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Bill 245

(Chapter 4 of the Statutes of Ontario, 2021)

An Act to amend and repeal various statutes, to revoke various regulations and to enact the Ontario Land Tribunal Act, 2021

The Hon. D. Downey
Attorney General

1st Reading	February 16, 2021
2nd Reading	March 2, 2021
3rd Reading	April 15, 2021
Royal Assent	April 19, 2021



EXPLANATORY NOTE

This Explanatory Note was written as a reader's aid to Bill 245 and does not form part of the law. Bill 245 has been enacted as Chapter 4 of the Statutes of Ontario, 2021.

SCHEDULE 1 BARRISTERS ACT

Section 1 of the *Barristers Act*, which provides that a current or former Minister of Justice and Attorney General of Canada or Solicitor General of Canada is entitled to be called to the bar and practise law in Ontario, is amended to add reference to a current or former Attorney General for Ontario and to remove the reference to the Solicitor General of Canada.

SCHEDULE 2 CHILDREN'S LAW REFORM ACT

The Schedule amends subsection 51 (1.1) of the *Children's Law Reform Act* to remove the default maximum of \$10,000 for the total of the amount of money payable and the value of personal property deliverable under subsection 51 (1) of the Act (payment of debt due to child if no guardian). Any applicable maximum total would be set out by regulations made under the Act. In addition, subsection 51 (2) of the Act is re-enacted to provide that money payable under a judgment or order of a court, or on an intestacy, is subject to subsection 51 (1) of the Act; currently money payable under a judgment or order of a court is expressly excluded from the application of that subsection.

SCHEDULE 3 COURTS OF JUSTICE ACT

The Schedule amends the *Courts of Justice Act* and makes consequential and related amendments to other Acts. The major elements are set out below.

The Schedule changes the title of a case management master to that of an associate judge.

The Schedule amends the Act with respect to the composition and functions of the Judicial Appointments Advisory Committee. The lawyer members of the Committee will now be appointed by the Attorney General from among lists provided by the Law Society of Ontario, the Ontario Bar Association and the Federation of Ontario Law Associations. The amendment to section 42 of the Act requires the Attorney General to keep information in relation to the appointment or consideration of an individual as a provincial judge confidential. The Committee is required to include statistics about the sex, gender, race and other characteristics of all candidates who volunteer that information in its annual report.

The functions of the Committee are amended. Currently, the Committee advertises judicial vacancies and recommends at least two candidates for the vacancy. The amendments will require the Committee to advertise a vacancy and provide the Attorney General with a ranked list of at least six recommended candidates, with brief supporting reasons. The Attorney General can only recommend one of these recommended candidates to the Lieutenant Governor in Council to fill the judicial vacancy.

If the Committee provided a recommendation for a similar judicial vacancy within the previous 12 months, the Committee shall not advertise the new judicial vacancy and shall instead prepare its recommendation from among the candidates for the previous vacancy.

The Attorney General retains the power to reject the Committee's recommendations and require a fresh list to be prepared. The new list must consist of six or more candidates whom the Committee recommends from among the remaining candidates for the judicial vacancy.

The Attorney General may recommend criteria to be included in the criteria the Committee establishes for the advertising, review and evaluation process.

The Schedule re-enacts section 112 of the Act to enable the Children's Lawyer to make investigations and prepare reports for the court on certain matters specified by the court or to meet with the child and prepare reports for the court on their views and preferences in proceedings under the *Divorce Act (Canada)* or the *Children's Law Reform Act*.

The Schedule re-enacts section 126 of the Act, which deals with the use of French in court proceedings. The right to file documents in French is extended to all courts throughout Ontario, instead of being limited to some courts and some areas of Ontario. The right to request a translation of a court decision in a bilingual proceeding will no longer depend on what language the party speaks.

Consequential and related amendments are made to several other Acts. Subsection 2 (3) of the *Public Service of Ontario Act, 2006* is amended to make express reference to appointed officials who are not public servants.

SCHEDULE 4 CROWN ADMINISTRATION OF ESTATES ACT

The Schedule amends section 2.1 of the *Crown Administration of Estates Act* to require municipal police disclosure of information related to an estate to the Public Guardian and Trustee on request. Section 2.2 of the Act, which provides for section

2.1 of the Act to override other Acts and regulations in the event of a conflict, is re-enacted in order to add express reference to the *Municipal Freedom of Information and Protection of Privacy Act* as an Act that may be overridden.

SCHEDULE 5 EXPROPRIATIONS ACT

The Schedule amends the *Expropriations Act* to add a new section 8.1, which permits the Lieutenant Governor in Council to make regulations to establish, for any or all proposed expropriations, a process for owners to provide comments respecting a proposed expropriation to the approving authority, and for the approving authority to consider those comments and make a determination respecting the proposed expropriation. This process would apply instead of the hearing process provided for under section 7 of the Act. Complementary amendments are made to other provisions of the Act, as well as to other Acts, to reflect the alternative process.

The Schedule also amends section 33 of the Act to provide for annual rates of interest specified in that section to be determined by regulations made under the Act.

SCHEDULE 6 ONTARIO LAND TRIBUNAL ACT, 2021

The Schedule enacts the *Ontario Land Tribunal Act, 2021*. The new Act amalgamates the board of negotiation continued under the *Expropriations Act*, the Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal, and continues them as the Ontario Land Tribunal. The Act provides for the composition of the Ontario Land Tribunal, sets out its jurisdiction and powers and specifies the practices and procedures that apply with respect to proceedings before it. The *Consolidated Hearings Act* is repealed, and consolidated hearings provided for under the new Act (section 21). Regulation-making authority is given to the Attorney General to provide for transitional matters.

The Act makes numerous complementary repeals, revocations and amendments:

1. The Acts and provisions that establish the bodies that are amalgamated and continued as the Ontario Land Tribunal are repealed. Regulations made under those Acts and provisions are revoked.
2. The *City of Toronto Act, 2006* and the *Municipal Act, 2001* are amended to incorporate the substance of the provisions of the *Local Planning Appeal Tribunal Act, 2017* respecting the jurisdiction of the Ontario Land Tribunal over municipal matters and public utilities.
3. The *Ontario Northland Transportation Commission Act* is amended to incorporate the substance of the provisions of the *Local Planning Appeal Tribunal Act, 2017* respecting the jurisdiction of the Ontario Land Tribunal over railways.
4. The *Expropriations Act* is amended to eliminate the appointment of the chief inquiry officer and other inquiry officers, and to provide for hearings under section 7 of that Act to proceed before the Ontario Land Tribunal.
5. Various Acts are amended to replace references to an amalgamated body with references to the Ontario Land Tribunal.
6. Various Acts are amended to replace outdated references to the Ontario Municipal Board with references to the Ontario Land Tribunal.

SCHEDULE 7 PUBLIC ACCOUNTING ACT, 2004

The Schedule amends the *Public Accounting Act, 2004* to dissolve The Public Accountants Council for the Province of Ontario, which currently governs public accounting under the Act, and to transfer the governance of public accounting in Ontario to the Chartered Professional Accountants of Ontario (CPA Ontario). In governing public accounting, CPA Ontario must adhere to public accounting standards that it establishes for itself, subject to the approval of the Attorney General, under section 19 of the Act. The amendments expressly provide that licensed public accountants must be members of CPA Ontario, and provide authority for CPA Ontario to regulate public accounting and govern its members as public accountants largely through by-laws and other instruments made by its council under the *Chartered Professional Accountants of Ontario Act, 2017*. That Act is amended to reflect CPA Ontario's governance role under the *Public Accounting Act, 2004*.

SCHEDULE 8 SUBSTITUTE DECISIONS ACT, 1992

The Schedule amends the *Substitute Decisions Act, 1992* to provide for the remote witnessing of powers of attorney through the means of audio-visual communication technology for powers of attorney entered into on or after April 7, 2020.

The Schedule also amends sections 83 and 90 of the Act, respecting the Public Guardian and Trustee's entitlement to have access to records relating to a person who is alleged to be incapable in the context of an investigation required under the Act, in order to provide for access to records in the custody or control of an entity or class of entities prescribed by the regulations made under the Act.

**SCHEDULE 9
SUCCESSION LAW REFORM ACT**

The Schedule makes various amendments to the *Succession Law Reform Act*, including the following:

1. The Act is amended to provide for the remote witnessing of wills through the means of audio-visual communication technology for wills made on and after April 7, 2020.
2. Section 16 of the Act, which provides that a will is revoked by the marriage of the testator except in specified circumstances, is repealed.
3. Section 17 of the Act provides that if the marriage of the testator and the testator's spouse is terminated or declared a nullity, the testator's will shall be construed as if the former spouse had predeceased the testator. The section is amended to add other specified instances of spousal separation between married spouses that would have the same result, but as of the testator's death.
4. A new section 21.1 is added to give the Superior Court of Justice authority to, on application, make an order validating a document or writing that was not properly executed or made under the Act, if the Court is satisfied that the document or writing sets out the testamentary intentions of a deceased or an intention of a deceased to revoke, alter or revive a will of the deceased.
5. A new section 43.1 is added to provide that the spousal entitlements under Part II of the Act if a person dies intestate in respect of any or all property do not apply if the person and the spouse are separated, as determined under the section, at the time of the person's death. A complementary amendment is made to section 6 of the *Family Law Act*.

**SCHEDULE 10
AMENDMENTS RESPECTING APPEALS TO A MINISTER**

The Schedule amends the *Environmental Protection Act*, the *Mining Act*, the *Nutrient Management Act, 2002*, the *Ontario Water Resources Act*, the *Pesticides Act*, the *Safe Drinking Water Act, 2002* and the *Toxics Reduction Act, 2009* to remove provisions that permit specified matters to be appealed to a minister of the Government of Ontario, and to provide for regulation-making authority in each case to address any transitional matters that may arise as a result. A consequential amendment is made to the *Resource Recovery and Circular Economy Act, 2016*.

**SCHEDULE 11
PARENTAGE TERMINOLOGY IN FRENCH VERSIONS OF ACTS**

The Schedule makes various changes to French-language terminology in a number of statutes. Notably, references to "père" and "mère" are replaced with "parent".

**An Act to amend and repeal various statutes, to revoke various regulations
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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 of its 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 *Accelerating Access to Justice Act, 2021*.

**SCHEDULE 1
BARRISTERS ACT**

1 Section 1 of the *Barristers Act* is amended by striking out “A person who is or has been Minister of Justice and Attorney General of Canada or Solicitor General of Canada” at the beginning and substituting “A person who is or has been Attorney General for Ontario or Minister of Justice and Attorney General of Canada”.

Commencement

2 This Schedule comes into force on the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

SCHEDULE 2
CHILDREN'S LAW REFORM ACT

1 (1) Subsection 51 (1.1) of the *Children's Law Reform Act* is amended by striking out "or, if no amount is prescribed, \$10,000" at the end.

(2) Subsection 51 (2) of the Act is repealed and the following substituted:

Included amounts

(2) Subsection (1) includes money payable on an intestacy or under a judgment or order of a court.

Commencement

2 This Schedule comes into force on the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

**SCHEDULE 3
COURTS OF JUSTICE ACT**

1 Section 1 of the *Courts of Justice Act* is amended by adding the following subsection:

Interpretation, judge not to include associate judge

(1.1) A reference made to a judge under this Act does not include a reference to an associate judge.

2 (1) Clause 19 (1) (c) of the Act is amended by striking out “a master or case management master” and substituting “a master, case management master or associate judge”.

(2) Clause 19 (1) (c) of the Act, as amended by subsection (1), is amended by striking out “a master, case management master or associate judge” and substituting “an associate judge”.

3 Section 42 of the Act is amended by adding the following subsections:

Information to be maintained in confidence

(11) Any records or other information collected, prepared, maintained or used by the Attorney General in relation to the appointment or consideration of an individual as a provincial judge, including any such records or other information provided to the Attorney General by the Judicial Appointments Advisory Committee, shall be maintained in confidence and shall not be disclosed except as authorized by the Attorney General.

Prevails over *FIPPA*

(12) Subsection (11) prevails over the *Freedom of Information and Protection of Privacy Act*.

4 Section 43 of the Act is repealed and the following substituted:

Judicial Appointments Advisory Committee

43 (1) The committee known as the Judicial Appointments Advisory Committee in English and Comité consultatif sur les nominations à la magistrature in French is continued.

Composition

(2) The Committee is composed of,

- (a) two provincial judges, appointed by the Chief Justice of the Ontario Court of Justice;
- (b) three lawyers appointed by the Attorney General, one appointed from a list of three names submitted by the Law Society of Ontario, one appointed from a list of three names submitted by the Ontario Bar Association and one appointed from a list of three names submitted by the Federation of Ontario Law Associations;
- (c) seven persons who are neither judges nor lawyers, appointed by the Attorney General; and
- (d) a member of the Judicial Council, appointed by it.

Criteria

(3) In the appointment of members under clauses (2) (b) and (c), the importance of reflecting, in the composition of the Committee as a whole, Ontario’s linguistic duality and the diversity of its population and ensuring overall gender balance shall be recognized.

Term of office

(4) The members hold office for three-year terms and may be reappointed.

Chair

(5) The Attorney General shall designate one of the members to chair the Committee for a term of up to three years.

Term of office

(6) The same person may serve as chair for two or more terms.

Meetings

(7) The Committee may hold its meetings and conduct interviews in person or through electronic means, including telephone conferencing and video conferencing.

Annual report

(8) The Committee shall prepare an annual report, provide it to the Attorney General and make it available to the public.

Same

(9) The annual report must include,

- (a) statistics about the sex, gender, gender identity, sexual orientation, race, ethnicity, cultural identity, disability status and ability to speak French of candidates who volunteer that information, including whether the candidates identify as Indigenous or as a member of a Francophone community, at each stage of the process, as specified by the Attorney General; and
- (b) such other content as the Attorney General may require.

Tabling of annual report

(10) The Attorney General shall table the Committee's annual report in the Assembly.

Personal liability

(11) No action or other proceeding for damages shall be instituted against any member or former member of the Committee for any act done in good faith in the execution or intended execution of any power or duty that he or she has or had as a member of the Committee, or for any neglect or default in the exercise or performance in good faith of such power or duty.

Crown liability

(12) Subsection (11) does not, by reason of subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (11) to which it would otherwise be subject.

Transition

(13) Despite subsection (2), the appointment of every person who was a member of the Judicial Appointments Advisory Committee on the day before the day section 4 of Schedule 3 to the *Accelerating Access to Justice Act, 2021* came into force is continued.

Judicial Appointments Advisory Committee

Functions

43.1 (1) The functions of the Judicial Appointments Advisory Committee are to,

- (a) recommend candidates to the Attorney General for the appointment of provincial judges; and
- (b) provide advice to the Attorney General respecting the process for appointing provincial judges in accordance with this Act.

Manner of operating

(2) The Committee shall perform its functions in the following manner:

1. When a judicial vacancy occurs and the Attorney General asks the Committee to make a recommendation, it shall, subject to paragraph 2, advertise the vacancy and solicit applications.
2. If the Committee provided a recommendation for a judicial vacancy for the same court location that matches the requirements of the current judicial vacancy within 12 months before the day the Attorney General asked for a recommendation for the current judicial vacancy, it shall not advertise the current judicial vacancy and shall, subject to subsection (9), instead provide to the Attorney General a ranked list of at least six candidates whom it recommends, with brief supporting reasons, consisting of,
 - i. all of the candidates for the previous judicial vacancy who were recommended by the Committee for that vacancy, who confirm their interest in being considered for the current judicial vacancy and who continue to meet the Committee's criteria for recommendation, and
 - ii. if subparagraph i results in a list of fewer than six candidates, enough additional candidates to prepare a list of at least six candidates from among the candidates for the previous judicial vacancy who were not recommended for that vacancy but who meet the Committee's criteria for recommendation and who confirm their interest in being considered for the current judicial vacancy.
3. If the Committee advertises a judicial vacancy, it shall review and evaluate all applications received in response to the advertisement.
4. It may interview any of the candidates in conducting its review and evaluation.
5. It shall conduct the advertising, review and evaluation process in accordance with the criteria it establishes, which must, at minimum, provide for an assessment that,
 - i. assesses the candidates' professional excellence, community awareness and personal characteristics, and
 - ii. recognizes the desirability of reflecting the diversity of Ontario society in judicial appointments.
6. It shall make the criteria it established under paragraph 5 available to the public.

7. Subject to subsection (9), for every judicial vacancy advertised by the Committee, it shall provide the Attorney General a ranked list of at least six candidates whom it recommends, with brief supporting reasons.

Qualifications

- (3) The Committee shall not consider an application by a candidate,
- (a) who does not meet the qualifications set out in subsection 42 (2); or
 - (b) who is or was a member of the Committee within the previous three years.

Information to be provided to Attorney General on request

- (4) The Committee shall provide the Attorney General with any information about the application, review and evaluation process that the Attorney General requests, other than,
- (a) the names or identifying information of candidates who were not recommended for a judicial vacancy;
 - (b) the names or identifying information of candidates who are being assessed for a judicial vacancy that has been advertised but for which the Committee has not yet made a recommendation; and
 - (c) information collected or prepared by the Committee through a discreet inquiry.

Same

- (5) The Committee shall provide any information requested by the Attorney General under subsection (4) within 30 days of the request unless otherwise directed by the Attorney General.

Meaning of discreet inquiry

- (6) For the purposes of clause (4) (c), a discreet inquiry is a confidential inquiry conducted by the Committee into the views or opinions of individuals with knowledge of a candidate's suitability for appointment.

Recommendation of criteria

- (7) The Attorney General may recommend criteria to be included in the criteria the Committee establishes under paragraph 5 of subsection (2), and the Committee shall consider whether to include those criteria in the criteria it has established.

Rejection of ranked list

- (8) The Attorney General may reject a ranked list of recommended candidates provided under paragraph 2 or 7 of subsection (2), or under this subsection, and require the Committee to produce a new ranked list of at least six candidates whom the Committee recommends from among the remaining candidates for the judicial vacancy, with brief supporting reasons.

Insufficient recommendable candidates

- (9) If there are not enough candidates for the Committee to recommend at least six candidates who meet the Committee's criteria for recommendation in a ranked list described in paragraph 2 or 7 of subsection (2) or in subsection (8), the Committee shall,
- (a) if there is at least one candidate who meets the criteria for recommendation,
 - (i) include in the ranked list as many candidates as possible who meet the Committee's criteria for recommendation, and
 - (ii) provide the Attorney General with an explanation as to why six candidates have not been recommended; or
 - (b) if no candidates meet the criteria for recommendation, begin a new process to advertise the judicial vacancy and solicit applications in accordance with paragraphs 3 to 7 of subsection (2).

Recommendation by Attorney General

- (10) The Attorney General shall only recommend a candidate who is in a ranked list provided under paragraph 2 or 7 of subsection (2) or under subsection (8) to the Lieutenant Governor in Council for appointment to fill a judicial vacancy.

Transition

- (11) Despite this section, subsections 43 (8) to (12) of this Act, as they read immediately before the day section 4 of Schedule 3 to the *Accelerating Access to Justice Act, 2021* came into force, continue to apply to any judicial vacancy that was advertised by the Committee before that day.

5 Clause 53 (1) (b) of the Act is amended by striking out "case management masters" and substituting "associate judges".

6 Clause 66 (2) (h) of the Act is amended by striking out "case management masters, including the conferral on case management masters" and substituting "associate judges, including the conferral on associate judges".

7 Subsection 75 (2) of the Act is amended by striking out "case management masters" at the end and substituting "associate judges".

8 Subsection 76 (2) of the Act is amended by striking out “case management master” and substituting “associate judge”.

9 Paragraph 3 of section 82 of the Act is repealed and the following substituted:

3. Associate judges.

10 Section 86 of the Act is amended by adding the following subsection:

Associate judge

(3) Every associate judge of the Court of Ontario may be addressed as “Your Honour” or “Associate Justice (naming the associate judge)” in English or as “Votre Honneur” or “(M. ou M^{me}) le/la Juge associé(e) (nom du juge associé)” in French.

11 (1) Subsection 86.1 (1) of the Act is amended by striking out “case management masters” and substituting “associate judges”.

(2) Subsection 86.1 (2) of the Act is amended by striking out “a case management master” and substituting “an associate judge”.

(3) Subsection 86.1 (3) of the Act, as re-enacted by subsection 6 (1) of Schedule 5 to the *Smarter and Stronger Justice Act, 2020*, is amended by striking out “case management master” and substituting “associate judge”.

(4) Subsection 86.1 (4) of the Act, as re-enacted by subsection 6 (1) of Schedule 5 to the *Smarter and Stronger Justice Act, 2020*, is amended by,

(a) striking out “a case management master” and substituting “an associate judge”; and

(b) striking out “the case management master” and substituting “the associate judge”.

(5) Subsection 86.1 (5.2) of the Act is amended by,

(a) striking out “a case management master” and substituting “an associate judge”; and

(b) striking out “the case management master” at the end and substituting “the associate judge”.

(6) Subsection 86.1 (5.3) of the Act is amended by striking out “case management master” and substituting “associate judge”.

(7) Subsection 86.1 (5.4) of the Act, as re-enacted by subsection 6 (3) of Schedule 5 to the *Smarter and Stronger Justice Act, 2020*, is amended by striking out “a case management master” and substituting “an associate judge”.

(8) Subsection 86.1 (6) of the Act, as re-enacted by subsection 6 (4) of Schedule 5 to the *Smarter and Stronger Justice Act, 2020*, is amended by striking out “A case management master” at the beginning and substituting “An associate judge”.

