and the following substituted:

London

71 Nothing in subsection 3 (1) of *The City of London Act, 1960-61* or in section 69 of this Act affects any rights of a person to establish, operate and maintain a bus transportation system within the City of London in accordance with a valid operating licence issued to that person under the *Public Vehicles Act* on or before December 31, 1992 if,

- (a) the person held a valid operating licence under the *Public Vehicles Act* on the day before the repeal of that Act; and
- (b) the person regularly exercised the rights in the 12 months immediately before the repeal of the *Public Vehicles Act*.

Waterloo

72 Nothing in section 35 of the *Regional Municipality of Waterloo Act*, as it read immediately before its repeal or in section 69 of this Act affects any rights of a person to establish, operate and maintain a bus transportation system within The Regional Municipality of Waterloo in accordance with a valid operating licence issued under the *Public Vehicles Act* on or before the day the regional municipality established a transportation system under section 35 of the *Regional Municipality of Waterloo Act* if,

- (a) the person held a valid operating licence under the *Public Vehicles Act* on the day before the repeal of that Act; and
- (b) the person regularly exercised the rights in the 12 months immediately before the repeal of the *Public Vehicles Act*.

Niagara Parks Act

11 Section 12 of the *Niagara Parks Act* is repealed.

Ontario Northland Transportation Commission Act

12 Paragraph 1 of section 9 of the *Ontario Northland Transportation Commission Act* is repealed.

COMMENCEMENT AND SHORT TITLE**Commencement**

13 (1) Subject to subsections (2) and (3), the Act set out in this Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

(2) Sections 2 to 6, subsections 7 (1) to (8) and (10) to (27), and sections 8 to 12 come into force on a day to be named by proclamation of the Lieutenant Governor.

(3) Subsection 7 (9) comes into force on the later of the day subsection 22 (1) of Schedule 19 of the *Stronger, Fairer Ontario Act (Budget Measures), 2017* comes into force and the day section 2 of this Schedule comes into force.

Short title

14 The short title of the Act set out in this Schedule is the *Public Vehicles Repeal Act, 2020*.

SCHEDULE 25
REDEEMER REFORMED CHRISTIAN COLLEGE ACT, 1998

1 (1) The definition of “College” in section 1 of the *Redeemer Reformed Christian College Act, 1998* is repealed.

(2) Section 1 of the Act is amended by adding the following definition:

“University” means Redeemer University;

2 Subsection 2 (1) of the Act is repealed and the following substituted:

(1) Redeemer Reformed Christian College is continued as a corporation without share capital under the name Redeemer University.

(1.1) Unless the contrary intention appears, any reference in any other Act or regulation or in any agreement or other document, other than a certificate, degree or diploma awarded or granted before this section comes into force, to Redeemer Reformed Christian College or Redeemer University College shall be deemed to be a reference to Redeemer University.

3 Clause 7.1 (i) of the Act is repealed and the following substituted:

(i) grant the degrees set out in the Schedule, consistent with the University’s objectives;

4 The Act is amended by striking out “College” wherever it appears and substituting in each case “University”, except in the Preamble and subsections 2 (1) and (1.1).

5 The Act is amended by adding the following Schedule:

SCHEDULE

1. Bachelor of Arts.
2. Bachelor of Science.
3. Bachelor of Education.
4. Bachelor of Christian Education.
5. Bachelor of Christian Studies.
6. Bachelor of Business Administration.
7. Bachelor of Health Sciences.
8. Bachelor of Kinesiology.
9. Bachelor of Engineering.
10. Bachelor of Early Childhood Education.
11. Bachelor of Science in Nursing.
12. Bachelor of Social Work.
13. Bachelor of Communications and Media Studies.
14. Bachelor of Environmental Science.
15. Bachelor of Fine Arts.
16. Bachelor of Music.
17. Master of Accounting.
18. Master of Divinity.
19. Master of Social Work.
20. Master of Arts.
21. Master of Business Administration.
22. Master of Christian Leadership.
23. Master of Education.
24. Master of Science.
25. Master of Worldview Studies.

6 The *Redeemer University College Act, 2000* is repealed.

Commencement

7 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 26
ST. LAWRENCE PARKS COMMISSION ACT

1 Section 14 of the *St. Lawrence Parks Commission Act* is repealed and the following is substituted:

Books of account

14 The Commission shall cause books to be kept and true and regular accounts to be entered therein of all money received and paid and of the several purposes for which the same was received and paid, and such books shall be open to the inspection of any member of the Commission, the Minister of Finance or any person appointed by the Commission or the Minister of Finance for that purpose, and any such person may make copies of or take extracts from the books.

2 Section 16 of the Act is amended by striking out “Lieutenant Governor in Council may designate” and substituting “Commission may appoint”.

Commencement

3 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 27
SURVEYORS ACT**

1 The definition of “Minister” in subsection 1 (1) of the *Surveyors Act* is amended by striking “Minister of Natural Resources” and substituting “Minister of Natural Resources and Forestry”.

2 Clause 7 (3) (c) of the Act is amended by striking out “by mail” at the end and substituting “in accordance with the by-laws”.

3 (1) Subsection 8 (1) of the Act is amended by adding the following paragraphs:

8.1 providing for meetings of members by means of conference telephone, or other communications equipment by means of which all persons participating in the meeting can hear each other, and members and members of Council participating in a meeting in accordance with such by-law shall be deemed to be present in person at the meeting;

8.2 prescribing the means of voting for the purposes of clauses 7 (3) (c) and 8 (3) (c) and prescribing the procedure for such voting;

(2) Clause 8 (3) (c) of the Act is amended by striking out “by mail” at the end and substituting “in accordance with the by-laws”.

