

Legislative  
Assembly  
of Ontario



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

# Bill 237

**An Act to amend the Child, Youth and Family Services Act, 2017**

**Mr. R. Bailey**

**Private Member's Bill**

1st Reading      December 3, 2020

2nd Reading

3rd Reading

Royal Assent



#### EXPLANATORY NOTE

Currently, sections 56, 57 and 58 of the *Child, Youth and Family Services Act, 2017* require every service provider and lead agency to provide prescribed reports and information to the Minister and to the prescribed entities, and to make prescribed information available to the public. The Act is amended to provide that, despite those sections, no service provider or lead agency may provide or disclose to any person information, including personal information, about an individual who received services under the Act who is 21 or older that identifies the individual, or any report that contains such information. Such information and reports may however be disclosed to the individual or on the consent of the individual or if the disclosure is ordered by a court.

The Act is also amended to require the Minister to ensure that, promptly after an individual turns 21, any such information or reports that are in the possession of the Ministry, a service provider, lead agency or the Child Protection Information Network be removed from their possession and stored in accordance with the regulations.

**An Act to amend the Child, Youth and Family Services Act, 2017**

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

**1 The *Child, Youth and Family Services Act, 2017* is amended by adding the following section:**

**No disclosure after individual turns 21**

**58.1** (1) Despite sections 56, 57 and 58, no service provider or lead agency shall provide the following, or disclose the following, to any person:

1. Information, including personal information, about an individual who received services under this Act and who is 21 or older that identifies the individual.
2. A report that contains information, including personal information, about an individual who received services under this Act and who is 21 or older that identifies the individual.
3. Any information or report that refers to an individual who received services under this Act and who is 21 or older that identifies the individual.

**Exception**

(2) Despite subsection (1), the information and reports described in paragraphs 1 and 2 of subsection (1) may be disclosed,

- (a) if the disclosure is made to the individual;
- (b) if the individual consents to the disclosure; or
- (c) if the disclosure is ordered by a court.

**Removal of information**

(3) The Minister shall ensure that, promptly after an individual turns 21, any information or reports described in paragraph 1, 2 or 3 of subsection (1) that are in the possession of any of the following entities be removed from their possession and stored in accordance with the regulations:

1. The Ministry.
2. A service provider or lead agency.
3. The Child Protection Information Network.

**2 Subsection 341 (1) of the Act is amended by adding the following paragraph:**

12.1 governing the storage of information and reports referred to in subsection 58.1 (3);

**Commencement**

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

**Short title**

**4 The short title of this Act is the *Fostering Privacy Fairness Act, 2020*.**