(9) Subsection 86.1 (7) of the Act is amended by striking out “case management masters” in the portion before paragraph 1 and substituting “associate judges”.

(10) Subsection 86.1 (9) of the Act is amended by striking out “case management masters” at the end and substituting “associate judges”.

12 (1) Subsection 86.2 (1) of the Act is amended by striking out “a case management master” and substituting “an associate judge”.

(2) Subsection 86.2 (3) of the Act is amended by striking out “case management master” and substituting “associate judge”.

(3) Subsection 86.2 (5) of the Act is amended by striking out “a case management master” and substituting “an associate judge”.

(4) Subsection 86.2 (6) of the Act is amended by striking out “case management master” and substituting “associate judge”.

(5) Subsection 86.2 (8) of the Act is amended by striking out “case management master’s” in the portion before clause (a) and substituting “associate judge’s”.

(6) Clauses 86.2 (8) (a) to (c) of the Act are amended by striking out “case management master” wherever it appears and substituting in each case “associate judge”.

(7) Clause 86.2 (8) (d) of the Act is repealed and the following substituted:

(d) order that the associate judge take specified measures, such as receiving education or treatment, as a condition of continuing to sit as an associate judge;

(8) Clauses 86.2 (8) (e) to (g) of the Act are amended by striking out “case management master” wherever it appears and substituting in each case “associate judge”.

(9) Subsections 86.2 (9.1), (9.2), (10), (11), (12), (12.1), (12.2), (12.3), (12.5), (14), (18) and (19) of the Act are amended by striking out “case management master” wherever it appears and substituting in each case “associate judge”.

13 Subsection 95 (2) of the Act is amended by striking out “subsection 126 (5) (language of proceedings)” and substituting “paragraph 2 of subsection 126 (1) (documents that may be written in French)”.

14 Section 112 of the Act is repealed and the following substituted:

Report of Children’s Lawyer

Investigation

112 (1) In a proceeding under the *Divorce Act* (Canada) or the *Children’s Law Reform Act* in which a question concerning decision-making responsibility, parenting time or contact with respect to a child is before the court, the Children’s Lawyer may,

- (a) cause an investigation to be made on all matters concerning decision-making responsibility, parenting time or contact with respect to the child;
- (b) cause an investigation to be made on matters specified by the court related to decision-making responsibility, parenting time or contact with respect to the child; or
- (c) meet with the child to determine the child’s views and preferences with respect to matters that may include decision-making responsibility, parenting time or contact.

Report

(2) The Children’s Lawyer may report and make recommendations to the court on the results of an investigation or meeting conducted under subsection (1).

Authority to act

(3) The Children’s Lawyer may act under subsection (1) or (2) on his or her own initiative, at the request of a court or at the request of any person.

Affidavit

(4) The person who prepares a report under subsection (2) shall execute an affidavit verifying the facts in the report that are within the person’s knowledge and setting out the source of the person’s information and belief respecting facts that are not within their knowledge.

Service

(5) The person who prepares a report under subsection (2) shall serve the affidavit, along with a copy of the report attached as an exhibit, on the parties and file the affidavit and report with the court.

Evidence

(6) The filed affidavit and report shall form part of the evidence at the hearing of the proceeding.

Attendance on report

(7) Where a party to the proceeding disputes the facts set out in the report, the Children’s Lawyer shall if directed by the court, and may when not so directed, attend the hearing on behalf of the child and cause the person who conducted the investigation or meeting under subsection (1) to attend as a witness.

15 Subsection 123 (1.1) of the Act is amended by striking out “case management masters” at the end and substituting “associate judges”.

16 Section 126 of the Act is repealed and the following substituted:

Use of French

Documents that may be written in French

126 (1) The following documents may be written in French:

1. Pleadings or other documents filed by a party.
2. A process issued in or giving rise to the proceeding.

Translation of documents

(2) On a party’s request, the court shall provide a translation into English or French of a document described in paragraph 1 or 2 of subsection (1) that is written in the other language.

Interpretation

(3) If a party acting in person makes submissions in French or a witness gives oral evidence in French, the court shall provide interpretation of the submissions or evidence into English. This subsection does not apply to a hearing in a bilingual proceeding to which paragraph 3 of subsection (4) applies.

Bilingual proceedings

(4) A party to a proceeding who speaks French has the right to require that it be conducted as a bilingual proceeding, and the following rules apply if the party does so:

1. The hearings that the party specifies shall be presided over by a judge or officer who speaks English and French.
2. If a hearing that the party has specified is held before a judge and jury in an area described in subsection (5), the jury shall consist of persons who speak English and French.
3. If a hearing that the party has specified is held without a jury, or with a jury in an area described in subsection (5), evidence given and submissions made in English or French shall be received, recorded and transcribed in the language in which they are given.
4. Any other part of the hearing may be conducted in French if, in the opinion of the presiding judge or officer, it can be so conducted.
5. Oral evidence given in English or French at an examination out of court shall be received, recorded and transcribed in the language in which it is given.
6. On the request of a party, if the party or their counsel speaks English or French but not both, the court shall provide interpretation of anything given orally in the other language at hearings referred to in paragraph 3 and at examinations out of court.
7. The reasons for a decision may be written in English or French, but the court shall provide a translation into the other language on the request of a party.

Bilingual juries

(5) The areas referred to in paragraphs 2 and 3 of subsection (4) are the following:

1. Counties:
 - i. Essex.
 - ii. Middlesex.
 - iii. Prescott and Russell.
 - iv. Renfrew.
 - v. Simcoe.
 - vi. Stormont, Dundas and Glengarry.
2. Territorial districts:
 - i. Algoma.
 - ii. Cochrane.
 - iii. Kenora.
 - iv. Nipissing.
 - v. Sudbury.
 - vi. Thunder Bay.
 - vii. Timiskaming.
3. The area of the County of Welland as it existed on December 31, 1969.
4. The Municipality of Chatham Kent.
5. The City of Hamilton.
6. The City of Ottawa.
7. The Regional Municipality of Peel.
8. The City of Greater Sudbury.
9. The City of Toronto.

10. Such other areas as are prescribed.

Prosecutions

(6) If a prosecution under the *Provincial Offences Act* is to be conducted as a bilingual proceeding by a prosecutor referred to in paragraph 1 or 2 of the definition of “prosecutor” in subsection 1 (1) of that Act or an agent acting on behalf of that person, the prosecutor assigned to the case must speak English and French.

Appeals

(7) When an appeal is taken in a proceeding that is being conducted as a bilingual proceeding, a party who speaks French has the right to require that the appeal be heard by a judge or judges who speak English and French; in that case subsection (4) applies to the appeal, with necessary modifications.

Parties who are not natural persons

(8) A corporation, partnership or sole proprietorship may exercise the rights conferred by this section in the same way as a natural person, unless the court orders otherwise.

Regulations

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

- (a) prescribing procedures for the purpose of this section;
- (b) prescribing areas for the purpose of paragraph 10 of subsection (5).

Transition

(10) This section, as it read immediately before section 17 of Schedule 3 to the *Accelerating Access to Justice Act, 2021* came into force, continues to apply to proceedings commenced before the day that section came into force.

Absconding Debtors Act

17 Subsection 12 (1) of the *Absconding Debtors Act* is amended by striking out “case management master” and substituting “associate judge”.

Administration of Justice Act

18 The *Administration of Justice Act* is amended by striking out “case management master” wherever it appears and substituting in each case “associate judge”.

Assignments and Preferences Act

19 Subsection 37 (1) of the *Assignments and Preferences Act* is amended by striking out “a case management master” and substituting “an associate judge”.

Construction Act

20 (1) Section 52 of the *Construction Act* is amended by striking out “case management master” and substituting “associate judge”.

(2) Section 58 of the Act is amended by striking out “A case management master” or “a case management master” wherever they appear and substituting in each case “An associate judge” or “an associate judge” as the case may be.

Evidence Act

21 Subsection 36 (1) of the *Evidence Act* is amended by striking out “case management masters” and substituting “associate judges”.

Freedom of Information and Protection of Privacy Act

22 Subsection 65 (5.1) of the *Freedom of Information and Protection of Privacy Act* is amended by striking out “a case management master” in the portion before paragraph 1 and substituting “an associate judge”.

Human Rights Code

23 (1) Clause 24 (1) (f) of the *Human Rights Code* is amended by striking out “a case management master” at the beginning and substituting “an associate judge”.

(2) Clause 24 (1) (g) of the Act is amended by striking out “a case management master expires on the case management master” and substituting “an associate judge expires on the associate judge”.

(3) Subsection 24 (4) of the Act is amended by striking out “case management master” and substituting “associate judge”.

Law Society Act

24 Clause 31 (1) (a) of the *Law Society Act* is amended by striking out “case management master” and substituting “associate judge”.

Marriage Act

25 Paragraph 2 of subsection 24 (1) of the *Marriage Act* is amended by striking out “A case management master” at the beginning and substituting “An associate judge”.

Protecting a Sustainable Public Sector for Future Generations Act, 2019

26 Section 7 of the *Protecting a Sustainable Public Sector for Future Generations Act, 2019* is amended by striking out “case management masters” at the end and substituting “associate judges”.

Public Service of Ontario Act, 2006

27 (1) Subsection 2 (3) of the *Public Service of Ontario Act, 2006* is amended by striking out “judges and officers of the Assembly” and substituting “judges, justices of the peace, case management masters, deputy judges, the Small Claims Court Administrative Judge and officers of the Assembly”.

(2) Subsection 2 (3) of the Act, as amended by subsection (1), is amended by striking out “case management masters” and substituting “associate judges”.

Commencement

28 (1) Subject to subsection (2), this Schedule comes into force on the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(2) Sections 1, 2 and 5 to 26 and subsection 27 (2) come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 4
CROWN ADMINISTRATION OF ESTATES ACT**

1 (1) Section 2.1 of the *Crown Administration of Estates Act* is amended by adding the following subsection:

Municipal police, mandatory disclosure

(5.1) Every municipal police force shall disclose to the Public Guardian and Trustee information requested under subsection (1).

(2) Subsection 2.1 (5.1) of the Act, as enacted by subsection (1), is amended by striking out “municipal police force” and substituting “municipal police service”.

(3) Subsection 2.1 (6) of the Act is repealed and the following substituted:

Others, optional disclosure

(6) A person who is not required under this section to disclose to the Public Guardian and Trustee information requested under subsection (1) may disclose the information to the Public Guardian and Trustee.

2 Section 2.2 of the Act is repealed and the following substituted:

Conflict

2.2 (1) Section 2.1 applies despite anything in the *Freedom of Information and Protection of Privacy Act*, the *Municipal Freedom of Information and Protection of Privacy Act* or any other Act or regulation.

Same

(2) Subsection 39 (2) of the *Freedom of Information and Protection of Privacy Act* and subsection 29 (2) of the *Municipal Freedom of Information and Protection of Privacy Act* do not apply when information is collected under section 2.1.

Commencement

3 (1) Subject to subsection (2), this Schedule comes into force on the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(2) Subsection 1 (2) comes into force on the later of the day section 1 of Schedule 1 to the *Comprehensive Ontario Police Services Act, 2019* comes into force and the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

**SCHEDULE 5
EXPROPRIATIONS ACT**

1 Subsection 6 (2) of the *Expropriations Act* is amended by striking out “Any owner” at the beginning and substituting “Subject to section 8.1, any owner”.

2 The Act is amended by adding the following section:

Alternative process re proposed expropriations

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

- (a) establishing and governing a process for owners to provide comments respecting a proposed expropriation to the approving authority, and for the approving authority to consider those comments and make a determination respecting the proposed expropriation; and
- (b) providing that the process applies with respect to any or all expropriations to which this Act applies.

No hearing under s. 7

(2) If a regulation made under this section applies to a proposed expropriation, subsections 6 (2) to (5), section 7 and subsections 8 (1) and (2) do not apply to the proposed expropriation.

Regulations

(3) A regulation made under subsection (1) may,

- (a) establish requirements that apply to a determination of an approving authority respecting a proposed expropriation, including requiring that,
 - (i) the approving authority give reasons for a determination,
 - (ii) the reasons be served, and governing the service, and
 - (iii) a determination be made, or reasons served, within a specified time;
- (b) specify a date for the purposes of clause 10 (2) (a.1);
- (c) provide for any transitional matters that the Lieutenant Governor in Council considers necessary or advisable in relation to the application of a regulation made under subsection (1);
- (d) provide for any matter which, in the opinion of the Lieutenant Governor in Council, is necessary or advisable for the purposes of this section.

3 Subsection 10 (2) of the Act is amended by adding the following clause:

- (a.1) if a process prescribed by a regulation made under section 8.1 applied to the expropriation, as of the date specified by the regulation for the purposes of this clause;

4 (1) Subsection 33 (1) of the Act is amended by striking out “at the rate of 6 per cent a year” and substituting “at the prescribed annual rate”.

(2) Subsection 33 (2) of the Act is amended by striking out “less than 6 per cent a year” and substituting “less than the rate prescribed for the purposes of subsection (1)”.

(3) Subsection 33 (4) of the Act is amended by striking out “a rate exceeding 6 per cent a year but not exceeding 12 per cent a year” at the end and substituting “a rate that exceeds the rate prescribed for the purposes of subsection (1) but not the rate prescribed for the purposes of this subsection”.

5 Clause 44 (a) of the Act is repealed and the following substituted:

- (a) prescribing rates of interest for the purposes of sections 20 and 33, or methods for determining them;

Building Transit Faster Act, 2020

6 Subsection 44 (1) of the *Building Transit Faster Act, 2020* is amended by striking out “section 7 and subsections 8 (1) and (2)” in the portion before clause (a) and substituting “section 7, subsections 8 (1) and (2) and section 8.1”.

Public Transportation and Highway Improvement Act

7 Subsection 11.1 (1) of the *Public Transportation and Highway Improvement Act* is amended by striking out “section 7 and subsections 8 (1) and (2)” and substituting “section 7, subsections 8 (1) and (2) and section 8.1”.

Transit-Oriented Communities Act, 2020

8 Subsection 3 (1) of the *Transit-Oriented Communities Act, 2020* is amended by striking out “section 7 and subsections 8 (1) and (2)” in the portion before clause (a) and substituting “section 7, subsections 8 (1) and (2) and section 8.1”.

Commencement

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

**SCHEDULE 6
ONTARIO LAND TRIBUNAL ACT, 2021**

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**PART I
INTERPRETATION**

Definitions

1 In this Act,

“Minister” means the Attorney General or such other member of the Executive Council to whom the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

“predecessor adjudicative tribunal” means the board of negotiation, the Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal or the Mining and Lands Tribunal, as the case may be, before their amalgamation under section 2; (“tribunal décisionnel prédécesseur”)

“regulations” means the regulations made under this Act; (“règlements”)

“rules” means the rules made by the Tribunal under section 13; (“règles”)

“transition date” means the day on which section 2 comes into force; (“date de transition”)

“Tribunal” means the Ontario Land Tribunal established under section 2. (“Tribunal”)

PART II CONSOLIDATED LAND TRIBUNAL

COMPOSITION

Ontario Land Tribunal

2 The board of negotiation continued under the *Expropriations Act*, the Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal in English and Tribunal ontarien de l’aménagement du territoire in French.

Composition

3 (1) The Tribunal shall be composed of the members appointed by the Lieutenant Governor in Council.

Chair, vice-chair

(2) The Lieutenant Governor in Council shall designate a chair and one or more vice-chairs from among the members of the Tribunal.

Alternate chair

(3) The Lieutenant Governor in Council shall designate a vice-chair of the Tribunal to be the alternate chair.

Same

(4) If the chair is unable to act, the alternate chair shall perform the duties of the chair and has all the powers of the chair for the purpose.

Duties of chair

(5) The chair shall have general supervision and direction over the conduct of the affairs of the Tribunal, and shall,

(a) arrange the sittings of the Tribunal; and

(b) assign members of the Tribunal to preside over proceedings as necessary, ensuring that, if more than two members are assigned to a given proceeding, only an uneven number of members is assigned.

Term of office

4 (1) The appointment of a member of the Tribunal shall be for a fixed term specified by the Lieutenant Governor in Council.

Expiry of term

(2) If the term of office of a member of the Tribunal who has participated in a proceeding expires before the disposition of the proceeding, the term is deemed to continue for the purpose of disposing of the proceeding, but for no other purpose.

Same

(3) If the term of office of a member of the Tribunal expires in circumstances prescribed by the regulations, other than those to which subsection (2) applies, the term is deemed to continue for the period and purposes specified by the regulations.

Quorum

5 One member of the Tribunal constitutes a quorum and is sufficient for the exercise of all of the jurisdiction and powers of the Tribunal.

Employees

6 Such employees as are necessary for the proper conduct of the affairs of the Tribunal may be appointed under Part III of the *Public Service of Ontario Act, 2006*.

Transition, Tribunal membership

Existing members continue

7 (1) A person who was a member of a predecessor adjudicative tribunal immediately before the transition date continues as a member of the Tribunal until the day the person's term of office as a member of the predecessor adjudicative tribunal would have expired, subject to the person's earlier death, resignation or removal.

Persons appointed under the *Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009*

(2) A person who, under the *Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009*, held the office listed in Column 1 of the Table to this section immediately before the transition date, continues in the office in the Tribunal listed in the corresponding row of Column 2 of the Table until the day the person's term of office under the *Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009* would have expired, subject to the person's earlier death, resignation or removal.

TABLE

Item	Column 1 Office held under the <i>Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009</i>	Column 2 Office held in the Tribunal
1.	Executive chair responsible for the predecessor adjudicative tribunals	Chair
2.	Associate chair of a predecessor adjudicative tribunal, other than the associate chair appointed as alternate executive chair	Vice-chair
3.	Associate chair appointed as alternate executive chair responsible for the predecessor adjudicative tribunals if the executive chair responsible for the predecessor adjudicative tribunals is unable to act or the position is vacant	Alternate chair
4.	Vice-chair of a predecessor adjudicative tribunal	Vice-chair

JURISDICTION AND POWERS

Exclusive jurisdiction

8 (1) The Tribunal has exclusive jurisdiction in respect of all matters in which jurisdiction is conferred on it by this or any other Act.

Same

(2) The Tribunal has authority to hear and determine all questions of law and fact with respect to all matters within its jurisdiction, unless limited by this or any other Act.

Orders

9 (1) The Tribunal has authority to make orders or give directions as may be necessary or incidental to the exercise of the powers conferred on the Tribunal under this or any other Act.

Conditions

(2) The Tribunal may include in an order conditions that it considers fair in the circumstances, including a condition that the order comes into force at a future fixed time or on the performance of terms imposed by the Tribunal.

Interim orders

(3) The Tribunal may make an interim order without notice if it is of the opinion that it is necessary to do so, but no such order shall be made for any longer time than the Tribunal may consider necessary to enable the disposition of the proceeding.

Relief

(4) Unless another Act specifies otherwise, the Tribunal may, as it considers to be appropriate,

- (a) make an order granting all or part of the relief applied for; or
- (b) make an order granting relief that is additional to or different from the relief applied for.

Extension of time

(5) If an order or decision of the Tribunal requires anything to be done within a specified time, the Tribunal may extend the specified time,

- (a) on notice and with a hearing; or
- (b) without notice or a hearing, if the Tribunal is of the opinion that it is necessary to do so.

Power to order entry, inspections

10 (1) If the Tribunal considers it necessary, the Tribunal may by order authorize a member or employee of the Tribunal to, at any reasonable time, enter and inspect any land or premises, other than a dwelling, for any purpose relevant to the subject matter of the proceeding, subject to subsection (4).

Prior notice required

(2) Before making an order under subsection (1), the Tribunal shall give notice of its intention to make the order to the owner or occupier of the land or premises, in accordance with the rules.

Submissions

(3) An owner or occupier who receives a notice under subsection (2) may make submissions to the Tribunal with respect to the proposed order, in accordance with the rules.

Order

(4) The Tribunal shall not make an order under subsection (1) until it has given notice under subsection (2) and considered any submissions made under subsection (3).

Exercise of powers

(5) The member or employee shall exercise their powers under an order made under subsection (1) in accordance with the directions of the Tribunal in the order, this section and the rules.

Identification

(6) The member or employee shall, on the request of an owner or occupier of the land or premises, identify themselves and explain the purpose of the entry and inspection.

No use of force

(7) The member or employee shall not use force to enter and inspect land or premises under the order.

No entry without consent

(8) The member or employee shall not, despite the order, enter or inspect land or premises of an owner or occupier who is not a party to the proceeding without the owner or occupier's consent.

Fees

11 (1) The Tribunal may, subject to the approval of the Minister, set and charge fees,

- (a) in respect of proceedings;
- (b) for providing copies of forms, notices or other documents; and
- (c) for other services provided by the Tribunal.

Classes

(2) The Tribunal may set and charge different fees for different classes of persons and different types of proceedings.

Publicly available

(3) The Tribunal shall ensure that its fee structure is available to the public.

Fee waiver

(4) The Tribunal may waive all or any portion of its fees for individuals who are determined, in accordance with the rules, to be low-income individuals.

Legislation Act, 2006

(5) Part III (Regulations) of the *Legislation Act, 2006* does not apply to the fees.

**PART III
PROCEEDINGS**

GENERAL PRACTICES AND PROCEDURES

Practices and procedures

12 (1) The Tribunal shall dispose of proceedings in accordance with any practices and procedures that are required under this or any other Act, subject to subsection (3).

Fair, just and expeditious resolution

(2) The Tribunal shall, in respect of each proceeding, adopt any practices and procedures provided for in the rules or that are otherwise available to the Tribunal that, in its opinion, offer the best opportunity for a fair, just and expeditious resolution of the merits of the proceedings.