4 The French version of clause 12 (1) (a) of the Act is repealed and the following substituted :

(a) qui est citoyen canadien ou qui a le statut de résident permanent au Canada;

5 Subsection 29 (4) of the Act is amended by striking out “the *Arbitrations Act*” and substituting “the *Arbitration Act, 1991*”.

6 Section 42 of the Act is amended by striking out “prepaid first class mail” and substituting “mail”.

Commencement

7 This Schedule comes into force 60 days after the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

**SCHEDULE 28
SURVEYS ACT**

1 (1) The definition of “Minister” in section 1 of the *Surveys Act* is amended by striking out “Minister of Natural Resources” and substituting “Minister of Natural Resources and Forestry”.

(2) The definition of “Ministry” in section 1 of the Act is amended by striking out “Ministry of Natural Resources” and substituting “Ministry of Natural Resources and Forestry”.

2 Section 4 of the Act is repealed and the following substituted:

Definitions

4 (1) In this section,

“certificate of authorization” means a certificate of authorization issued under the *Surveyors Act*; (“certificat d’autorisation”)

“Registrar” means the Registrar of the Association of Ontario Land Surveyors appointed under the *Surveyors Act*; (“registrateur”)

“survey records” means any type of record or document made or prepared in the course of performing a survey, including field notes, electronic data and files, drawings, diaries, reports, reasons for decisions, information collected and the resulting plan. (“dossiers d’arpentage”)

Duty to keep survey records

(2) Every surveyor shall make and preserve exact and regular survey records and shall index all such survey records and shall exhibit or give copies of the same to any surveyor for a reasonable charge.

Disposition of survey records upon ceasing to practise or operate

(3) Where the holder of a certificate of authorization ceases to practise or operate, the survey records owned by that holder shall be sold or transferred within 180 days to another holder of a certificate of authorization.

Ceasing to practise or operate

(4) For the purposes of subsection (3), ceasing to practise or operate includes the revocation, cancellation or surrender of a certificate of authorization.

Sale or transfer, restriction

(5) A surveyor or a holder of a certificate of authorization may only sell or transfer survey records to a holder of a certificate of authorization.

Sale or transfer to be confirmed in writing

(6) Where a surveyor or a holder of a certificate of authorization sells or transfers survey records under subsection (3) or (5), the sale or transfer shall be recorded in writing and signed by all parties to the transaction.

Duty to notify registrar of sale or transfer

(7) Where a surveyor or a holder of a certificate of authorization sells or transfers survey records under subsection (3) or (5), the party receiving the survey records shall, within 30 days, inform the Registrar in writing of the sale or transfer.

Survey records of deceased surveyor

(8) Where a surveyor has died and no arrangements have been made within six months of the death to place his or her survey records and indices in the custody of a holder of a certificate of authorization, the Registrar shall cause such survey records and indices to be delivered by the personal representative of the deceased surveyor to the Minister who shall hold them for the benefit of the estate for a period not exceeding five years, and upon the expiry of that period such survey records and indices become the property of the Crown and may be maintained or disposed of by the Minister in any manner the Minister considers proper.

To be deemed public documents

(9) So long as the survey records mentioned in subsection (8) are in the possession of the Minister, he or she shall exhibit or give copies of the same to any person for a reasonable charge.

Survey records in the possession of government bodies

(10) A municipality or a board, ministry or agency of the government of Ontario shall maintain survey records and indices in its possession, and shall, before disposing of any such survey records and indices, consult with the Minister to ensure that the survey records continue to be preserved and available to surveyors and the public.

Commencement

3 This Schedule comes into force on the day the *Better for People, Smarter for Business Act, 2020* receives Royal Assent.

SCHEDULE 29
TYNDALE UNIVERSITY COLLEGE & SEMINARY ACT, 2003

1 (1) The definition of “College” in section 1 of the *Tyndale University College & Seminary Act, 2003* is repealed.

(2) Section 1 of the Act is amended by adding the following definition:

“University” means Tyndale University.

2 Subsections 2 (1) and (2) of the Act are repealed and the following substituted:

Corporation continued

(1) Tyndale University College & Seminary is continued as a corporation without share capital under the name Tyndale University.

References to former name

(2) Unless the contrary intention appears, any reference in any other Act or in any agreement or other document, other than a degree granted before this section comes into force, to Ontario Bible College and Ontario Theological Seminary, Tyndale College & Seminary or Tyndale University College & Seminary shall be deemed to be a reference to Tyndale University.

3 Subsections 4 (9), (10) and (11) of the Act are repealed.

4 The Act is amended by adding the following section:

Bachelor of Education degree

5.2 The University shall comply with any conditions, including any limits on enrolment numbers, that are imposed in writing by the Minister of Colleges and Universities respecting a program leading to a Bachelor of Education degree.

5 The Schedule to the Act is amended by adding the following paragraphs:

11. Bachelor of Business Administration, Bachelor of Business Administration (Honours).
12. Bachelor of Science, Bachelor of Science (Honours).
13. Bachelor of Music, Bachelor of Music (Honours).
14. Bachelor of Fine Arts, Bachelor of Fine Arts (Honours).
15. Bachelor of Education.
16. Master of Arts.
17. Master of Education.
18. Doctor of Education.
19. Doctor of Philosophy.
20. Honorary Doctor of Letters.

6 The Act is amended by striking out “College” wherever it appears and substituting in each case “University”, except in the preamble and subsections 2 (1) and (2).

Commencement

7 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.