Statutory Powers Procedure Act

(3) Despite section 32 of the *Statutory Powers Procedure Act*, this Act, the regulations and the rules prevail over any provisions of that Act with which they conflict.

Rules

13 (1) The Tribunal may make rules governing its practices and procedures, including rules that,

- (a) provide for and require the use of hearings or of practices and procedures that are alternatives to traditional adjudicative or adversarial procedures;
- (b) provide for specified circumstances in which participation in mediation or other dispute resolution processes by parties to a proceeding is mandatory;
- (c) provide for and require notice to be provided in a particular manner;
- (d) authorize the Tribunal to combine two or more proceedings or any part of them, or hear two or more proceedings at the same time;
- (e) authorize the Tribunal to appoint a person from among a class of parties to a proceeding to represent the class where, in the opinion of the Tribunal, the parties have a common interest; or
- (f) govern the making of orders under section 10 and the exercise of powers under the orders.

General or particular

(2) The rules may be general or particular in their application.

Legislation Act, 2006

(3) Part III (Regulations) of the *Legislation Act, 2006* does not apply to the rules.

Application of rules

(4) Unless the Tribunal's failure to comply with the rules, or its exercise of discretion under the rules in a particular manner, causes a substantial wrong that affects the final disposition of a proceeding, neither the failure nor the exercise of discretion is a ground for setting aside a decision of the Tribunal on an application for judicial review or an appeal.

Manner of conduct

14 The Tribunal may direct that a hearing or any other step in a proceeding, including a case management conference, any other pre-hearing conference or an alternative dispute resolution process, be conducted in person, electronically, in writing or by a combination of any of them, as the Tribunal considers appropriate.

Case management conferences

15 The Tribunal may direct the parties to a proceeding to participate in a case management conference prior to a hearing, for the following purposes:

1. To identify additional parties to the proceeding.
2. To identify, define or narrow the issues raised in the proceeding.
3. To identify facts or evidence that may be agreed on by the parties.
4. To provide directions for disclosure of information.
5. To discuss opportunities for resolving one or more issues in the proceeding, including the possible use of mediation or other dispute resolution processes.
6. To establish dates by which any steps in the proceeding are to be taken or begun.
7. To determine the length and schedule of a hearing, if any, and the manner of conducting it.
8. To determine the order of presentation of submissions.
9. To deal with any other matter that may assist in the fair, just and expeditious resolution of the issues.

Alternative dispute resolution

16 The Tribunal may, at any time before a hearing is completed, direct the parties to a proceeding to participate in mediation or another dispute resolution process for the purpose of resolving one or more issues in the proceeding.

Limit on non-party participation

17 Except as may be provided for under this or any other Act, a person who is not a party to a proceeding may make submissions to the Tribunal with respect to the proceeding in writing only.

Witnesses and evidence

18 (1) At any stage of a proceeding, the Tribunal may,

- (a) examine any of the following persons:
 - (i) a party to the proceeding,
 - (ii) a witness in the proceeding, or
 - (iii) a person who has made a submission to the Tribunal with respect to the proceeding, other than a party;
- (b) require a party to the proceeding to produce evidence or a witness for examination by the Tribunal; or
- (c) require a person referred to in subclause (a) (iii) to produce evidence for examination by the Tribunal.

Disclosure to parties

(2) The Tribunal shall disclose any evidence it receives in a proceeding to the parties.

Limits on examination

(3) The Tribunal may limit any examination or cross-examination of a witness,

- (a) if the Tribunal is satisfied that all matters relevant to the issues in the proceeding have been fully or fairly disclosed; or
- (b) in any other circumstances the Tribunal considers fair and appropriate.

Dismissal without a hearing

19 (1) Subject to subsection (4), the Tribunal may, on the motion of any party or on its own initiative, dismiss a proceeding without a hearing,

- (a) if the party who brought the proceeding has not paid any fee required to be paid under this Act;
- (b) if the party who brought the proceeding has not responded to a request by the Tribunal for further information within the time specified by the Tribunal;
- (c) if the Tribunal is of the opinion that the proceeding has no reasonable prospect of success;
- (d) in any circumstance listed in subsection 4.6 (1) of the *Statutory Powers Procedure Act*; or
- (e) in any circumstance provided for under any other Act.

Notice

(2) The Tribunal shall give the parties notice of its intention to dismiss the proceeding, setting out the reasons for the dismissal and informing the parties of their right to make written submissions to the Tribunal with respect to the dismissal within the time specified in the notice.

Submissions

(3) A party who receives a notice under subsection (2) may make written submissions to the Tribunal with respect to the dismissal within the time specified in the notice.

Dismissal

(4) The Tribunal shall not dismiss a proceeding under subsection (1) until it has given notice under subsection (2) and considered any submissions made under subsection (3).

Application

(5) For greater certainty, this section applies instead of section 4.6 of the *Statutory Powers Procedure Act*.

Costs

20 The Tribunal may, subject to any other Act, fix the costs of and incidental to any proceeding, and order a party to the proceeding to pay the costs, in accordance with the rules.

CONSOLIDATED HEARINGS

Consolidation of hearings

21 (1) In this section,

“administrative tribunal” means one or more persons, whether or not incorporated and however described, on whom a power, right or duty to hold a hearing is conferred under an Act; (“tribunal administratif”)

“consolidated hearing” means a hearing held by the Tribunal under clause (4) (a); (“audience commune”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in unorganized territory; (“municipalité”)

“person” includes a municipality, the Crown, a Crown agency within the meaning of the *Crown Agency Act*, a public body, a partnership, an unincorporated joint venture and an unincorporated association; (“personne”)

“proponent” means a person who carries out or proposes to carry out or is the owner or person having charge, management or control of an undertaking; (“promoteur”)

“undertaking” means an enterprise or activity, or a proposal, plan or program in respect of an enterprise or activity. (“entreprise”)

Application

(2) Except as otherwise provided by the regulations, this section applies in respect of an undertaking if one or more of the Acts prescribed by the regulations provides that more than one hearing is or may be required to be held by more than one administrative tribunal in relation to the undertaking.

Notice

(3) The proponent of an undertaking to which this section applies shall give notice of the undertaking to the Tribunal in accordance with the regulations.

Effect of notice

(4) Except as otherwise provided by the regulations, if notice is given to the Tribunal in respect of an undertaking,

- (a) all matters related to the undertaking that could be considered at a hearing with respect to which this section applies shall be heard by the Tribunal; and
- (b) no other person or body shall hold a hearing in respect of a matter referred to in clause (a).

Decision

(5) The Tribunal may make any decision on a matter in a consolidated hearing that may be made by an administrative tribunal that has the power, right or duty to hold a hearing on the matter, or that may be made by a person or body after the holding of the hearing, including the granting of any authority or directing the granting or issuing of a permit or licence and the imposition of terms and conditions.

Effect of decision

(6) The Tribunal’s decision on a matter in a consolidated hearing stands for all purposes in place of any decision, order or action that is required or may be made or taken by an administrative tribunal that has a power, right or duty to hold a hearing on the matter, or by any other person or body after the holding of the hearing.

REVIEW AND APPEAL

Decisions final

22 Except as provided for in sections 23 and 24, orders and decisions of the Tribunal are final and binding.

Review

23 Unless another Act specifies otherwise, the Tribunal may review, rescind or vary any order or decision made by it in accordance with the rules.

Appeal

24 (1) Unless another Act specifies otherwise, an order or decision of the Tribunal may be appealed to the Divisional Court, with leave of that court on motion in accordance with subsection (3), but only on a question of law.

Exception, consolidated hearings

(2) Despite subsection (1) or any other Act, there is no appeal from a decision of the Tribunal in a consolidated hearing under section 21.

Notice to Tribunal

(3) A person appealing an order or decision of the Tribunal shall give notice of the motion for leave to appeal to the Tribunal.

Tribunal entitled to be heard

(4) The Tribunal is entitled to be heard on the argument of the appeal, including on the motion for leave to appeal.

No liability for costs

(5) Neither the Tribunal nor any member of the Tribunal is liable for any costs in connection with an appeal under this section.

**PART IV
GENERAL**

Protection from personal liability

25 (1) No action or other proceeding shall be commenced against a current or former member of the Tribunal or employee in the Tribunal for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, functions or duties under this Act or any other Act, or for any alleged neglect or default in the exercise or performance in good faith of their powers, functions or duties under this Act or any other Act.

Crown liability

(2) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which the Crown would otherwise be subject.

Non-compellability

26 No member of or employee in the Tribunal shall be required to testify in any proceeding with regard to information obtained in the discharge of their duties as a member or employee.

Use of meeting facility

27 If the Tribunal directs that a hearing or any other step in a proceeding be conducted in a municipality in which there is an appropriate meeting facility belonging to the municipality, the municipality shall, on request, allow the hearing or other step to be conducted in the facility and shall make all necessary arrangements for the hearing or other step.

Crown bound

28 This Act binds the Crown.

Regulations**Lieutenant Governor in Council**

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

- (a) governing circumstances, periods and purposes for the purposes of subsection 4 (3);
- (b) for the purposes of section 21,
 - (i) prescribing Acts for the purposes of subsection 21 (2),
 - (ii) exempting undertakings or hearings from the application of section 21, and prescribing conditions that apply to any such exemption,
 - (iii) governing notice under subsection 21 (3), including prescribing the form and contents of the notice,
 - (iv) providing for and governing exemptions from subsection 21 (4),
 - (v) specifying the parties to a consolidated hearing,
 - (vi) governing the practices and procedures of the Tribunal in a consolidated hearing.

Minister

(2) The Minister may make regulations,

- (a) governing the practices and procedures of the Tribunal, other than in relation to a consolidated hearing under section 21;
- (b) governing any transitional matters that may arise from the enactment of this Act or the repeal or amendment of any Act or revocation of any regulation by this Act with respect to proceedings before the Tribunal, including in relation to,
 - (i) proceedings before a predecessor adjudicative tribunal that were commenced but not finally disposed of before the transition date,
 - (ii) matters referred for a hearing under section 7 of the *Expropriations Act* before the transition date, or
 - (iii) proceedings commenced before the Tribunal on or after the transition date;
- (c) providing for the continued application of any provision of an Act that is repealed or amended, or provision of a regulation that is revoked, by this Act as that provision read immediately before the transition date, with such modifications as may be specified by the regulations.

Conflict

(3) In the event of a conflict between a regulation made under subclause (1) (b) (vi) or clause (2) (a) and the rules, the regulation prevails to the extent of the conflict.

Same

(4) In the event of a conflict between a regulation made under clause (2) (b) or (c) and this Act or the rules, the regulation prevails to the extent of the conflict.

Transition, consolidated hearings

(5) For greater certainty, a regulation may be made under clause (2) (b) respecting transitional matters in relation to consolidated hearings.

**PART V
REPEALS, REVOCATIONS AND OTHER AMENDMENTS**

Aggregate Resources Act

30 (1) The following provisions of the *Aggregate Resources Act* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Tribunal”:

1. Subsections 11 (5), (6), (7), (8), (9), (11), (12), (13), (14) and (15).
2. Subsections 12 (1), (1.1) and (2).
3. Subsections 13 (6), (7), (8), (9) and (10).
4. Subsection 13.1 (4).
5. Subsections 18 (5), (6), (7), (8) and (9).
6. Subsections 20 (4), (6), (7), (8) and (9).

(2) The following provisions of the Act are amended by striking out “Section 35 of the *Local Planning Appeal Tribunal Act, 2017*” wherever it appears and substituting in each case “Section 23 of the *Ontario Land Tribunal Act, 2021*”:

1. Subsection 11 (15).
2. Subsection 13 (10).
3. Subsection 18 (9).
4. Subsection 20 (9).

(3) The definition of “Tribunal” in subsection 1 (1) of the Act is repealed and the following substituted:

“Tribunal” means the Ontario Land Tribunal; (“Tribunal”)

(4) Subsection 12 (1.2) of the Act is amended by striking out “the day section 2 of Schedule 15 to the *Better for People, Smarter for Business Act, 2019* comes into force” at the end and substituting “December 10, 2019”.

Assessment Act

31 (1) Subsection 21 (3) of the *Assessment Act* is repealed and the following substituted:

Appeal against by-law

(3) Any person complaining that the by-law does not exempt or does not sufficiently exempt the person or the person’s lands from taxation may, within 14 days after the mailing of the notice, notify the clerk of the municipality and the Ontario Land Tribunal of the person’s intention to appeal against the provisions of the by-law, or any of them, to the Ontario Land Tribunal, which has power to alter or vary any or all of the provisions of the by-law and to determine the matter of complaint in accordance with the spirit and intent of this section.

(2) Subsection 21 (4) of the Act is amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(3) Subsection 22 (3) of the Act is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

(4) Subsection 22 (4) of the Act is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

(5) Subsection 23 (8) of the Act is amended,

- (a) by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”; and
- (b) by striking out “Board” and substituting “Tribunal”.

Building Transit Faster Act, 2020

32 (1) The following provisions of the *Building Transit Faster Act, 2020* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Subsection 42 (3).
2. Subsection 69 (3).

(2) The definition of “proponent” in section 2 of the Act is repealed and the following substituted:

“proponent” has the same meaning as in section 21 of the *Ontario Land Tribunal Act, 2021*; (“promoteur”)

Capital Investment Plan Act, 1993

33 Section 32 of the *Capital Investment Plan Act, 1993* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

City of Greater Sudbury Act, 1999

34 Subsections 11.6 (4), (5) and (6) of the *City of Greater Sudbury Act, 1999* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

City of Hamilton Act, 1999

35 Subsections 11.7 (4), (5) and (6) of the *City of Hamilton Act, 1999* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

City of Ottawa Act, 1999

36 (1) Subsections 12.13 (4), (5) and (6) of the *City of Ottawa Act, 1999* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(2) Subsections 12.14 (2), (3) and (4) of the Act are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

City of Toronto Act, 2006

37 (1) The following provisions of the *City of Toronto Act, 2006* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Subsection 9 (2).
2. Subsections 114 (5), (7), (15.2) and (16).
3. Subsections 115 (6), (10), (12), (14), (15), (18), (20), (21) and (21.2).
4. Subsection 285 (8).
5. Clause 397 (2) (b).
6. Subsection 453.1 (15).

(2) Subsection 114 (8) of the Act is amended by striking out “The Local Planning Appeal Tribunal’s determination” at the beginning and substituting “The Ontario Land Tribunal’s determination”.

(3) Subsections 114 (15) and (15.1) of the Act are amended by,

- (a) striking out “to the Local Planning Appeal Tribunal” wherever it appears and substituting in each case “to the Ontario Land Tribunal”; and
- (b) striking out “the fee charged under the *Local Planning Appeal Tribunal Act, 2017*” wherever it appears and substituting in each case “the fee charged by the Tribunal”.

(4) Subsection 115 (13) of the Act is amended by striking out “The Local Planning Appeal Tribunal’s determination” at the beginning and substituting “The Ontario Land Tribunal’s determination”.

(5) Subsection 250 (2) of the Act is amended by striking out “section 22 of the *Local Planning Appeal Tribunal Act, 2017*” in the portion before clause (a) and substituting “section 432.0.9”.

(6) Subsection 341 (1) of the Act is amended by striking out “the Local Planning Appeal Tribunal may continue to exercise its powers under those sections” and substituting “the powers of the Ontario Municipal Board under those sections may continue to be exercised by the Ontario Land Tribunal”.

(7) The Act is amended by adding the following Part:

PART XVIII.1
ONTARIO LAND TRIBUNAL — JURISDICTION AND POWERS

Definitions

432.0.1 In this Part,

“City” includes a local board; (“cité”)

“local board” means a local board as defined in subsection 3 (1), except that it includes a school board; (“conseil local”)

“municipality” includes,

- (a) a local board of a municipality other than the City, and
- (b) a board, commission or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in unorganized territory; (“municipalité”)

“public utility” means, in addition to a public utility as defined in subsection 3 (1),

- (a) a system that is used to provide,
 - (i) electric heat, light and power works, or
 - (ii) any other service or thing that supplies the general public with necessities or conveniences, and
- (b) the service or thing that is provided. (“service public”)

MUNICIPAL AFFAIRS

Jurisdiction and powers

432.0.2 (1) The Ontario Land Tribunal has jurisdiction and power in relation to municipal affairs,

- (a) to approve the exercise in whole or in part of any of the powers by the City under any Act that may or will involve or require the borrowing of money by the issue of debentures, or the incurring of any debt or the issuing of any debentures, which approval the City voluntarily applies for or is required by law to obtain;
- (b) to approve any by-law or proposed by-law of the City, which approval the City voluntarily applies for or is required by law to obtain;
- (c) to authorize the issue by the City, without the assent of the electors, of debentures to pay any floating indebtedness that it may have incurred, on such terms, in such manner and at such times as the Tribunal may approve, or to direct that the floating indebtedness be paid in such other manner and within such time as the Tribunal may require;
- (d) to authorize the issue by the City, without the assent of the electors, of debentures to retire debentures that are redeemable before maturity, and the raising of the sum required for payment of the new debentures in the same manner as the sum required for payment of the retired debentures;
- (e) to certify to the validity of debentures issued under the authority of any by-law of the City that the Tribunal has approved;
- (f) to direct that before any approval is given by the Tribunal to the exercise of any powers by the City or to any by-law passed by it, or before any authorization is given by the Tribunal to the issue by the City of debentures to pay any floating indebtedness, the assent of the electors of the City or those who are qualified to vote on money by-laws first be obtained, even though the assent is not otherwise required;
- (g) to supervise, where considered necessary, the expenditure of any money borrowed by the City with the approval of the Tribunal;
- (h) to require and obtain from the City, at any time and for any definite period, statements in detail of any of its affairs, financial and otherwise;
- (i) to inquire at any time into any or all of the affairs, financial and otherwise, of the City and hold hearings and make investigations respecting those affairs as may appear necessary to be made in the interest of the City, its ratepayers, inhabitants and creditors and particularly to make and hold inquiries, hearings and investigations for the purpose of avoiding any default or recurrence of a default by any municipality in meeting its obligations;
- (j) when authorized by an agreement entered into by the City and one or more municipalities in which the parties to the agreement agree to be bound by the decision of the Tribunal, to hear and determine disputes in relation to the agreement; and
- (k) where water or sewage service is supplied or to be supplied by the City to another municipality, or supplied or to be supplied by another municipality to the City, to hear and determine the application of either municipality to confirm, vary or fix rates charged or to be charged in connection with the water or sewage service.

Same

(2) Clauses (1) (c) and (d) have effect despite any Act.

Voluntary application for approval of by-laws

432.0.3 A local board mentioned in subsection 432.0.12 (2) may apply to the Ontario Land Tribunal for its approval of any by-law, the passing of which has been authorized by an order of the Tribunal made under that section.

Application to Tribunal for approval of by-law authorizing borrowing

432.0.4 (1) A person may apply to the Ontario Land Tribunal for approval of a by-law of the City authorizing a debenture, borrowing or other debt if the person is,

- (a) the holder of the debenture or entitled to receive the debenture or the proceeds of its sale;
- (b) the person to whom the borrowing is owed by the City; or
- (c) the person to whom the other debt is owed by the City.

Tribunal may approve

(2) The Ontario Land Tribunal may approve a by-law in respect of which an application is made under this section.

Approval to be withheld where litigation pending

432.0.5 The Ontario Land Tribunal shall not grant or issue any approval or certificate under this Part in respect of any municipal matter if there is any pending action or proceeding relating to the matter, including an application to quash any by-law of the City relating to the matter.

Time for certifying validity of debentures

432.0.6 (1) The Ontario Land Tribunal shall not certify the validity of any debenture issued under any by-law of the City until 30 days after the final passing of the by-law, unless notice of the application for certification has been otherwise published or given as directed by the Tribunal.

Exception

(2) This section does not apply to any debenture authorized under clause 432.0.2 (1) (d) or to a consolidating by-law if every by-law consolidated was finally passed at least 30 days before certification.

Validation of by-laws and debentures

432.0.7 (1) An application may be made to the Ontario Land Tribunal for approval of a by-law of the City authorizing the issue of any debentures, and of the debentures, either before the debentures are issued by the City or after the issue and sale of any debentures by the City.

Same

(2) In respect of an application made under subsection (1), the Tribunal may approve the by-law and certify the validity of the debentures despite any omission, illegality, invalidity or irregularity in the by-law or the debentures or in any proceedings relating to or incidental to them occurring before or after the final passing of the by-law or the issuing of the debentures.

No approval if by-law quashed, etc.

(3) The Tribunal shall not approve any by-law of the City or certify the validity of any debentures issued under a by-law if the validity of the by-law or debenture is being questioned in any pending litigation or the by-law has been set aside, quashed or declared to be invalid by any court.

Debentures to be certified

432.0.8 If the validity of a debenture is certified by the Ontario Land Tribunal, it shall bear the certificate of the Tribunal in the form approved by the Tribunal establishing that the by-law under the authority of which the debenture is issued has been approved by the Tribunal and that the debenture is issued in conformity with the approval.

Validity of certified debentures

432.0.9 Despite any Act, every by-law of the City approved by the Ontario Land Tribunal and every debenture issued under a by-law bearing the certificate of the Tribunal is for all purposes valid and binding on the City and its ratepayers and on the property liable for any rate imposed under the by-law, and the validity of the by-law and the debenture shall not be contested or questioned in any manner.

Scope of Tribunal inquiry

432.0.10 (1) The Ontario Land Tribunal may, before approving an application by the City for any of the following, make inquiries into the matters described in subsection (2):

1. Approval of the exercise by the City of any of its powers.

2. Approval of the incurring of any debt.
3. Approval of the issue of any debentures.
4. Approval of a by-law.

Same

(2) For the purposes of subsection (1), the matters are the following:

1. The nature of the power sought to be exercised or undertaking that is proposed to be or has been proceeded with.
2. The financial position and obligations of the City.
3. The burden of taxation on the ratepayers.
4. Any other matter that the Tribunal considers to be relevant.

When electors' assent may be dispensed with

432.0.11 (1) This section applies if, under any Act, the assent of the electors of the City or of those qualified to vote on money by-laws is required before the City may exercise a power, incur a debt, issue a debenture or pass a by-law.

Same

(2) The Ontario Land Tribunal shall not approve the exercise of the power, incurring of the debt, issue of the debentures or the by-law until the assent has been obtained, unless the Tribunal, after due inquiry, is satisfied that the assent may under all the circumstances properly be dispensed with.

Same

(3) If the Tribunal is satisfied for the purposes of subsection (2), it may by order declare and direct that the assent of the electors or the qualified electors shall not be required to be obtained despite the provisions of the Act.

Hearing

(4) Before making any order under subsection (3) and subject to subsections (5), (6) and (7), the Tribunal shall hold a hearing for the purpose of inquiring into the merits of the matter and hearing any objections that any person may desire to bring to the attention of the Tribunal.

Notice to provide for filing of objections

(5) The Tribunal shall provide notice of the hearing as the Tribunal considers appropriate and may direct that the notice include a statement that anyone objecting to dispensing with the assent of the electors may, within the time specified by the Tribunal, file with the city clerk or, in the case of a local board, with the secretary of the local board, the objection to dispensing with the assent of the electors.

Where no objections

(6) Where notice has been given under subsection (5), the Tribunal may, when no notice of objection has been filed within the time specified in the notice, dispense with the assent of the electors without holding a hearing.

Where objections filed

(7) If one or more objections have been filed within the time specified in the notice, the Tribunal shall hold a hearing unless, under all the circumstances affecting the matter, the Tribunal considers the objection or, if more than one, all the objections to be insufficient to require a hearing.

Hearing not required where additional expenditure approved

(8) Despite subsection (4), where the Tribunal has approved an expenditure for any purpose, it may, without holding a hearing, dispense with the assent of the electors of the City or of those qualified to vote on money by-laws and approve additional expenditures for the same purpose not in excess of 25 per cent of the original expenditure approved.

Conditions in dispensing with vote

(9) The Tribunal, in making any order under subsection (3) dispensing with the necessity for obtaining the assent of the electors or qualified electors, may impose such terms, conditions and restrictions not only in respect of the matter in which such order is made, but as to any further or subsequent exercise of any of the powers of the City or incurring of any other debt or issue of any other debentures or passing of any other by-law by the City as may appear necessary to the Tribunal.

Limitation re undertaking debt

432.0.12 (1) Despite any Act, a local board to which this subsection applies shall not authorize, exercise any of its powers to proceed with or provide money for any work or class of work if the cost or any portion of the cost of the work is to be or may be raised after the term for which the council of the City or board was elected.

Application

(2) Subsection (1) applies to a local board, other than a board as defined in subsection 1 (1) of the *Education Act*, that is entitled to apply to the council of the City to have money provided by the issue of debentures of the City.

Matters not requiring Tribunal approval

(3) Subsection (1) does not apply to,

- (a) anything done with the approval of the Ontario Land Tribunal, if the approval is,
 - (i) provided for by another Act or by another provision of this Act, and
 - (ii) obtained in advance;
- (b) a by-law of a local board mentioned in subsection (2) containing a provision to the effect that it shall not come into force until the approval of the Tribunal has been obtained; or
- (c) a by-law or resolution of a local board mentioned in subsection (2) containing a provision to the effect that it shall not come into force until the approval of the City has been obtained.

Approval of Tribunal

(4) The approval of the Tribunal mentioned in clause (3) (a) means and, despite the decision of any court, shall be deemed always to have meant the approval of the work mentioned in subsection (1).

Definition

(5) In this section,

“work” includes any undertaking, project, scheme, act, matter or thing.

Inquiry by Tribunal

432.0.13 On an application being made to the Ontario Land Tribunal for the approval required by section 432.0.12, the Tribunal shall proceed to deal with the application in the manner provided by and shall have regard to the matters mentioned in section 432.0.10, and may hold such hearings as may appear necessary to the Tribunal.

Tribunal may impose conditions on giving approval

432.0.14 The Ontario Land Tribunal may impose, as it considers necessary and as a condition of giving its approval as required by section 432.0.12, restrictions, limitations and conditions on the local board with respect to the matter before the Tribunal or with respect to the current annual or future annual expenditures of the local board for any purpose or with respect to further issues of debentures for the purposes of the local board.

PUBLIC UTILITIES

Jurisdiction and powers

432.0.15 (1) The Ontario Land Tribunal has jurisdiction and power,

- (a) to hear and determine any application with respect to any public utility, its construction, maintenance or operation by reason of the contravening of or failure to comply on the part of the City or any person, firm, company or corporation with the requirements of any Act, or of any regulation, rule, by-law or order made under any Act, or of any agreement entered into in relation to such public utility, its construction, maintenance or operation; and
- (b) to hear and determine any application with respect to any tolls charged by the City or any person, firm, company or corporation operating a public utility in excess of those approved or prescribed by lawful authority, or which are otherwise unlawful.

Jurisdiction over receivers, liquidators, etc.

(2) A manager or other official or the liquidator or receiver of a public utility shall manage, operate or liquidate the public utility in accordance with the orders and directions of the Tribunal.

Same

(3) The fact that the person is managing or operating or liquidating the public utility under the authority of a court is not a bar to the exercise by the Tribunal of any jurisdiction or power conferred by this Part.

Clean Water Act, 2006

38 (1) The definition of “Tribunal” in subsection 2 (1) of the *Clean Water Act, 2006* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

(2) Subsection 39 (1) of the Act is amended by striking out “Ontario Municipal Board” in the portion before clause (a) and substituting “Ontario Land Tribunal”.

Conservation Authorities Act

39 (1) Section 21.2 of the *Conservation Authorities Act* is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(2) Subsection 24 (4) of the Act is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

(3) Subsections 25 (2) and (3) of the Act are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(4) Subsection 25 (4) of the Act is amended by striking out “The Local Planning Appeal Tribunal has authority to take evidence, to confirm or vary the apportionment of the authority and to fix and award costs” at the beginning and substituting “The Ontario Land Tribunal has authority to take evidence and to confirm or vary the apportionment of the authority”.

(5) Section 26 of the Act, as re-enacted by section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(6) Subsection 27 (8) of the Act is amended by striking out “the Mining and Lands Tribunal continued under the *Ministry of Natural Resources Act*” at the end and substituting “the Ontario Land Tribunal”.

(7) Section 27.1 of the Act is amended by striking out “Mining and Lands Commissioner” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(8) Section 27.1 of the Act, as amended by section 13 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*, is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(9) Section 27.2 of the Act is amended by striking out “Mining and Lands Commissioner” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(10) Section 27.2 of the Act, as amended by section 14 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*, is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(11) Subsection 28 (15) of the Act is amended by striking out “the Minister who may” in the portion before clause (a) and substituting “the Ontario Land Tribunal, and the Tribunal may”.

(12) Section 28.0.1 of the Act is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(13) Section 28.1 of the Act is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(14) Sections 28.1.1 and 28.1.2 of the Act are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(15) Section 28.3 of the Act is amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(16) Clause 40 (1) (d) of the Act is amended by striking out “Local Planning Appeal Tribunal” at the end and substituting “Ontario Land Tribunal”.

(17) If this subsection comes into force before the day subsection 25 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force, clause 40 (1) (g) of the Act is repealed.

Consolidated Hearings Act

40 (1) The *Consolidated Hearings Act* is repealed.

(2) The following regulations made under the Act are revoked:

1. Regulation 171 of the Revised Regulations of Ontario, 1990 (*Aggregate Resources Act*).
2. Regulation 172 of the Revised Regulations of Ontario, 1990 (*Conservation Authorities Act*).
3. Regulation 173 of the Revised Regulations of Ontario, 1990 (*Hearings*).
4. Regulation 174 of the Revised Regulations of Ontario, 1990 (*Lakes and Rivers Improvement Act*).
5. Ontario Regulation 784/91 (Subsections 34 (3) and (4) of the *Regional Municipality of Halton Act*).
6. Ontario Regulation 552/94 (*Regional Municipality of Durham Act*).

Development Charges Act, 1997

41 (1) The following provisions of the *Development Charges Act, 1997* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Subsection 12 (3).
2. Section 14.
3. Subsections 16 (1), (2), (4) and (5).
4. Section 17.
5. Subsection 18 (1).
6. Section 19.
7. Section 22.
8. Subsections 24 (1), (3), (4) and (5).
9. Subsection 25 (1).
10. Subsections 49 (1) and (5).
11. Subsection 51 (2).
12. Subsection 68 (2).

(2) Subsection 15 (2) of the Act is amended by,

- (a) striking out “the secretary of the Ontario Municipal Board” and substituting “the Ontario Land Tribunal”; and
- (b) striking out “Board” and substituting “Tribunal”.

(3) Subsection 16 (3) of the Act is repealed and the following substituted:

Powers of Tribunal

(3) After the hearing, the Ontario Land Tribunal may,

- (a) dismiss the appeal in whole or in part;
- (b) order the council of the municipality to repeal or amend the by-law in accordance with the Tribunal’s order;
- (c) repeal or amend the by-law in such manner as the Tribunal may determine.

(4) Clauses 18 (2) (a) and (b) of the Act are repealed and the following substituted:

- (a) if the Ontario Land Tribunal repeals or amends the by-law, within 30 days after the Tribunal’s order;
- (b) if the Ontario Land Tribunal orders the council of the municipality to repeal or amend the by-law, within 30 days after the repeal or amendment by the council.

(5) Subsection 23 (3) of the Act is amended by,

- (a) striking out “the secretary of the Ontario Municipal Board” and substituting “the Ontario Land Tribunal”; and
- (b) striking out “Board” and substituting “Tribunal”.

(6) Subsection 48 (2) of the Act is amended by,

- (a) striking out “the secretary of the Ontario Municipal Board” and substituting “the Ontario Land Tribunal”; and
- (b) striking out “Board” and substituting “Tribunal”.

(7) Subsection 49 (2) of the Act is repealed and the following substituted:

Powers of Tribunal

(2) After the hearing, the Ontario Land Tribunal may,

- (a) dismiss the objection in whole or in part;
- (b) terminate the agreement;
- (c) order that the agreement is terminated unless the parties amend it in accordance with the Tribunal’s order.

(8) Subsection 49 (3) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Same

(3) If the Ontario Land Tribunal terminates the agreement or makes an order under clause (2) (c), the Tribunal may order the municipality to refund any amount paid under the agreement in excess of,

(9) Section 50 of the Act is amended by striking out “Ontario Municipal Board” at the end and substituting “Ontario Land Tribunal”.

(10) Subsection 54 (4) of the Act is repealed and the following substituted:

Money held until objections disposed of

(4) If an objection to a front-ending agreement is made, the municipality shall retain any money received from persons who are not parties to the agreement until all the objections to the agreement are disposed of by the Ontario Land Tribunal. If the Tribunal makes an order that the agreement be terminated unless the parties amend it in accordance with the Tribunal’s order, the municipality shall retain the money until the agreement is either terminated or amended.

Drainage Act

42 Subsection 75 (3) of the *Drainage Act* is amended by striking out “section 25 of the *Local Planning Appeal Tribunal Act, 2017*” and substituting “section 474.10.13 of the *Municipal Act, 2001*”.

Education Act

43 (1) The following provisions of the *Education Act* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Subsection 67 (1).
 2. Subsection 257.63 (3).
 3. Section 257.65.
 4. Subsections 257.67 (1), (2), (4) and (5).
 5. Section 257.68.
 6. Subsection 257.69 (1).
 7. Subsection 257.74 (1).
 8. Subsections 257.76 (1), (2), (4) and (5).
 9. Sections 257.77, 257.78 and 257.79.
 10. Section 257.87.
 11. Section 257.89.
 12. Subsection 257.90 (1).
 13. Section 257.91.
 14. Paragraph 4 of section 257.92.
 15. Section 257.94.
- (2) Subsection 257.66 (2) of the Act is amended,**
- (a) by striking out “the secretary of the Ontario Municipal Board” and substituting “the Ontario Land Tribunal”; and
 - (b) by striking out “as the Ontario Municipal Board may require” and substituting “as the Ontario Land Tribunal may require”.

(3) Subsection 257.67 (3) of the Act is repealed and the following substituted:

Powers of Tribunal

- (3) After the hearing, the Ontario Land Tribunal may,
- (a) dismiss the appeal in whole or in part;
 - (b) order the board to repeal or amend the by-law in accordance with the Tribunal’s order;
 - (c) repeal or amend the by-law in such manner as the Tribunal may determine.
- (4) Clauses 257.69 (2) (a) and (b) of the Act are repealed and the following substituted:**

- (a) if the Ontario Land Tribunal repeals or amends the by-law, within 30 days after the Tribunal's order;
- (b) if the Ontario Land Tribunal orders the board to repeal or amend the by-law, within 30 days after the repeal or amendment by the board.

(5) Subsection 257.75 (2) of the Act is amended,

- (a) by striking out “the secretary of the Ontario Municipal Board” and substituting “the Ontario Land Tribunal”; and
- (b) by striking out “as the Ontario Municipal Board may require” and substituting “as the Ontario Land Tribunal may require”.

(6) Subsection 257.76 (3) of the Act is repealed and the following substituted:

Powers of Tribunal

- (3) After the hearing, the Ontario Land Tribunal may,
- (a) dismiss the appeal in whole or in part;
 - (b) order the board to repeal or amend the amending by-law in accordance with the Tribunal's order;
 - (c) repeal or amend the amending by-law in such manner as the Tribunal may determine.

(7) Subsection 257.88 (3) of the Act is amended by,

- (a) striking out “the secretary of the Ontario Municipal Board” and substituting “the Ontario Land Tribunal”; and
- (b) striking out “Board” and substituting “Tribunal”.

Environmental Assessment Act

44 (1) The following provisions of the *Environmental Assessment Act* are amended by striking out “Environmental Review Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. The definition of “Tribunal” in subsection 1 (1).
2. Subsection 11 (1).

(2) Subsection 17.20 (1) of the Act is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

(3) Section 21 of the Act is repealed.

(4) Section 22 of the Act is amended by striking out “any person appointed under section 7 of the *Environmental Review Tribunal Act, 2000*”.

Environmental Protection Act

45 (1) The definition of “Tribunal” in subsection 1 (1) of the *Environmental Protection Act* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

(2) Subsections 20.15 (7) to (11) of the Act are repealed.

(3) Subsections 33 (5) to (9) of the Act are repealed.

Environmental Review Tribunal Act, 2000

46 The *Environmental Review Tribunal Act, 2000* is repealed.

Evidence Act

47 Subsection 36 (2) of the *Evidence Act* is amended by striking out “and of the Ontario Municipal Board”.

Expropriations Act

48 (1) The definition of “Tribunal” in subsection 1 (1) of the *Expropriations Act* is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

(2) Subsection 6 (3) of the Act is amended by striking out “without the inquiry procedure” and substituting “without a hearing”.

(3) Sections 7 and 8 of the Act are repealed and the following substituted:

Hearings following notice under s. 6 (2)

7 (1) An approving authority that receives notice under subsection 6 (2) shall refer the matter to the Tribunal for a hearing by a single member of the Tribunal.

Parties

- (2) The parties to a hearing under this section are,
- (a) the expropriating authority;
 - (b) each owner who notifies the approving authority under subsection 6 (2) that the owner desires a hearing in respect of the lands intended to be expropriated; and
 - (c) any owner added as a party by the Tribunal whose land the Tribunal determines would be affected by the expropriation or any modification of the expropriation.

Time, place and notice of hearing

- (3) The Tribunal shall fix a time and place for the hearing, and cause notice of the hearing to be served on each party.

Notice of grounds

- (4) At least five days before the date fixed for the hearing, or by such earlier time as may be specified by the Tribunal, the expropriating authority shall,
- (a) serve on each of the other parties a notice indicating the grounds on which it intends to rely at the hearing; and
 - (b) make available for inspection by the other parties any documents, including maps and plans, that the expropriating authority intends to use at the hearing.

Hearing by means of inquiry

- (5) At the hearing, the Tribunal shall inquire into whether the taking of the lands or any part of the lands of an owner or of more than one owner of the same lands is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.

Report

- (6) Following the hearing, the Tribunal shall issue a report respecting the hearing that contains the following information, and shall immediately provide a copy of the report to the approving authority and the parties:
1. A summary of the evidence and arguments advanced by the parties.
 2. The Tribunal's findings of fact.
 3. The Tribunal's opinion on the merits of the application for approval, and the reasons for the opinion.

Costs

- (7) Subject to the regulations, the Tribunal may recommend to the approving authority that a party to the hearing be paid a fixed amount for the party's costs of the hearing, and the approving authority may in its discretion order the expropriating authority to pay the recommended costs.

Same

- (8) Costs recommended under subsection (7) shall not exceed \$200, or such higher amount as may be prescribed.

Same

- (9) Subsections (7) and (8) apply instead of section 20 of the *Ontario Land Tribunal Act, 2021*.

Decision of approving authority

- 8** (1) The approving authority shall consider every report it receives under subsection 7 (6) respecting a hearing, and shall,
- (a) approve the proposed expropriation;
 - (b) not approve the proposed expropriation; or
 - (c) approve the proposed expropriation with such modifications as the approving authority considers proper, as long as the modifications do not affect the lands of a registered owner who was not a party to the hearing.

Reasons, service of decision

- (2) The approving authority shall give written reasons for its decision, and shall cause the decision and reasons to be served on all the parties and on the Tribunal within 90 days after the date on which the approving authority received the report.

Certificate

- (3) The approving authority shall certify its approval in the prescribed form.

(4) Clause 10 (2) (a) of the Act is repealed and the following substituted:

- (a) if there was a hearing under section 7, as of the date the notice of hearing was served on the owner;

(5) Subsection 10 (2.1) of the Act is repealed.

(6) Sections 26 to 28 of the Act are repealed and the following substituted:

Application, if compensation not agreed to

26 (1) If the statutory authority and the owner do not agree on the compensation payable under this Act, the statutory authority or the owner may, subject to subsection (2), apply to the Tribunal for the determination of compensation by way of a hearing or as otherwise provided for under the *Ontario Land Tribunal Act, 2021*.

Same

(2) Subsection (1) applies,

(a) in the case of injurious affection, if section 22 has been complied with; or

(b) in the case of expropriation, if section 25 has been complied with or the time for complying with it has expired.

(7) Sections 29 to 31 of the Act are repealed and the following substituted:

Duties of Tribunal on application

29 The Tribunal shall determine any compensation in respect of which an application is made under section 26 and, in the absence of an agreement made under section 24, shall determine any other matter required by this or any other Act to be determined by the Tribunal.

Application, if no expropriation

30 (1) If the owner of land consents to the acquisition of the land by a statutory authority, the statutory authority or the owner, with the consent of the other, may apply to the Tribunal for the determination of the compensation to which the owner would be entitled by this Act if the land were expropriated, and the Tribunal may determine the compensation.

Same

(2) For the purposes of subsection (1), the compensation shall be assessed as of the date on which the consent to the acquisition is given, subject to any agreement of the parties.

Appeals

31 (1) A decision or order of the Tribunal under this Act may be appealed to the Divisional Court within six weeks from the day the decision or order was served on the parties, on a question of law or fact or both.

Extension of time for appeal

(2) A judge of the Divisional Court may extend the time for appeal for such period as the judge considers proper.

Powers of Court

(3) On an appeal under subsection (1), the Divisional Court may,

(a) refer any matter back to the Tribunal; or

(b) make any decision or order that the Tribunal has power to make.

Non-application

(4) For greater certainty, this section does not apply with respect to any determination of the Tribunal under section 7.

(8) Section 32 of the Act is amended by adding the following subsection:

Same

(3) If no tariffs or rules are prescribed under clause 44 (d), the assessment officer shall instead have reference to the rules made by the Tribunal for the purposes of section 20 of the *Ontario Land Tribunal Act, 2021*.

(9) Section 44 of the Act is amended by adding the following clauses:

(0.a) providing for and governing circumstances in which costs shall not be recommended or ordered to be paid under subsection 7 (7);

(0.a.1) specifying a maximum costs amount for the purposes of subsection 7 (8), including providing for different maximum costs amounts in respect of different classes of hearings;

(10) Clause 44 (c) of the Act is repealed.

Funeral, Burial and Cremation Services Act, 2002

49 Section 85 of the Funeral, Burial and Cremation Services Act, 2002 is amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

Great Lakes Protection Act, 2015

50 Subsection 20 (1) of the *Great Lakes Protection Act, 2015* is amended by striking out “Ontario Municipal Board” in the portion before clause (a) and substituting “Ontario Land Tribunal”.

Greenbelt Act, 2005

51 (1) Subsection 7 (1) of the *Greenbelt Act, 2005* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

(2) Subsections 18 (1) and (2) of the Act are repealed and the following substituted:

Matters appealed

(1) If a matter relating to land within the areas designated as Protected Countryside in the Greenbelt Plan is appealed or referred to the Ontario Land Tribunal, whether under section 21 of the *Ontario Land Tribunal Act, 2021* or otherwise, the Minister may notify the Tribunal that its consideration of the matter should be deferred.

Stay

(2) If the Minister gives notice under subsection (1), all steps in the appeal or referral are stayed as of the date of the notice until the Minister gives a further notice to the Tribunal that the appeal or referral may be continued.

Same

(2.1) Subsection (2) applies despite subsection 21 (4) of the *Ontario Land Tribunal Act, 2021*.

(3) Subsections 18 (5) and (8) of the Act are amended by striking out “Ontario Municipal Board or joint board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

Health Protection and Promotion Act

52 (1) Subsection 77.4 (9) of the *Health Protection and Promotion Act* is amended by striking out “the Ontario Municipal Board, upon application in accordance with the rules governing the practice and procedure of that board, shall determine” and substituting “the Ontario Land Tribunal shall, on application, determine”.

(2) Subsection 77.4 (10) of the Act is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Housing Development Act

53 (1) Subsection 7 (5) of the *Housing Development Act* is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

(2) Subsection 13 (4) of the Act is amended by striking out “Section 25 of the *Local Planning Appeal Tribunal Act, 2017* does not apply” at the beginning and substituting “Section 474.10.13 of the *Municipal Act, 2001* and section 432.0.12 of the *City of Toronto Act, 2006* do not apply”.

Housing Services Act, 2011

54 (1) Subsection 16 (4) of the *Housing Services Act, 2011* is repealed and the following substituted:

Application for approval

(4) A dssab service manager that proposes to give a direction to a municipality shall apply to the Ontario Land Tribunal for approval of the proposed direction under section 474.10.13 of the *Municipal Act, 2001* and the dssab service manager is deemed, for the purposes of that section, to make the application on behalf of the municipality.

(2) Subsection 16 (5) of the Act is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

Lake Simcoe Protection Act, 2008

55 Subsections 6 (1) and (8) of the *Lake Simcoe Protection Act, 2008* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

Law Society Act

56 (1) Subsection 31 (1) of the *Law Society Act* is amended by striking out “or” at the end of clause (a) and by repealing clause (b).

(2) Paragraph 15 of subsection 63 (1) of the Act is repealed.

Legislation Act, 2006

57 Clause (b) of the definition of “regulation” in section 17 of the *Legislation Act, 2006* is amended by striking out “Ontario Municipal Board” at the end and substituting “Ontario Land Tribunal”.

Legislative Assembly Act

58 Clause 8 (2) (e) of the *Legislative Assembly Act* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Local Planning Appeal Tribunal Act, 2017

59 (1) The *Local Planning Appeal Tribunal Act, 2017* is repealed.

(2) Ontario Regulation 303/19 (Transition for Planning Act Appeals), made under the Act, is revoked.

Long-Term Care Homes Act, 2007

60 Subsection 128 (4) of the *Long-Term Care Homes Act, 2007* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Metrolinx Act, 2006

61 Subsection 31.1 (4) of the *Metrolinx Act, 2006* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Mining Act

62 (1) The definition of “Tribunal” in subsection 1 (1) of the *Mining Act* is repealed and the following substituted:

“Tribunal” means the Ontario Land Tribunal; (“Tribunal”)

(2) The heading to Part VI of the Act is repealed and the following substituted:

PART VI
ONTARIO LAND TRIBUNAL

(3) Subsection 114 (3) of the Act is repealed.

(4) Sections 115 to 120 of the Act are repealed.

(5) Sections 122 and 123 of the Act are repealed.

(6) Sections 125 to 127 of the Act are repealed.

(7) Section 128 of the Act is amended by striking out “before the Tribunal or recorder” and substituting “before the recorder”.

(8) Subsections 129 (1), (2) and (3) of the Act are repealed.

(9) Subsection 129 (4) of the Act is amended by adding “of the Tribunal” after “each order or judgment”.

(10) Sections 130 and 131 of the Act are repealed.

(11) Section 133 of the Act is amended by striking out “including an order dismissing a matter or proceeding under section 122” at the end.

(12) Subsection 134 (5) of the Act is repealed.

(13) Subsection 152 (9) of the Act is amended by striking out “Sections 114, 115, 116 and 118 to 131 of this Act” at the beginning and substituting “Sections 114, 121, 124, 128 and 129 of this Act”.

Ministry of Natural Resources Act

63 (1) The definition of “Tribunal” in section 1 of the *Ministry of Natural Resources Act* is repealed.

(2) Section 6 of the Act is repealed.

(3) The following regulations made under the Act are revoked:

1. Ontario Regulation 571/00 (Assignment of Powers and Duties of Minister).
2. Ontario Regulation 12/18 (Transition - Establishment of Mining and Lands Tribunal).

Municipal Act, 2001

64 (1) The following provisions of the *Municipal Act, 2001* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Subsection 6 (2).
2. Clause 179 (b).
3. Subsection 180 (1).
4. Subsection 181 (1).

5. Subsection 182 (1).
 6. Subsection 183 (1).
 7. Section 184.
 8. Subsections 186 (1) and (2).
 9. Subsection 222 (4).
 10. Subsection 223 (4).
 11. Subsection 323 (8).
 12. Clause 401 (4) (c).
 13. Subsection 402 (1).
 14. Subsection 407 (2).
 15. Clause 469 (1) (b).
 16. Section 474.14.
- (2) The French version of subsection 182 (2) is amended by striking out “Tribunal d’appel de l’aménagement local” in the portion before clause (a) and substituting “Tribunal”.
- (3) Subsection 205 (4) of the Act is amended by striking out “Section 25 of the *Local Planning Appeal Tribunal Act, 2017* and section 401 of this Act” at the beginning and substituting “Sections 401 and 474.10.13”.
- (4) Subsection 370.1 (1) of the Act is amended by striking out “the Local Planning Appeal Tribunal may continue to exercise its powers under these sections” and substituting “the powers of the Ontario Municipal Board under those sections may continue to be exercised by the Ontario Land Tribunal”.
- (5) Subsection 415 (2) of the Act is amended by striking out “section 22 of the *Local Planning Appeal Tribunal, 2017*” in the portion before clause (a) and substituting “section 474.10.10”.
- (6) Clause 469 (1) (a) of the Act is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Municipal Board”.
- (7) The Act is amended by adding the following Part:

**PART XVII.0.1
ONTARIO LAND TRIBUNAL — JURISDICTION AND POWERS**

Definitions

474.10.2 In this Part,

“local board” means a local board as defined in subsection 1 (1), except that it includes a school board; (“conseil local”)

“municipality” includes,

- (a) a local board, and
- (b) a board, commission or other local authority exercising any power with respect to municipal affairs or purposes, including school purposes, in unorganized territory; (“municipalité”)

“public utility” means, in addition to a public utility as defined in subsection 1 (1),

- (a) a system that is used to provide,
 - (i) electric heat, light and power works, or
 - (ii) any other service or thing that supplies the general public with necessities or conveniences, and
- (b) the service or thing that is provided. (“service public”)

MUNICIPAL AFFAIRS

Jurisdiction and powers

474.10.3 (1) The Ontario Land Tribunal has jurisdiction and power in relation to municipal affairs,

- (a) to approve the exercise in whole or in part of any of the powers by a municipality under any Act that may or will involve or require the borrowing of money by the issue of debentures, or the incurring of any debt or the issuing of any debentures, which approval the municipality voluntarily applies for or is required by law to obtain;

- (b) to approve any by-law or proposed by-law of a municipality, which approval the municipality voluntarily applies for or is required by law to obtain;
- (c) to authorize the issue by a municipality, without the assent of the electors, of debentures to pay any floating indebtedness that it may have incurred, on such terms, in such manner and at such times as the Tribunal may approve, or to direct that the floating indebtedness be paid in such other manner and within such time as the Tribunal may require;
- (d) to authorize the issue by a municipality, without the assent of the electors, of debentures to retire debentures that are redeemable before maturity, and the raising of the sum required for payment of the new debentures in the same manner as the sum required for payment of the retired debentures;
- (e) to certify to the validity of debentures issued under the authority of any by-law of a municipality that the Tribunal has approved;
- (f) to direct that before any approval is given by the Tribunal to the exercise of any powers by a municipality or to any by-law passed by it, or before any authorization is given by the Tribunal to the issue by a municipality of debentures to pay any floating indebtedness, the assent of the electors of the municipality or those who are qualified to vote on money by-laws first be obtained, even though the assent is not otherwise required;
- (g) to supervise, where considered necessary, the expenditure of any money borrowed by a municipality with the approval of the Tribunal;
- (h) to require and obtain from any municipality, at any time and for any definite period, statements in detail of any of its affairs, financial and otherwise;
- (i) to inquire at any time into any or all of the affairs, financial and otherwise, of a municipality and hold hearings and make investigations respecting those affairs as may appear necessary to be made in the interest of the municipality, its ratepayers, inhabitants and creditors and particularly to make and hold inquiries, hearings and investigations for the purpose of avoiding any default or recurrence of a default by any municipality in meeting its obligations;
- (j) when authorized by an agreement entered into by two or more municipalities in which the municipalities agree to be bound by the decision of the Tribunal, to hear and determine disputes in relation to the agreement; and
- (k) where water or sewage service is supplied or to be supplied by one municipality to another municipality, to hear and determine the application of either municipality to confirm, vary or fix rates charged or to be charged in connection with the water or sewage service.

Same

- (2) Clauses (1) (c) and (d) have effect despite any Act.

Voluntary application for approval of by-laws

474.10.4 A municipality may apply to the Ontario Land Tribunal for its approval of any by-law, the passing of which has been authorized by an order of the Tribunal made under section 474.10.3.

Application to Tribunal for approval of by-law authorizing borrowing

474.10.5 (1) A person may apply to the Ontario Land Tribunal for approval of a by-law of a municipality authorizing a debenture, borrowing or other debt if the person is,

- (a) the holder of the debenture or entitled to receive the debenture or the proceeds of its sale;
- (b) the person to whom the borrowing is owed by the municipality; or
- (c) the person to whom the other debt is owed by the municipality.

Tribunal may approve

- (2) The Ontario Land Tribunal may approve a by-law in respect of which an application is made under this section.

Approval to be withheld where litigation pending

474.10.6 The Ontario Land Tribunal shall not grant or issue any approval or certificate under this Part in respect of any municipal matter if there is any pending action or proceeding relating to the matter, including an application to quash any by-law of a municipality relating to the matter.

Time for certifying validity of debentures

474.10.7 (1) The Ontario Land Tribunal shall not certify the validity of any debenture issued under any by-law of a municipality until 30 days after the final passing of the by-law, unless notice of the application for certification has been otherwise published or given as directed by the Tribunal.

Exception

(2) This section does not apply to any debenture authorized under clause 474.10.3 (1) (d) or to a consolidating by-law if every by-law consolidated was finally passed at least 30 days before certification.

Validation of by-laws and debentures

474.10.8 (1) An application may be made to the Ontario Land Tribunal for approval of a municipal by-law authorizing the issue of any debentures, and of the debentures, either before the debentures are issued by the municipality or after the issue and sale of any debentures by the municipality.

Same

(2) In respect of an application made under subsection (1), the Tribunal may approve the by-law and certify the validity of the debentures despite any omission, illegality, invalidity or irregularity in the by-law or the debentures or in any proceedings relating to or incidental to them occurring before or after the final passing of the by-law or the issuing of the debentures.

No approval if by-law quashed, etc.

(3) The Tribunal shall not approve any by-law of a municipality or certify the validity of any debentures issued under a by-law if the validity of the by-law or debenture is being questioned in any pending litigation or the by-law has been set aside, quashed or declared to be invalid by any court.

Debentures to be certified

474.10.9 If the validity of a debenture is certified by the Ontario Land Tribunal, it shall bear the certificate of the Tribunal in the form approved by the Tribunal establishing that the by-law under the authority of which the debenture is issued has been approved by the Tribunal and that the debenture is issued in conformity with the approval.

Validity of certified debentures

474.10.10 Despite any Act, every by-law of a municipality approved by the Ontario Land Tribunal and every debenture issued under a by-law bearing the certificate of the Tribunal is for all purposes valid and binding on the corporation of the municipality and its ratepayers and on the property liable for any rate imposed under the by-law, and the validity of the by-law and the debenture shall not be contested or questioned in any manner.

Scope of Tribunal inquiry

474.10.11 (1) The Ontario Land Tribunal may, before approving an application by a municipality for any of the following, make inquiries into the matters described in subsection (2):

1. Approval of the exercise by a municipality of any of its powers.
2. Approval of the incurring of any debt.
3. Approval of the issue of any debentures.
4. Approval of a by-law.

Same

(2) For the purposes of subsection (1), the matters are the following:

1. The nature of the power sought to be exercised or undertaking that is proposed to be or has been proceeded with.
2. The financial position and obligations of the municipality.
3. The burden of taxation on the ratepayers.
4. Any other matter that the Tribunal considers to be relevant.

When electors' assent may be dispensed with

474.10.12 (1) This section applies if, under any Act, the assent of the electors of a municipality or of those qualified to vote on money by-laws is required before the municipality may exercise a power, incur a debt, issue a debenture or pass a by-law.

Same

(2) The Ontario Land Tribunal shall not approve the exercise of the power, incurring of the debt, issue of the debentures or the by-law until the assent has been obtained, unless the Tribunal, after due inquiry, is satisfied that the assent may under all the circumstances properly be dispensed with.

Same

(3) If the Tribunal is satisfied for the purposes of subsection (2), it may by order declare and direct that the assent of the electors or the qualified electors shall not be required to be obtained despite the provisions of the Act.

Hearing

(4) Before making any order under subsection (3) and subject to subsections (5), (6) and (7), the Tribunal shall hold a hearing for the purpose of inquiring into the merits of the matter and hearing any objections that any person may desire to bring to the attention of the Tribunal.

Notice to provide for filing of objections

(5) The Tribunal shall provide notice of the hearing as the Tribunal considers appropriate and may direct that the notice include a statement that anyone objecting to dispensing with the assent of the electors may, within the time specified by the Tribunal, file with the clerk of the municipality or, in the case of a local board, with the secretary of the local board, the objection to dispensing with the assent of the electors.

Where no objections

(6) Where notice has been given under subsection (5), the Tribunal may, when no notice of objection has been filed within the time specified in the notice, dispense with the assent of the electors without holding a hearing.

Where objections filed

(7) If one or more objections have been filed within the time specified in the notice, the Tribunal shall hold a hearing unless, under all the circumstances affecting the matter, the Tribunal considers the objection or, if more than one, all the objections to be insufficient to require a hearing.

Hearing not required where additional expenditure approved

(8) Despite subsection (4), where the Tribunal has approved an expenditure for any purpose, it may, without holding a hearing, dispense with the assent of the electors of a municipality or of those qualified to vote on money by-laws and approve additional expenditures for the same purpose not in excess of 25 per cent of the original expenditure approved.

Conditions in dispensing with vote

(9) The Tribunal, in making any order under subsection (3) dispensing with the necessity for obtaining the assent of the electors or qualified electors, may impose such terms, conditions and restrictions not only in respect of the matter in which such order is made, but as to any further or subsequent exercise of any of the powers of the municipality or incurring of any other debt or issue of any other debentures or passing of any other by-law by such municipality as may appear necessary to the Tribunal.

Limitation re undertaking debt

474.10.13 (1) Despite any Act, a municipality or board to which this subsection applies shall not authorize, exercise any of its powers to proceed with or provide money for any work or class of work if the cost or any portion of the cost of the work is to be or may be raised after the term for which the council or board was elected.

Application

(2) Subsection (1) applies to a local board, other than a board as defined in subsection 1 (1) of the *Education Act*, that is entitled to apply to the council of a municipality to have money provided by the issue of debentures of the municipality.

Matters not requiring Tribunal approval

(3) Subsection (1) does not apply to,

- (a) anything done with the approval of the Ontario Land Tribunal, if the approval is,
 - (i) provided for by another Act or by another provision of this Act, and
 - (ii) obtained in advance;
- (b) a by-law of a municipality containing a provision to the effect that it shall not come into force until the approval of the Tribunal has been obtained;
- (c) the appointment of an engineer, land surveyor or commissioner under the *Drainage Act*;
- (d) anything done by a municipality that does not cause it to exceed the limit prescribed under subsection 401 (4); or
- (e) a by-law or resolution of a local board mentioned in subsection (2) containing a provision to the effect that it shall not come into force until the approval of the municipality has been obtained.

Approval of Tribunal

(4) The approval of the Tribunal mentioned in clause (3) (a) means and, despite the decision of any court, shall be deemed always to have meant the approval of the work mentioned in subsection (1).

Definition

(5) In this section,

“work” includes any undertaking, project, scheme, act, matter or thing.

Inquiry by the Tribunal

474.10.14 On an application being made to the Ontario Land Tribunal for the approval required by section 474.10.13, the Tribunal shall proceed to deal with the application in the manner provided by and shall have regard to the matters mentioned in section 474.10.11, and may hold such hearings as may appear necessary to the Tribunal.

Tribunal may impose conditions on giving approval

474.10.15 The Ontario Land Tribunal may impose, as it considers necessary and as a condition of giving its approval as required by section 474.10.13, restrictions, limitations and conditions on the municipality with respect to the matter before the Tribunal or with respect to the current annual or future annual expenditures of the municipality for any purpose or with respect to further issues of debentures by the municipality.

PUBLIC UTILITIES

Jurisdiction and powers

474.10.16 (1) The Ontario Land Tribunal has jurisdiction and power,

- (a) to hear and determine any application with respect to any public utility, its construction, maintenance or operation by reason of the contravening of or failure to comply on the part of any person, firm, company, corporation or municipality with the requirements of any Act, or of any regulation, rule, by-law or order made under any Act, or of any agreement entered into in relation to such public utility, its construction, maintenance or operation; and
- (b) to hear and determine any application with respect to any tolls charged by any person, firm, company, corporation or municipality operating a public utility in excess of those approved or prescribed by lawful authority, or which are otherwise unlawful.

Jurisdiction over receivers, liquidators, etc.

(2) A manager or other official or the liquidator or receiver of a public utility shall manage, operate or liquidate the public utility in accordance with the orders and directions of the Tribunal.

Same

(3) The fact that the person is managing or operating or liquidating the public utility under the authority of a court is not a bar to the exercise by the Tribunal of any jurisdiction or power conferred by this Part.

Municipal Affairs Act

65 (1) The following provisions of the *Municipal Affairs Act* are amended by striking out “Board” wherever it appears and substituting in each case “Tribunal”:

1. Sections 20 to 25.
2. Sections 28 and 29.
3. Subsections 30 (1), (3), (4) and (5).
4. Section 31.
5. Subsections 39 (5) and (6), except in “Assessment Review Board” wherever it appears.
6. Section 41.
7. Subsections 42 (1), (2), (3) and (4).
8. Sections 43 to 49.
9. Subsection 51 (4).
10. Sections 52 to 54.

(2) The definition of “Board” in section 1 of the Act is repealed.

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

“Tribunal” means the Ontario Land Tribunal; (“Tribunal”)

Municipal Arbitrations Act

66 Subsections 15 (1) and (2) of the *Municipal Arbitrations Act* are repealed and the following substituted:

Ontario Land Tribunal as sole arbitrator

(1) Despite this Act, a municipality may designate the Ontario Land Tribunal as sole arbitrator for the municipality with all the powers and duties of an official arbitrator.

Proceedings before the Tribunal

(2) Subject to subsection (3), the *Ontario Land Tribunal Act, 2021* applies to proceedings before the Tribunal under this Act.

Municipal Corporations Quieting Orders Act

67 (1) The following provisions of the *Municipal Corporations Quieting Orders Act* are amended by striking out “Board” wherever it appears and substituting in each case “Tribunal”:

1. Subsection 2 (1).
2. Sections 4 and 5.
3. Clause 6 (a).
4. Section 8.

(2) The definition of “Board” in section 1 of the Act is repealed.

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

“Tribunal” means the Ontario Land Tribunal. (“Tribunal”)

(4) Subsection 3 (1) of the Act is amended by striking out “Board” and substituting “Tribunal”.

(5) Subsection 3 (3) of the Act is amended by striking out “the secretary of the Board” and substituting “the Tribunal”.

(6) Clause 6 (d) of the Act is amended by striking out “Board” and substituting “Tribunal”.

(7) Clause 7 (b) of the Act is amended by striking out “Board” and substituting “Tribunal”.

Municipal Elections Act, 1996

68 Subsection 29 (5) of the *Municipal Elections Act, 1996* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Municipal Water and Sewage Transfer Act, 1997

69 Subsection 6 (4) of the *Municipal Water and Sewage Transfer Act, 1997* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Nutrient Management Act, 2002

70 The definition of “Tribunal” in section 2 of the *Nutrient Management Act, 2002* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

Oak Ridges Moraine Conservation Act, 2001

71 (1) The following provisions of the *Oak Ridges Moraine Conservation Act, 2001* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Subsection 7 (1).
2. Subsection 15 (2).
3. Subsections 18 (5) and (8).

(2) Clause 15 (5) (i) of the Act is amended,

- (a) by striking out “referred to the Ontario Municipal Board” and substituting “referred to the Ontario Land Tribunal”; and
- (b) by striking out “on the day the Ontario Municipal Board makes a decision” and substituting “on the day the Ontario Land Tribunal makes a decision”.

(3) Subsection 18 (1) of the Act is repealed and the following substituted:

Minister’s orders and notices re appealed matters

(1) If a matter relating to land to which the Oak Ridges Moraine Conservation Plan applies is appealed to the Ontario Land Tribunal, the Minister may do one or both of the following:

1. Amend the relevant official plan or zoning by-law with respect to the matter, by order.
2. Notify the Tribunal that its consideration of the matter should be deferred.

(4) Subsection 18 (2) of the Act is amended by striking out “Board” and substituting “Ontario Land Tribunal”.

Oil, Gas and Salt Resources Act

72 The definition of “Tribunal” in subsection 1 (1) of the *Oil, Gas and Salt Resources Act* is repealed and the following substituted:

“Tribunal” means the Ontario Land Tribunal; (“Tribunal”)

Ontario Energy Board Act, 1998

73 (1) Section 22 of the *Ontario Energy Board Act, 1998* is repealed.

(2) Section 100 of the Act is repealed and the following substituted:

Determination of compensation

100 If compensation for damages is provided for in this Part and is not agreed on, the compensation shall be determined by the Ontario Land Tribunal under the *Expropriations Act* and, for the purpose, sections 26 and 29 of that Act apply with necessary modifications.

Ontario Heritage Act

74 (1) The following provisions of the *Ontario Heritage Act* are amended by striking out “Review Board” wherever it appears and substituting in each case “Tribunal”:

1. Subsections 34.6 (6), (7), (8), (11), (13), (14), (15), (17) and (18).
2. Subsections 34.9 (5), (6) and (7).
3. Subsections 49 (2), (3), (4), (5), (8), (9) and (12).
4. Subsection 50 (2).
5. Subsections 52 (6), (7), (11), (12), (14) and (15).
6. Subsections 55 (4), (5), (6), (9), (10) and (12).
7. Subsections 58 (2), (3), (4), (5), (8) and (10).
8. Clause 59 (2) (b).

(2) The following provisions of the Act are amended by striking out “the fee charged under the *Local Planning Appeal Tribunal Act, 2017*” wherever it appears and substituting in each case “the fee charged by the Tribunal”:

1. Subsections 29 (8), (11) and (16), as re-enacted or enacted, as the case may be, by subsection 7 (6) of Schedule 11 to the *More Homes, More Choice Act, 2019*.
2. Subsections 30.1 (9) and (10), as re-enacted by subsection 8 (2) of Schedule 11 to the *More Homes, More Choice Act, 2019*.
3. Subsections 31 (8) and (9).
4. Subsections 32 (5), (7), (8) and (13), as re-enacted or enacted, as the case may be, by section 10 of Schedule 11 to the *More Homes, More Choice Act, 2019*.
5. Subsections 33 (9) and (12), as re-enacted by section 11 of Schedule 11 to the *More Homes, More Choice Act, 2019*.
6. Subsection 34.1 (3).
7. Subsections 34.1 (3) and (6), as re-enacted by subsection 13 (2) of Schedule 11 to the *More Homes, More Choice Act, 2019*.
8. Subsection 40.1 (4).
9. Subsections 41 (4) and (8).

(3) The definition of “Review Board” in section 1 of the Act is repealed.

(4) The definition of “Tribunal” in section 1 of the Act is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

(5) Part III of the Act is repealed.

(6) Subsections 34.6 (9), (10) and (12) of the Act are repealed.

(7) Subsection 49 (6) of the Act is repealed.

(8) Subsection 52 (8) of the Act is amended by striking out “A hearing under subsection (7) shall be held at such place in the municipality in which the property is situate as the Review Board may determine, and notice of such hearing” at the beginning and substituting “Notice of a hearing under subsection (7)”.

(9) Subsection 52 (9) of the Act is repealed.

(10) Subsection 55 (7) of the Act is repealed.

(11) Subsection 58 (6) of the Act is amended by striking out “A hearing under subsection (5) shall be held at such place in the municipality in which the property is situate as the Review Board may determine and notice of such hearing” at the beginning and substituting “Notice of a hearing under subsection (5)”.

(12) Subsection 62 (2) of the Act is amended by striking out “the negotiation, payment and fixing of compensation” and substituting “the determination of compensation”.

(13) Section 63 of the Act is amended by striking out “the negotiation, payment and fixing of compensation” and substituting “the determination of compensation”.

(14) Section 67.1 of the Act is repealed.

(15) Section 68.2 of the Act is repealed and the following substituted:

Non-application

68.2 Section 21.2 of the *Statutory Powers Procedure Act* and sections 23 and 24 of the *Ontario Land Tribunal Act, 2021* do not apply to a decision or order made by the Tribunal under this Act.

(16) Subsection 68.3 (1) of the Act is amended by striking out “the Minister, Review Board or Tribunal” and substituting “the Minister or Tribunal”.

Ontario Northland Transportation Commission Act

75 (1) Subsection 24 (4) of the *Ontario Northland Transportation Commission Act* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

(2) Subsection 34 (5) of the Act is repealed.

(3) The Act is amended by adding the following section:

Determination of matters by Ontario Land Tribunal

43 (1) The Ontario Land Tribunal has jurisdiction and power,

- (a) to hear and determine any application with respect to a railway, its construction, maintenance or operation by reason of the contravening of or failure to comply on the part of the Commission or any other person or entity with the requirements of any Act, or of any regulation, rule, by-law or order made under any Act, or of any agreement entered into in relation to a railway, its construction, maintenance or operation; and
- (b) to hear and determine any application with respect to any tolls charged in respect of a railway by the Commission in excess of those approved or prescribed by lawful authority, or which are otherwise unlawful.

Receivers, liquidators, etc.

(2) A manager or other official or the liquidator or receiver of a railway shall manage, operate or liquidate the railway in accordance with the orders and directions of the Tribunal.

Same

(3) The fact that the person is managing or operating or liquidating the railway under the authority of a court is not a bar to the exercise by the Tribunal of any jurisdiction or power conferred by this section.

Definition

(4) In this section,

“railway” means a railway that the Commission is authorized to construct or operate, and includes,

- (a) all associated branches, sidings, stations, depots, wharves, rolling stock, equipment, stores, real or personal property and works, and
- (b) any railway bridge, tunnel or other structure that the Commission is authorized to construct.

Ontario Planning and Development Act, 1994

76 (1) The following provisions of the *Ontario Planning and Development Act, 1994* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Clause 7 (4) (b).
2. Clause 8 (1) (b).
3. Subsection 10 (1).
4. Section 11.

(2) Subsection 6 (3.1) of the Act is repealed and the following substituted:

Consolidated hearing

(3.1) Despite section 21 of the *Ontario Land Tribunal Act, 2021*, the proponent of an undertaking, as those terms are defined in that section, shall not give notice to the Ontario Land Tribunal in respect of an application under subsection (1) unless the Minister has appointed a hearing officer under clause 7 (4) (a) or 8 (1) (a) or referred the matter to the Tribunal under clause 7 (4) (b) or 8 (1) (b).

Ontario Water Resources Act

77 (1) The following provisions of the *Ontario Water Resources Act* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”:

1. Subsections 54 (5), (11) and (12).
2. Subsections 55 (4) and (5).
3. Section 57.
4. Subsection 62 (2).
5. Subsection 63 (5).
6. Subsections 74 (11) and (13).

(2) The definition of “Tribunal” in subsection 1 (1) of the Act is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

(3) Subsections 7 (5) to (9) of the Act are repealed.

(4) Section 9.1 of the Act is repealed.

(5) Subsection 54 (8) of the Act is repealed and the following substituted:

Application by municipality

(8) Where a municipality in or into which sewage works are established or extended is unable to make an agreement under subsection (7), the Ontario Land Tribunal, on an application authorized by by-law of its council, may confer the right to make use of the sewage works on the applicant municipality and those of its inhabitants whose properties may be conveniently served by the sewage works, and prescribe the terms and conditions of such use.

(6) Subsection 74 (11) of the Act is amended by striking out “the *Local Planning Appeal Tribunal Act, 2017*” and substituting “the *Ontario Land Tribunal Act, 2021*”.

Pesticides Act

78 The definition of “Tribunal” in subsection 1 (1) of the *Pesticides Act* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

Places to Grow Act, 2005

79 Subsection 14 (1) of the *Places to Grow Act, 2005* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Planning Act

80 (1) The following provisions of the *Planning Act* are amended by striking out “the fee charged under the *Local Planning Appeal Tribunal Act, 2017*” wherever it appears and substituting in each case “the fee charged by the Tribunal”:

1. Clauses 17 (25) (c), (29) (b), (37) (c), (41) (b) and (42) (b) and paragraph 4 of subsection 17 (45).
2. Clause 22 (8) (b).
3. Subsections 34 (11) and (19) and paragraph 4 of subsection 34 (25).
4. Subsections 41 (12) and (12.0.1).
5. Clause 45 (17) (c).
6. Subsections 51 (34), (39), (43), (48) and clause 51 (53) (d).
7. Subsections 53 (14), (19), (27) and clause 53 (31) (d).

(2) The definition of “Tribunal” in subsection 1 (1) of the Act is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

(3) Subsection 22 (7.0.1) of the Act is repealed and the following substituted:

Consolidated hearing

(7.0.1) Despite section 21 of the *Ontario Land Tribunal Act, 2021*, the proponent of an undertaking, as those terms are defined in that section, shall not give notice to the Tribunal in respect of an amendment requested under subsection (1) or (2) unless,

- (a) one of the conditions set out in subsection (7.0.2) is met;
- (b) if the plan is exempt from approval, the requested amendment has been adopted under subsection 17 (22);
- (c) the approval authority makes a decision under subsection 17 (34); or
- (d) the time period referred to in subsection 17 (40) has expired.

(4) Subsection 34 (11.0.1) of the Act is repealed and the following substituted:

Consolidated hearing

(11.0.1) Despite section 21 of the *Ontario Land Tribunal Act, 2021*, the proponent of an undertaking, as those terms are defined in that section, shall not give notice to the Tribunal in respect of an application for an amendment to a by-law unless the council has made a decision on the application or the time period referred to in subsection (11) has expired.

(5) Subsection 45 (12) of the Act is amended by striking out “under the *Local Planning Appeal Tribunal Act, 2017*”.

(6) Subsection 47 (8.0.1) of the Act is repealed and the following substituted:

Consolidated hearing

(8.0.1) Despite section 21 of the *Ontario Land Tribunal Act, 2021*, the proponent of an undertaking, as those terms are defined in that section, shall not give notice to the Tribunal in respect of a request under subsection (8) unless the Minister has referred the request to the Tribunal under subsection (10).

(7) Subsection 51 (34.1) of the Act is repealed and the following substituted:

Consolidated hearing

(34.1) Despite section 21 of the *Ontario Land Tribunal Act, 2021*, the proponent of an undertaking, as those terms are defined in that section, shall not give notice to the Tribunal in respect of an application for approval of a draft plan of subdivision unless the approval authority has given or refused to give approval to the draft plan of subdivision or the time period referred to in subsection (34) has expired.

(8) Subsection 53 (14.1) of the Act is repealed and the following substituted:

Consolidated hearing

(14.1) Despite section 21 of the *Ontario Land Tribunal Act, 2021*, the proponent of an undertaking, as those terms are defined in that section, shall not give notice to the Tribunal in respect of an application requested under subsection (1) unless the council or the Minister has given or refused to give a provisional consent or the time period referred to in subsection (14) has expired.

(9) Clauses 70.8 (3) (f) and (g) of the Act are repealed.

(10) Clause 70.10 (3) (d) of the Act is repealed.

Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

81 (1) Section 13 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* is repealed.

(2) Section 14 of Schedule 6 to the Act is repealed.

Public Service Works on Highways Act

82 (1) Subsection 2 (5) of the *Public Service Works on Highways Act* is amended by striking out “Local Planning Appeal Tribunal” at the end and substituting “Ontario Land Tribunal”.

(2) Section 3 of the Act is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

Public Transportation and Highway Improvement Act

83 (1) The definition of “Tribunal” in section 1 of the *Public Transportation and Highway Improvement Act* is amended by striking out “Local Planning Appeal Tribunal” and substituting “Ontario Land Tribunal”.

(2) Subsection 14 (2) of the Act is amended by striking out “the *Local Planning Appeal Tribunal Act, 2017*, except section 37, applies” and substituting “the *Ontario Land Tribunal Act, 2021*, except section 24, applies”.

Public Utilities Act

84 (1) Subsection 56 (1) of the *Public Utilities Act* is amended by striking out “Ontario Municipal Board” at the end and substituting “Ontario Land Tribunal”.

(2) Subsections 56 (2) and (3) of the Act are amended by striking out “Board” wherever it appears and substituting in each case “Tribunal”.

Registry Act

85 (1) Subsections 18 (4) and (5) of the *Registry Act* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(2) Section 68 of the Act is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Resource Recovery and Circular Economy Act, 2016

86 (1) The definition of “Tribunal” in section 1 of the *Resource Recovery and Circular Economy Act, 2016* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

(2) Subsection 20 (1) of the Act is repealed and the following substituted:

Minister’s declaration

(1) If the Minister is of the opinion that the provincial interest described in section 2 is or is likely to be adversely affected by the outcome of a proceeding before the Tribunal under this Act or any other Act, including a proceeding under section 21 of the *Ontario Land Tribunal Act, 2021*, the Minister may declare his or her opinion in writing to the Tribunal.

(3) Subsections 20 (4), (5) and (6) of the Act are amended by striking out “or board” and “or board’s” wherever they appear.

(4) Clause 20 (7) (b) of the Act is repealed and the following substituted:

(b) to a proceeding before the Tribunal under section 21 of the *Ontario Land Tribunal Act, 2021* to which the Minister is a party.

Retail Business Holidays Act

87 (1) Subsections 4.3 (1) and (4) of the *Retail Business Holidays Act* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(2) Subsection 4.3 (7) of the Act is repealed and the following substituted:

Non-application

(7) Section 23 of the *Ontario Land Tribunal Act, 2021* does not apply to an appeal under this section.

Safe Drinking Water Act, 2002

88 (1) The definition of “Tribunal” in subsection 2 (1) of the *Safe Drinking Water Act, 2002* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

(2) Subsection 114 (15) of the Act is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

Shortline Railways Act, 1995

89 (1) Subsections 8 (2) and (4) of the *Shortline Railways Act, 1995* are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(2) Subsection 8 (5) of the Act is amended by striking out “One member of the Local Planning Appeal Tribunal” at the beginning and substituting “The Ontario Land Tribunal”.

(3) Subsections 8 (7) and (8) of the Act are amended by striking out “Local Planning Appeal Tribunal” wherever it appears and substituting in each case “Ontario Land Tribunal”.

(4) Section 9 of the Act is repealed and the following substituted:

Non-application

9 Sections 5.1 and 21.2 of the *Statutory Powers Procedure Act* and sections 23 and 24 of the *Ontario Land Tribunal Act, 2021* do not apply to any hearing under this Act.

SkyDome Act (Bus Parking), 2002

90 Subsection 3 (2) of the *SkyDome Act (Bus Parking), 2002* is amended by striking out “Ontario Municipal Board” in the portion before clause (a) and substituting “Ontario Land Tribunal”.

Statutory Powers Procedure Act

91 Subsection 9.1 (2) of the *Statutory Powers Procedure Act* is amended by striking out “to which the *Consolidated Hearings Act* applies” at the end and substituting “held under section 21 of the *Ontario Land Tribunal Act, 2021*”.

St. Lawrence Parks Commission Act

92 Subsection 10 (2) of the *St. Lawrence Parks Commission Act* is amended by striking out “Ontario Municipal Board” at the end and substituting “Ontario Land Tribunal”.

Toronto District Heating Corporation Act, 1998

93 Subsection 9 (2) of the *Toronto District Heating Corporation Act, 1998* is amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

Town of Haldimand Act, 1999

94 Subsections 13.6 (4), (5) and (6) of the *Town of Haldimand Act, 1999* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

Town of Moosonee Act, 2000

95 (1) Subsection 5 (1) of the *Town of Moosonee Act, 2000* is amended by striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”.

(2) Subsection 5 (2) of the Act is amended by striking out “Board” and substituting “Tribunal”.

Town of Norfolk Act, 1999

96 Subsections 13.6 (4), (5) and (6) of the *Town of Norfolk Act, 1999* are amended by striking out “Ontario Municipal Board” wherever it appears and substituting in each case “Ontario Land Tribunal”.

Toxics Reduction Act, 2009

97 The definition of “Tribunal” in section 2 of the *Toxics Reduction Act, 2009* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

Trustee Act

98 Section 19 of the *Trustee Act* is amended by,

- (a) striking out “Ontario Municipal Board” and substituting “Ontario Land Tribunal”; and
- (b) striking out “Board” and substituting “Tribunal”.

Waste Diversion Transition Act, 2016

99 The definition of “Tribunal” in section 2 of the *Waste Diversion Transition Act, 2016* is amended by striking out “Environmental Review Tribunal” and substituting “Ontario Land Tribunal”.

PART VI
COMMENCEMENT AND SHORT TITLE

Commencement

100 (1) Subject to subsections (2) to (9), the Act set out in this Schedule comes into force on the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(2) Sections 1 to 99, other than the provisions referred to in subsections (3) to (9), come into force on a day to be named by proclamation of the Lieutenant Governor.

(3) Subsection 39 (1) comes into force on the later of the day section 2 of this Schedule comes into force and the day section 10 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force.

(4) Subsection 39 (5) comes into force on the later of the day section 2 of this Schedule comes into force and the day section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force.

(5) Subsection 39 (13) comes into force on the later of the day section 2 of this Schedule comes into force and the day subsection 16 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force.

(6) Subsection 39 (14) comes into force on the later of the day section 2 of this Schedule comes into force and the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force.

(7) Subsection 39 (15) comes into force on the later of the day section 2 of this Schedule comes into force and the day subsection 18 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force.

(8) Subsection 39 (16) comes into force on the later of the day section 2 of this Schedule comes into force and the day subsection 25 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force.

(9) Subsection 44 (2) comes into force on the later of the day section 2 of this Schedule comes into force and the day section 29 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

Short title

101 The short title of the Act set out in this Schedule is the *Ontario Land Tribunal Act, 2021*.

**SCHEDULE 7
PUBLIC ACCOUNTING ACT, 2004**

1 Section 1 of the *Public Accounting Act, 2004* is repealed and the following substituted:

Definitions

1 In this Act,

“CPA Ontario” means the Chartered Professional Accountants of Ontario continued under subsection 4 (1) of the *Chartered Professional Accountants of Ontario Act, 2017*; (“Ordre”)

“CPA Ontario by-laws” means the by-laws and any other instruments made by CPA Ontario’s council under section 65 of the *Chartered Professional Accountants of Ontario Act, 2017*; (“règlements administratifs de l’Ordre”)

“Minister” means the Attorney General or such other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“prescribed” means prescribed by the regulations made under this Act; (“prescrit”)

“professional corporation” means a corporation incorporated under the *Business Corporations Act*; (“société professionnelle”)

“public accountant” means a person who either alone or in partnership or through a professional corporation practises public accounting or offers to practise public accounting; (“expert-comptable”)

“public accounting standards” means the public accounting standards established and maintained by CPA Ontario’s council under section 19. (“normes d’expertise comptable”).

2 Sections 4 to 10 of the Act are repealed and the following substituted:

Mandatory CPA Ontario membership

4 (1) To be eligible to be licensed under this Act, a person must be a member of CPA Ontario.

Loss of licence on ceasing to be a member

(2) A person’s licence under this Act is revoked on the day the person ceases to be a member of CPA Ontario.

Licensing

5 A person is entitled to be licensed as a public accountant under this Act if the person,

- (a) is a member of CPA Ontario;
- (b) applies in the manner set out under the CPA Ontario by-laws and pays the fees established by CPA Ontario; and
- (c) meets the requirements set out under the CPA Ontario by-laws.

Licensing of persons from other jurisdictions

6 (1) CPA Ontario may license any person from another jurisdiction who is permitted to practise as a public accountant in that jurisdiction to practise as a public accountant in Ontario if the person,

- (a) is a member of CPA Ontario;
- (b) applies in the manner set out under the CPA Ontario by-laws and pays the fees established by CPA Ontario; and
- (c) meets the requirements set out under the CPA Ontario by-laws.

Same, period of licence

(2) In exercising its discretion under subsection (1), CPA Ontario may issue to the person either,

- (a) a temporary licence for a specified period; or
- (b) a licence for the same period as a licence issued under section 5.

Terms, conditions

(3) A temporary licence or licence issued under this section is subject to such terms and conditions as CPA Ontario may specify.

Renewal of licence

7 (1) A person who is licensed under this Act is entitled to have the licence renewed if the person,

- (a) applies in the manner set out under the CPA Ontario by-laws and pays the fees established by CPA Ontario; and
- (b) meets the requirements set out under the CPA Ontario by-laws.

Non-application

(2) Subsection (1) does not apply with respect to temporary licences.

Period of licence

8 (1) Every licence that is issued or renewed under this Act is effective as of the date on which it is issued or renewed and, unless revoked, expires on the date set out under the CPA Ontario by-laws.

Date of issuance or renewal and expiry

(2) A licence shall bear the date on which it is issued or renewed and the date on which it expires.

Revocation of licence

9 (1) CPA Ontario may revoke a licence in the circumstances and in the manner set out under the CPA Ontario by-laws.

Issuance of new licence

(2) CPA Ontario may, in accordance with the procedures set out under the CPA Ontario by-laws, issue a new licence to a person whose licence is revoked, if the person meets the requirements set out under the CPA Ontario by-laws.

Fees

10 CPA Ontario may establish fees payable to it in respect of licensing under this Act.

3 Subsection 11 (2) of the Act is amended by striking out “A designated body” at the beginning and substituting “CPA Ontario”.

4 (1) Clauses 13 (1) (b) and (c) of the Act are repealed and the following substituted:

- (b) take or use the name or title of “Public Accountant” or “expert-comptable”, or their equivalent in any other language;
- (c) take or use the designation “Licensed Public Accountant”, “expert-comptable autorisé” or the initials “LPA” or “ECA”, or any of their equivalents in any other language, whether alone or combined or intermixed in any manner with any other words or initials;
- (d) take or use any term, title, initials, designation or description implying that the individual is licensed as a public accountant; or
- (e) otherwise hold themselves out as being licenced as a public accountant.

(2) Clauses 13 (2) (b) and (c) of the Act are repealed and the following substituted:

- (b) take or use the name or title of “Public Accountant” or “expert-comptable”, or their equivalent in any other language;
- (c) take or use the designation “Licensed Public Accountant”, “expert-comptable autorisé” or the initials “LPA” or “ECA”, or their equivalents in any other language, whether alone or combined or intermixed in any manner with any other words or initials;
- (d) take or use any term, title, initials, designation or description implying that the corporation is authorized to carry on practice as a public accountant; or
- (e) otherwise hold itself out as authorized to carry on practice as a public accountant.

(3) Clause 13 (5) (a) of the Act is repealed and the following substituted:

- (a) notice of the revocation or suspension had not been given as required by the CPA Ontario by-laws;

(4) Clause 13 (6) (a) of the Act is repealed and the following substituted:

- (a) notice of the revocation or suspension had not been given as required by the CPA Ontario by-laws;

5 Subsection 14 (1) of the Act is amended by striking out “either orally or in writing” at the end and substituting “either orally or in writing, and including by electronic means”.

6 Subsection 16 (1) of the Act is amended by striking out “to the Council” and substituting “to CPA Ontario”.

7 Section 17.1 of the Act is repealed.

8 The heading before section 18 of the Act and sections 18 to 36 of the Act are repealed and the following substituted:

REGULATION OF PUBLIC ACCOUNTING

Power and duties of CPA Ontario**Duties**

18 (1) CPA Ontario shall undertake the regulation of public accounting in the public interest by,

- (a) licensing and governing the activities of its members as public accountants in accordance with this Act and the regulations made under it, the *Chartered Professional Accountants of Ontario Act, 2017* and the CPA Ontario by-laws;
- (b) establishing and maintaining public accounting standards under section 19, including raising the standards as required;
- (c) ensuring that the CPA Ontario by-laws meet or exceed the public accounting standards; and
- (d) maintaining public confidence in public accounting through the appropriate prosecution of offences under this Act.

Powers

- (2) For the purposes of subsection (1), CPA Ontario may,
 - (a) consider matters of common interest and concern to public accountants, and submit representations to any ministry or public body with reference to any such matters;
 - (b) conduct and encourage, whether by means of financial assistance or otherwise, research in the practice of public accounting; and
 - (c) deal with any prescribed matter.

Public accounting standards

19 (1) CPA Ontario's council shall establish and maintain public accounting standards in accordance with this section.

Same

(2) The public accounting standards shall reflect the public interest in the delivery of superior-quality public accounting services, and be no less rigorous than the standards made under this section as they existed immediately before section 8 of Schedule 7 to the *Accelerating Access to Justice Act, 2021* came into force.

Same

- (3) The public accounting standards shall include standards relating to,
 - (a) post-secondary education requirements that are necessary for a public accounting training program, including requirements in respect of courses that are relevant to public accounting;
 - (b) pre-licensing education and study requirements that are supplementary to the post-secondary education requirements;
 - (c) pre-licensing experience requirements;
 - (d) examinations used for licensing public accountants;
 - (e) requirements for post-licensing professional experience;
 - (f) mandatory continuing professional development;
 - (g) practice inspections of public accountants;
 - (h) requirements on the use of generally accepted accounting principles and generally accepted assurance standards;
 - (i) rules of professional conduct;
 - (j) discipline procedures, including rights to a hearing and rights of appeal;
 - (k) rules governing issuing a new licence to a former licensee;
 - (l) rules governing the licensing of persons who are permitted to practise as public accountants in other jurisdictions;
 - (m) mandatory professional liability insurance; and
 - (n) any prescribed matter.

Prior approval by Minister

(4) Before adopting or modifying a public accounting standard, CPA Ontario's council shall submit it to the Minister.

Same

(5) A public accounting standard submitted to the Minister may only be adopted or modified if the Minister does not, within 45 days of its submission, provide to CPA Ontario's council a written objection to the adoption or modification.

Publication

(6) CPA Ontario's council shall make the public accounting standards publicly accessible by publishing them on its website or otherwise making them available in electronic format.

Transition

(7) The standards made under this section as they existed immediately before section 8 of Schedule 7 to the *Accelerating Access to Justice Act, 2021* came into force continue to apply, subject to the modifications specified in subsection (8) and any other necessary modifications, as public accounting standards for the purposes of this Act until they are replaced by CPA Ontario's council.

Same

(8) For the purposes of subsection (7),

- (a) references in the standards to The Public Accountants Council for the Province of Ontario shall be read as references to CPA Ontario;
- (b) references in the standards to a designated body or to an authorized designated body shall be read as references to CPA Ontario; and
- (c) despite clauses (a) and (b), any provision or other portion of the standards that is contrary or inconsistent with the amendments made to this Act by Schedule 7 to the *Accelerating Access to Justice Act, 2021* does not continue to apply, or continues only with such modifications as the context requires.

Annual report

20 (1) No later than 120 days after the end of each financial year, CPA Ontario shall forward to the Minister a copy of an annual report for that year containing the following information:

1. A report on the licensing of public accountants, including the number of licences granted, suspended, revoked and reinstated in that year, and the imposition of any restrictions on licenses in that year.
2. A summary of any public accounting standards adopted or modified in that year.

Same

(2) CPA Ontario shall make its annual report publicly accessible by publishing it on its website and by making it available as a document or in any other format, on request and at cost, to members of the public.

Roll of Public Accountants

21 (1) CPA Ontario shall maintain and publish a roll to be called "The Roll of Public Accountants in Ontario" in English and "Tableau des experts-comptables de l'Ontario" in French.

Form and contents

(2) The Roll shall be maintained in the form set out under the CPA Ontario by-laws, and shall contain the information set out under the CPA Ontario by-laws.

Roll to be available to the public

(3) CPA Ontario shall ensure that the Roll is publicly available.

Review of public complaints

22 (1) If a member of the public makes a complaint about the conduct of a public accountant to CPA Ontario and has exhausted CPA Ontario's internal procedures for the handling of the complaint but remains unsatisfied with the manner in which the complaint was handled, the member of the public may, in the circumstances set out under the CPA Ontario by-laws, make a request in accordance with the procedures set out under the CPA Ontario by-laws that CPA Ontario's handling of the complaint be reviewed by the person or body specified in the CPA Ontario by-laws.

Same, reviewer

(2) The person or body specified for the purposes of subsection (1) shall not be or include an employee of CPA Ontario, a member of CPA Ontario's council, or a member of any committee established by CPA Ontario's council.

Recommendation

(3) After conducting a review, the person or body specified for the purposes of subsection (1) may recommend to CPA Ontario that it investigate the complaint more fully.

9 Subsection 37 (1) of the Act is amended by striking out "or under the *Public Accountancy Act*".

10 Section 38 of the Act is repealed.

11 Sections 39 and 40 of the Act are repealed and the following substituted:

Giving of documents

39 Any notice or document required to be given under this Act may be given by a manner for giving notice set out under the CPA Ontario by-laws.

12 The heading before section 41 of the Act and sections 41 and 42 of the Act are repealed and the following substituted:

Dissolution of The Public Accountants Council

41 (1) The Public Accountants Council for the Province of Ontario is dissolved and all its assets, liabilities, rights and obligations are hereby transferred to and vested in CPA Ontario.

Proceedings

(2) Proceedings by or against The Public Accountants Council for the Province of Ontario that are not finally determined before its dissolution shall be continued by or against CPA Ontario.

Protection from liability

(3) Section 40, as it read before its repeal by section 11 of Schedule 7 to the *Accelerating Access to Justice Act, 2021*, continues to apply with respect to the persons and matters to which it applied immediately before that date.

Regulations

42 The Lieutenant Governor in Council may make regulations respecting and governing any matter that this Act describes as being prescribed.

Chartered Professional Accountants of Ontario Act, 2017

13 (1) Section 5 of the *Chartered Professional Accountants of Ontario Act, 2017* is amended by adding the following clause:

(0.a) to exercise the powers and perform the duties assigned to it under this Act and the *Public Accounting Act, 2004*;

(2) Clauses 5 (c) and (d) of the Act are repealed and the following substituted:

(c) to meet and maintain the public accounting standards established by CPA Ontario under the *Public Accounting Act, 2004*;

(d) to promote and protect the public interest by licensing members of CPA Ontario as public accountants and regulating those members and professional corporations as public accountants under the *Public Accounting Act, 2004*, in accordance with that Act, this Act and the by-laws; and

(3) Paragraphs 1 to 3 of subsection 65 (3) of the Act are repealed and the following substituted:

1. Governing any matter that, under the *Public Accounting Act, 2004*, may or must be dealt with by the by-laws made under this section.

2. Governing matters relating to the licensing and governance of members of CPA Ontario as public accountants under the *Public Accounting Act, 2004*.

3. Governing matters relating to the practice, through a professional corporation, of public accounting by members of CPA Ontario who are licensed under the *Public Accounting Act, 2004* as public accountants.

(4) Subsection 65 (4) of the Act is repealed and the following substituted:

Subdelegation, other instruments

(4) A by-law made under this section may provide that a by-law-making authority of the council may be exercised by it through the making of an instrument that is not a by-law.

Same

(4.1) A reference in this Act to the by-laws shall be read as including a reference to instruments made under the authority of the by-laws, except in subsections 68 (2), (3) and (4).

Ontario Labour Mobility Act, 2009

14 Section 4 of the *Ontario Labour Mobility Act, 2009* is repealed.

Not-for-Profit Corporations Act, 2010

15 If, on the day this section comes into force, section 239 of the *Not-for-Profit Corporations Act, 2010* is not yet in force, section 239 of the *Not-for-Profit Corporations Act, 2010* is repealed.

Commencement

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

**SCHEDULE 8
SUBSTITUTE DECISIONS ACT, 1992**

1 (1) The *Substitute Decisions Act, 1992* is amended by adding the following section immediately before Part I:

Remote witnessing of powers of attorney

3.1 (1) In this section,

“audio-visual communication technology” means any electronic method of communication in which participants are able to see, hear and communicate with one another in real time.

Permitted use of audio-visual communication technology

(2) A requirement under this Act that witnesses be present for the execution of a power of attorney may be satisfied through the use of audio-visual communication technology, if at least one person who is acting as a witness is a licensee within the meaning of the *Law Society Act* at the time of the execution.

Same, signing

(3) If a power of attorney is executed through the use of audio-visual communication technology as authorized by subsection (2), the signatures required by this Act may be made by signing complete, identical copies of the power of attorney in counterpart, which shall together constitute the power of attorney.

Same

(4) For the purposes of subsection (3), copies of a power of attorney are identical even if there are minor, non-substantive differences in format or layout between the copies.

(2) Subsections 3.1 (1), (2) and (3), as enacted by subsection (1), are repealed and the following substituted:

Remote witnessing of powers of attorney

(1) In this section,

“audio-visual communication technology” means any electronic method of communication which allows participants to see, hear and communicate with one another in real time.

Permitted use of audio-visual communication technology

(2) A requirement under this Act that a power of attorney be executed in the presence of witnesses may be satisfied through the use of audio-visual communication technology, if,

- (a) at least one person who is acting as a witness is a licensee within the meaning of the *Law Society Act* at the time;
- (b) the signatures required by this Act are contemporaneously made; and
- (c) the prescribed requirements, if any, are met.

Counterpart signing

(3) For the purposes of clause (2) (b), the signatures required by this Act may, subject to any prescribed requirements, be made by signing complete, identical copies of the power of attorney in counterpart, which shall together constitute the power of attorney.

(3) Section 3.1 of the Act, as enacted by subsection (1), is amended by adding the following subsection:

Revocation

(5) For greater certainty, this section applies with necessary modifications with respect to the revocation of a power of attorney under this Act.

2 (1) Clause 83 (1) (i) of the Act is repealed and the following substituted:

- (i) any other prescribed person, entity or class of person or entity.

(2) Paragraph 3 of subsection 83 (4) of the Act is amended by striking out “the person who has custody or control” and substituting “the person or entity that has custody or control”.

(3) Paragraphs 5 and 6 of subsection 83 (4) of the Act are amended by striking out “the person who has custody or control” wherever it appears and substituting in each case “the person or entity that has custody or control”.

3 (1) Clause 90 (1) (e.6) of the Act is repealed and the following substituted:

(e.6) prescribing persons, entities or classes of persons or entities from whom the Public Guardian and Trustee may obtain access to records under clause 83 (1) (i);

(2) Section 90 of the Act is amended by adding the following subsection:

Minister's regulations

(2.1) The Minister responsible for the administration of this Act may make regulations providing for requirements that must be met under subsection 3.1 (2) or (3).

(3) Subsection 90 (3) of the Act is amended by striking out “under subsection (1)” and substituting “under this section”.

4 The Schedule to the Act is amended by striking out “*General Welfare Assistance Act*”.

Commencement

5 (1) Subject to subsections (2) and (3), this Schedule comes into force on the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(2) Subsection 1 (1) is deemed to have come into force on April 7, 2020.

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

**SCHEDULE 9
SUCCESSION LAW REFORM ACT**

1 (1) Section 4 of the *Succession Law Reform Act* is repealed and the following substituted:

Execution

4 (1) In this section,

“audio-visual communication technology” means any electronic method of communication in which participants are able to see, hear and communicate with one another in real time.

Valid execution of will

(2) Subject to subsection (3) and to sections 5 and 6, a will is not valid unless,

- (a) at its end it is signed by the testator or by some other person in his or her presence and by his or her direction;
- (b) the testator makes or acknowledges the signature in the presence of two or more attesting witnesses present at the same time; and
- (c) two or more of the attesting witnesses subscribe the will in the presence of the testator.

Permitted use of audio-visual communication technology

(3) A requirement in clause (2) (b) or (c) that the testator or witnesses be present or in one another’s presence for the making or acknowledgment of a signature on a will or for the subscribing of a will may be satisfied through the use of audio-visual communication technology if at least one person who acts as a witness is a licensee within the meaning of the *Law Society Act* at the time of the making, acknowledgment or subscribing.

Same, signing and subscribing

(4) If a will is executed through the use of audio-visual communication technology as authorized by subsection (3), a signature or subscription required to be made under clause (2) (b) or (c) may be made by signing or subscribing complete, identical copies of the will in counterpart, which shall together constitute the will.

Same

(5) For the purposes of subsection (4), copies of a will are identical even if there are minor, non-substantive differences in format or layout between the copies.

No form of attestation

(6) Where witnesses are required by this section, no form of attestation is necessary.

(2) Subsections 4 (1), (3) and (4) of the Act, as re-enacted or enacted by subsection (1), as the case may be, are repealed and the following substituted:

Execution

(1) In this section,

“audio-visual communication technology” means any electronic method of communication which allows participants to see, hear and communicate with one another in real time.

Permitted use of audio-visual communication technology

(3) A requirement in clause (2) (b) or (c) that witnesses be in the presence of the testator or in one another’s presence for the making or acknowledgment of a signature on a will or for the subscribing of a will may be satisfied through the use of audio-visual communication technology, if,

- (a) at least one person who acts as a witness is a licensee within the meaning of the *Law Society Act* at the time;
- (b) the making or acknowledgment of the signature and the subscribing of the will are contemporaneous; and
- (c) the requirements specified by the regulations made under subsection (7), if any, are met.

Counterpart signing, subscribing

(4) For the purposes of clause (3) (b), signatures and subscriptions required to be made under clause (2) (b) or (c) may, subject to any requirements specified by the regulations made under subsection (7), be made by signing or subscribing complete, identical copies of the will in counterpart, which shall together constitute the will.

(3) Section 4 of the Act, as re-enacted by subsection (1), is amended by adding the following subsection:

Regulations

(7) The Minister responsible for the administration of this Act may make regulations providing for requirements that must be met under subsection (3) or (4).

2 Clause 15 (a) of the Act is repealed.

3 Section 16 of the Act is repealed.

4 (1) Subsection 17 (1) of the Act is amended by striking out “Subject to subsection (2)” at the beginning and substituting “Except as otherwise provided in this section”.

(2) Section 17 of the Act is amended by adding the following subsections:

Exception on separation

(3) Subsection (2) applies, with necessary modifications, on the death of the testator, if the spouses are separated at the time of the testator’s death, as determined under subsection (4).

Same

(4) A spouse is considered to be separated from the testator at the time of the testator’s death for the purposes of subsection (3), if,

(a) before the testator’s death,

- (i) they lived separate and apart as a result of the breakdown of their marriage for a period of three years, if the period immediately preceded the death,
- (ii) they entered into an agreement that is a valid separation agreement under Part IV of the *Family Law Act*,
- (iii) a court made an order with respect to their rights and obligations in the settlement of their affairs arising from the breakdown of their marriage, or
- (iv) a family arbitration award was made under the *Arbitration Act, 1991* with respect to their rights and obligations in the settlement of their affairs arising from the breakdown of their marriage; and

(b) at the time of the testator’s death, they were living separate and apart as a result of the breakdown of their marriage.

Transition

(5) Subsection (3) applies in respect of a separation if an event referred to in clause (4) (a) occurs on or after the day subsection 4 (2) of Schedule 9 to the *Accelerating Access to Justice Act, 2021* came into force, even if the will was made before that day, except that in the case of subclause (4) (a) (i), the spouses must also have begun to live separate and apart on or after that day.

5 The Act is amended by adding the following section:

Court-ordered validity

21.1 (1) If the Superior Court of Justice is satisfied that a document or writing that was not properly executed or made under this Act sets out the testamentary intentions of a deceased or an intention of a deceased to revoke, alter or revive a will of the deceased, the Court may, on application, order that the document or writing is as valid and fully effective as the will of the deceased, or as the revocation, alteration or revival of the will of the deceased, as if it had been properly executed or made.

No electronic wills

(2) Subsection (1) is subject to section 31 of the *Electronic Commerce Act, 2000*.

Transition

(3) Subsection (1) applies if the deceased died on or after the day section 5 of Schedule 9 to the *Accelerating Access to Justice Act, 2021* came into force.

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

Non-application of intestacy rules to separated spouses

43.1 (1) Any provision in this Part that provides for the entitlement of a person’s spouse to any of the person’s property does not apply with respect to the spouse if the spouses are separated at the time of the person’s death, as determined under subsection (2).

Same

(2) A spouse is considered to be separated from the deceased person at the time of the person’s death for the purposes of subsection (1), if,

(a) before the person’s death,

- (i) they lived separate and apart as a result of the breakdown of their marriage for a period of three years, if the period immediately preceded the death,
- (ii) they entered into an agreement that is a valid separation agreement under Part IV of the *Family Law Act*,
- (iii) a court made an order with respect to their rights and obligations in the settlement of their affairs arising from the breakdown of their marriage, or
- (iv) a family arbitration award was made under the *Arbitration Act, 1991* with respect to their rights and obligations in the settlement of their affairs arising from the breakdown of their marriage; and

(b) at the time of the person's death, they were living separate and apart as a result of the breakdown of their marriage.

Transition

(3) This section applies in respect of a separation only if an event referred to in clause (2) (a) occurs on or after the day section 6 of Schedule 9 to the *Accelerating Access to Justice Act, 2021* came into force, except that in the case of subclause (2) (a) (i), the spouses must also have begun to live separate and apart on or after that day.

Family Law Act

7 Section 6 of the *Family Law Act* is amended by adding the following subsection:

Application of section where no Part II entitlement

(21) If section 43.1 of the *Succession Law Reform Act* provides that a surviving spouse has no entitlement to the deceased spouse's property under Part II of that Act, this section applies as if the surviving spouse's entitlement under that Part has a value of \$0.

Statute Law Amendment Act (Government Management and Services), 1994

8 Subsection 63 (3) of the *Statute Law Amendment Act (Government Management and Services), 1994* is repealed.

Commencement

9 (1) Subject to subsections (2), (3) and (4), this Schedule comes into force on the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(2) Subsection 1 (1) is deemed to have come into force on April 7, 2020.

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

(4) Sections 2 to 7 come into force on a day to be named by proclamation of the Lieutenant Governor that is not earlier than January 1, 2022.

**SCHEDULE 10
AMENDMENTS RESPECTING APPEALS TO A MINISTER**

Environmental Protection Act

1 (1) Section 20.16 of the *Environmental Protection Act* is repealed and the following substituted:

Appeal from decision of Tribunal

20.16 A party to a proceeding under this Part before the Tribunal may appeal from its decision on a question of law to the Divisional Court.

(2) Subsection 100.1 (17) of the Act is repealed.

(3) Subsection 100.1 (18) of the Act is amended by striking out “or to the Minister”.

(4) Subsection 100.1 (19) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Divisional Court may grant or set aside stay

(19) If a decision of the Tribunal is appealed to the Divisional Court under this section, the Divisional Court may,

.

(5) Subsection 145.6 (2) of the Act is repealed.

(6) Subsection 145.6 (3) of the Act is amended by striking out “or to the Minister”.

(7) Subsection 145.6 (4) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Divisional Court may grant or set aside stay

(4) If a decision of the Tribunal is appealed to the Divisional Court under this section, the Divisional Court may,

.

(8) Subsection 175.1 (1) of the Act is amended by adding the following clause:

(k.1) providing for transitional matters that, in the opinion of the Lieutenant Governor in Council, are necessary or desirable to facilitate the implementation of the amendments made to this Act by Schedule 10 to the *Accelerating Access to Justice Act, 2021*;

Mining Act

2 (1) Subsection 152 (11) of the *Mining Act* is repealed.

(2) Subsection 176 (2) of the Act is amended by adding the following paragraph:

16. governing transitional matters arising from the enactment of Schedule 10 to the *Accelerating Access to Justice Act, 2021* that, in the opinion of the Lieutenant Governor in Council, are necessary or desirable to facilitate the implementation of the amendments to this Act made by that Schedule.

Nutrient Management Act, 2002

3 (1) Subsection 11 (3) of the *Nutrient Management Act, 2002* is repealed.

(2) Subsection 11 (4) of the Act is amended by striking out “or to the Minister”.

(3) Subsection 11 (5) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Power of court

(5) If a decision of the Tribunal is appealed to the Divisional Court, the Divisional Court may,

.

(4) Section 59 of the Act is amended by adding the following clause:

(i.1) governing any transitional matters the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of the amendments made to this Act by Schedule 10 to the *Accelerating Access to Justice Act, 2021*;

Ontario Water Resources Act

4 (1) Subsection 47 (12) of the *Ontario Water Resources Act* is repealed.

(2) Subsection 76 (1) of the Act is amended by adding the following clause:

(i.2) governing any transitional matters the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of the amendments made to this Act by Schedule 10 to the *Accelerating Access to Justice Act, 2021*;

(3) Subsection 102.3 (2) of the Act is repealed.

(4) Subsection 102.3 (3) of the Act is amended by striking out “or to the Minister”.

(5) Subsection 102.3 (4) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Divisional Court may grant or set aside stay

(4) If a decision of the Tribunal is appealed to the Divisional Court, the Divisional Court may,

.

Pesticides Act

5 (1) Subsection 15 (4) of the *Pesticides Act* is repealed.

(2) Subsection 35 (1) of the Act is amended by adding the following paragraph:

48.1 providing for such transitional matters as the Lieutenant Governor in Council considers necessary or advisable in relation to the implementation of the amendments made to this Act by Schedule 10 to the *Accelerating Access to Justice Act, 2021*;

Resource Recovery and Circular Economy Act, 2016

6 Subsection 20 (8) of the *Resource Recovery and Circular Economy Act, 2016* is repealed.

Safe Drinking Water Act, 2002

7 (1) Section 135 of the *Safe Drinking Water Act, 2002* is repealed.

(2) Subsection 136 (1) of the Act is amended by striking out “or the Minister”.

(3) Subsection 136 (3) of the Act is amended by striking out “or the Minister (as the case may be)”.

(4) Subsection 136 (4) of the Act is amended by striking out “or the Minister”.

(5) Subsection 136 (5) of the Act is amended by striking out “or the Minister, as the case requires” in the portion before clause (a).

(6) Subsection 167 (6) of the Act is amended by adding the following paragraph:

7. governing any transitional matters the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of the amendments made to this Act by Schedule 10 to the *Accelerating Access to Justice Act, 2021*.

Toxics Reduction Act, 2009

8 (1) Subsection 39 (2) of the *Toxics Reduction Act, 2009* is repealed.

(2) Subsection 39 (3) of the Act is amended by striking out “or to the Minister”.

(3) Subsection 39 (4) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Divisional Court may grant or set aside stay

(4) If a decision of the Tribunal is appealed to the Divisional Court under this section, the Divisional Court may,

.

(4) Subsection 50 (1) of the Act is amended by adding the following clause:

(v.1) governing any transitional matters the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of the amendments made to this Act by Schedule 10 to the *Accelerating Access to Justice Act, 2021*;

Commencement

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

**SCHEDULE 11
PARENTAGE TERMINOLOGY IN FRENCH VERSIONS OF ACTS**

Alcohol, Cannabis and Gaming Regulation and Public Protection Act, 1996

1 The definition of “*membre de sa famille*” in the French version of subsection 53 (1) of the *Alcohol, Cannabis and Gaming Regulation and Public Protection Act, 1996* is amended by striking out “*son père, sa mère, son conjoint, son grand-père, sa grand-mère, son enfant, son petit-fils, sa petite-fille*” and substituting “*son parent, son conjoint, son grand-parent, son enfant, son petit-enfant*”.

Commercial Tenancies Act

2 Subclause (b) (ii) of the definition of “*conjoint*” in the French version of section 1 of the *Commercial Tenancies Act* is amended by striking out “*le père et la mère*” and substituting “*les parents*”.

Compensation for Victims of Crime Act

3 (1) Clause (b) of the definition of “*personne à charge*” in the French version of section 1 of the *Compensation for Victims of Crime Act* is amended by striking out “*le père ou la mère de la victime, y compris le grand-père ou la grand-mère*” at the beginning and substituting “*un parent de la victime, y compris un grand-parent*”.

(2) The French version of paragraph 2 of subsection 21 (3) of the Act is amended by striking out “*Le père, la mère*” at the beginning and substituting “*Le parent*”.

Coroners Act

4 The French version of subsections 26 (1) and 41 (3) of the *Coroners Act* is amended by striking out “*le père ou la mère*” wherever it appears and substituting in each case “*le parent*”.

Credit Unions and Caisses Populaires Act, 1994

5 (1) The French version of clause 42 (7) (b) of the *Credit Unions and Caisses Populaires Act, 1994* is amended by striking out “*à son père, à sa mère*” and substituting “*à son parent*”.

(2) The French version of paragraph 9 of subsection 92 (1) of the Act is amended by striking out “*père, mère*” and substituting “*parent*”.

(3) The French version of clause 146 (1) (d) of the Act is amended by striking out “*le père, la mère*” and substituting “*le parent*”.

(4) The French version of paragraph 3 of section 161 of the Act is amended by striking out “*, le père ou la mère*” and substituting “*ou le parent*”.

Credit Unions and Caisses Populaires Act, 2020

6 (1) The French version of clause (c) of the definition of “*related person*” in section 1 of the *Credit Unions and Caisses Populaires Act, 2020* is amended by striking out “*parent*” and substituting “*membre de la famille*”.

(2) The French version of clause 111 (1) (d) of the Act is amended by striking out “*le père, la mère*” and substituting “*le parent*”.

Education Act

7 (1) The French version of the *Education Act* is amended by,

- (a) striking out “*le père, la mère*” wherever it appears and substituting in each case “*le parent*”, except in paragraph 4 of section 176;
- (b) striking out “*au père, à la mère*” wherever it appears and substituting in each case “*au parent*”;
- (c) striking out “*du père, de la mère*” wherever it appears and substituting in each case “*du parent*”;
- (d) striking out “*de son père, de sa mère*” wherever it appears and substituting in each case “*de son parent*”; and
- (e) striking out “*son père, sa mère*” wherever it appears and substituting in each case “*son parent*”.

(2) The definition of “*tuteur*” in the French version of subsection 1 (1) of the Act is repealed and the following substituted:

«*tuteur*» Personne qui a la garde légitime d’un enfant sans en être le parent. («*guardian*»)

(3) The French version of clause 13.2 (6) (a) of the Act is amended by striking out “*à l’un de ses parents*” and substituting “*à son parent*”.

(4) The French version of subsection 45 (1) of the Act is amended by striking out “*son père ou sa mère, qui*” in the portion before clause (a) and substituting “*un parent unique, lequel*”.

(5) The French version of paragraph 25 of subsection 171 (1) of the Act is amended by striking out “ni le père ni la mère ne sont” and substituting “les parents ne sont pas”.

(6) The French version of paragraph 4 of section 176 of the Act is amended by striking out “le père, la mère ou le tuteur” at the end and substituting “les parents ou les tuteurs”.

(7) The French version of subsections 190 (8), (9), (10), (11) and (12) of the Act is amended by striking out “son père, à sa mère” wherever it appears and substituting in each case “son parent”.

(8) The French version of subsections 293 (1) and (2) of the Act is amended by striking out “du père ou de la mère” wherever it appears and substituting in each case “du parent”.

(9) The French version of subsection 300.3 (8) of the Act is amended by striking out “un père, une mère” and substituting “un parent”.

Election Act

8 (1) The French version of subsection 8 (3) of the *Election Act* is amended by striking out “le père, la mère, le grand-père, la grand-mère” and substituting “le parent, le grand-parent”.

(2) The French version of subsection 22 (2) of the Act is amended by striking out “de son père, de sa mère, de son grand-père, de sa grand-mère” and substituting “de son parent, de son grand-parent”.

Employment Standards Act, 2000

9 (1) The French version of section 45 of the *Employment Standards Act, 2000* is amended by adding the following definition:

«parent» S’entend en outre d’une personne auprès de qui un enfant est placé en vue de son adoption et d’une personne qui vit dans une relation d’une certaine permanence avec le parent d’un enfant et qui a l’intention de traiter l’enfant comme le sien. Le terme « enfant » a un sens correspondant. («parent»)

(2) The definition of “père ou mère” in the French version of section 45 of the Act is repealed.

(3) The French version of subsection 48 (1) of the Act is amended by striking out “le père ou la mère” and substituting “le parent”.

(4) The Act is amended by striking out “Le père ou la mère ou le père ou la mère par alliance de l’employé ou de son conjoint ou le père ou la mère de la” wherever it appears and substituting in each case “Le parent ou le parent par alliance de l’employé ou de son conjoint ou le parent de”.

(5) The Act is amended by striking out “Le père ou la mère ou le père ou la mère par alliance de l’employé ou de son conjoint, ou le père ou la mère de la” wherever it appears and substituting in each case “Le parent ou le parent par alliance de l’employé ou de son conjoint ou le parent de”.

Family Responsibility and Support Arrears Enforcement Act, 1996

10 (1) The definition of “bénéficiaire” in the French version of subsection 1 (1) of the *Family Responsibility and Support Arrears Enforcement Act, 1996* is amended by striking out “le père ou la mère” and substituting “le parent”.

(2) Clause (i) of the definition of “source de revenu” in the French version of subsection 1 (1) of the Act is amended by striking out “son père ou sa mère” wherever it appears and substituting in each case “son parent”.

Freedom of Information and Protection of Privacy Act

11 The definition of “proche parent” in the French version of subsection 2 (1) of the *Freedom of Information and Protection of Privacy Act* is amended by striking out “Le père ou la mère” and substituting “Un parent”.

Fuel Tax Act

12 The definition of “membre de sa famille” in the French version of subsection 13.1 (1) of the *Fuel Tax Act* is amended by striking out “son père, sa mère, son conjoint, son grand-père, sa grand-mère, son enfant, son petit-fils, sa petite-fille” and substituting “son parent, son conjoint, son grand-parent, son enfant, son petit-enfant”.

Gasoline Tax Act

13 The definition of “membre de sa famille” in the French version of subsection 13.1 (1) of the *Gasoline Tax Act* is amended by striking out “son père, sa mère, son conjoint, son grand-père, sa grand-mère, son enfant, son petit-fils, sa petite-fille” and substituting “son parent, son conjoint, son grand-parent, son enfant, son petit-enfant”.

Health Care Consent Act, 1996

14 (1) The French version of paragraph 5 of subsection 20 (1) of the *Health Care Consent Act, 1996* is repealed and the following substituted:

5. Un enfant ou un parent de l’incapable, ou une société d’aide à l’enfance ou une autre personne qui a légitimement le droit de donner ou de refuser son consentement au traitement à la place du parent. La présente disposition ne vise pas le

parent qui n'a qu'un droit de visite. Elle ne vise pas non plus le parent si une société d'aide à l'enfance ou une autre personne a légitimement le droit de donner ou de refuser son consentement au traitement à la place du parent.

(2) The French version of paragraph 6 of subsection 20 (1) of the Act is amended by striking out “Le père ou la mère” at the beginning and substituting “Un parent”.

(3) The French version of clause 20 (2) (b) of the Act is amended by striking out “le père ou la mère” and substituting “le parent”.

Health Protection and Promotion Act

15 The French version of section 23 of the *Health Protection and Promotion Act* is repealed and the following substituted:

Ordre donné à une personne de moins de seize ans

23 Si l'ordre que le médecin-hygiéniste donne à l'égard d'une maladie transmissible s'adresse à une personne âgée de moins de seize ans et est signifié au parent de l'enfant ou à la personne qui assume les responsabilités de parent, le parent ou cette personne veille à l'observation de l'ordre.

Human Rights Code

16 The French version of clause 24 (1) (d) of the *Human Rights Code* is amended by,

- (a) striking out “son père ou sa mère” and substituting “son parent”; and
- (b) striking out “le père ou la mère” and substituting “le parent”.

Immunization of School Pupils Act

17 (1) The French version of the *Immunization of School Pupils Act* is amended by,

- (a) striking out “le père ou la mère” wherever it appears and substituting in each case “le parent”; and
- (b) striking out “au père ou à la mère” wherever it appears and substituting in each case “au parent”, except in subsection 10 (1), as enacted by section 4 of Schedule 2 to the *Protecting Patients Act, 2017*.

(2) The French version of section 1 of the Act is amended by adding the following definition:

«parent» S'entend en outre de la personne physique ou morale qui possède les responsabilités de parent. («parent»)

(3) The definition of “père ou mère” in the French version of section 1 of the Act is repealed.

(4) The definition of “déclaration de conscience ou de croyance religieuse” in the French version of section 1 of the Act is amended by striking out “du père ou de la mère” and substituting “du parent”.

(5) The French version of subsection 10 (1) of the Act, as enacted by section 4 of Schedule 2 to the *Protecting Patients Act, 2017*, is amended by striking out “au père ou à la mère” and substituting “au parent”.

(6) The French version of subsection 15 (2) of the Act is amended by striking out “père, la mère” wherever it appears and substituting in each case “parent”.

(7) The French version of subsection 15 (3) of the Act is amended by striking out “à l'auteur de la demande” in the portion before clause (a) and substituting “au parent ou à l'élève qui demande l'audience”.

(8) The French version of subsection 15 (6) of the Act is amended by striking out “l'auteur de la demande” and substituting “le parent ou l'élève qui demande l'audience”.

Income Tax Act

18 The French version of the definition of “S” in subsection 4.0.1 (14) of the *Income Tax Act* is amended by striking out “, à son père, à sa mère, à son grand-père ou à sa grand-mère” and substituting “ou à son parent ou grand-parent”.

Insurance Act

19 The French version of the *Insurance Act* is amended by,

- (a) striking out “son père ou sa mère” wherever it appears and substituting in each case “l'un de ses parents”;
- (b) striking out “de son père ou de sa mère” wherever it appears and substituting in each case “du parent”; and
- (c) striking out “du père ou de la mère” wherever it appears and substituting in each case “d'un parent”.

Land Transfer Tax Act

20 The definition of “membre de sa famille” in the French version of subsection 13.1 (1) of the *Land Transfer Tax Act* is amended by striking out “son père, sa mère, son conjoint, son grand-père, sa grand-mère, son enfant, son petit-fils, sa petite-fille” and substituting “son parent, son conjoint, son grand-parent, son enfant, son petit-enfant”.

Liquor Licence Act

21 The French version of clause 30 (13) (a) of the *Liquor Licence Act* is amended by striking out “par son père, sa mère ou une personne ayant sa garde légitime” and substituting “par un parent de la personne ou une personne qui en a la garde légitime”.

Mortgages Act

22 The French version of the *Mortgages Act* is amended by,

- (a) striking out “son père ou sa mère” wherever it appears and substituting in each case “son parent”; and
- (b) striking out “le père ou la mère” wherever it appears and substituting in each case “le parent”.

Municipal Conflict of Interest Act

23 (1) The definition of “enfant” in the French version of section 1 of the *Municipal Conflict of Interest Act* is amended by striking out “qu’elle” and substituting “qu’un parent”.

(2) The French version of section 1 of the Act is amended by adding the following definition:

«parent» Personne qui a manifesté l’intention bien arrêtée de traiter un enfant comme s’il s’agissait d’un enfant de sa famille («parent»).

(3) The definition of “père ou mère” in the French version of section 1 of the Act is repealed.

(4) The French version of section 3 of the Act is amended by striking out “du père ou de la mère” and substituting “d’un parent”.

Municipal Elections Act, 1996

24 The French version of subsection 44 (3) of the *Municipal Elections Act, 1996* is amended by striking out “le père, la mère, l’enfant, le grand-père, la grand-mère, le petit-fils ou la petite-fille” and substituting “le parent, l’enfant, le grand-parent ou le petit-enfant”.

Municipal Freedom of Information and Protection of Privacy Act

25 The definition of “proche parent” in the French version of subsection 2 (1) of the *Municipal Freedom of Information and Protection of Privacy Act* is amended by striking out “Le père ou la mère” and substituting “Un parent”.

Parental Responsibility Act, 2000

26 (1) The French version of section 1 of the *Parental Responsibility Act, 2000* is amended by adding the following definition:

«parent» En ce qui concerne un enfant, s’entend notamment de tout particulier qui en a la garde légitime ou qui a un droit de visite légitime de celui-ci. («parent»)

(2) The definition of “père ou mère” in the French version of section 1 of the Act is repealed.

(3) The French version of subsection 2 (1) of the Act is amended by striking out “le père ou la mère” in the portion before clause (a) and substituting “un parent”.

(4) The French version of subsection 2 (2) of the Act is amended by,

- (a) striking out “Le père ou la mère” at the beginning and substituting “Le parent”; and
- (b) striking out “qu’il ou elle” wherever it appears and substituting in each case “qu’il”.

(5) The French version of subsection 2 (3) of the Act is amended by,

- (a) striking out “un père ou une mère” in the portion before clause (a) and substituting “un parent”;
- (b) striking out “du père ou de la mère” wherever it appears and substituting in each case “du parent”; and
- (c) striking out “le père ou la mère” wherever it appears and substituting in each case “le parent”.

(6) The French version of section 6 of the Act is amended by striking out “Si plus d’une personne visée par la définition de « père ou mère» à l’article 1 sont tenues responsables” at the beginning and substituting “Si plus d’un parent est tenu responsable”.

(7) The French version of clause 7 (1) (b) of the Act is amended by,

- (a) striking out “du père et de la mère” and substituting “du parent”; and
- (b) striking out “ou à celle-ci”.

(8) The French version of subsection 7 (2) of the Act is amended by striking out “le père ou la mère” and substituting “le parent”.

(9) The French version of subsection 10 (2) of the Act is amended by,

- (a) striking out “contre le père ou la mère” and substituting “contre un parent”;
- (b) striking out “prouver que le père ou la mère” and substituting “prouver que le parent”; and
- (c) striking out “au père ou à la mère” at the end and substituting “au parent”.

(10) The French version of subsection 10 (3) of the Act is repealed and the following substituted:

Idem

(10) La définition qui suit s’applique au paragraphe (2).

«enfant» et «parent» S’entendent au sens de la *Loi sur le droit de la famille*.

Personal Health Information Act, 2004

27 (1) Subclause (b) (ii) of the definition of “conjoint” in the French version of section 2 of the *Personal Health Information Protection Act, 2004* is amended by striking out “les père et mère” and substituting “les parents”.

(2) The French version of paragraph 2 of subsection 23 (1) of the Act is amended by,

- (a) striking out “son père, sa mère” in the portion before subparagraph i and substituting “son parent”; and
- (b) striking out “du père ou de la mère” in the portion before subparagraph i and substituting “du parent”.

(3) The French version of subsection 23 (2) of the Act is amended by adding the following definition:

«parent» Ne s’entend pas du parent qui n’a qu’un droit de visite à l’égard de l’enfant. («parent»)

(4) The definition of “père ou mère” in the French version subsection 23 (2) of the Act is repealed.

(5) The French version of paragraph 5 of subsection 26 (1) of the Act is repealed and the following substituted:

- 5. Un enfant ou un parent du particulier, ou une société d’aide à l’enfance ou une autre personne qui a légalement le droit de donner ou de refuser le consentement à la place du parent. La présente disposition ne vise pas le parent si celui-ci n’a qu’un droit de visite à l’égard du particulier ou si une société d’aide à l’enfance ou une autre personne a légalement le droit de donner le consentement à sa place.

(6) The French version of paragraph 6 of subsection 26 (1) of the Act is amended by striking out “Le père ou la mère” at the beginning and substituting “Le parent”.

(7) The French version of clause 26 (2) (b) of the Act is amended by striking out “le père ou la mère” and substituting “le parent”.

Photo Card Act, 2008

28 The French version of clause 23 (d) of the *Photo Card Act* is amended by striking out “père et mère” and substituting “parents”.

Protecting Child Performers Act, 2015

29 (1) The French version of the *Protecting Child Performers Act, 2015* is amended by,

- (b) striking out “du père, de la mère” wherever it appears and substituting in each case “du parent”;
- (a) striking out “le père, la mère” wherever it appears and substituting in each case “le parent”; and
- (c) striking out “son père, sa mère” wherever it appears and substituting in each case “son parent”.

(2) The French version of subsection 1 (1) of the Act is amended by adding the following definition:

«parent» S’entend en outre d’une personne qui a manifesté l’intention bien arrêtée de traiter un enfant comme s’il s’agissait d’un enfant de sa famille. («parent»).

(3) The definition of “père ou mère” in the French version of subsection 1 (1) of the Act is repealed.

(4) The definition of “tuteur légal” in the French version of subsection 1 (1) of the Act is repealed and the following substituted:

«tuteur légal» Personne qui a la garde légitime d’un enfant sans en être le parent. («guardian»).

(5) The French version of subsection 4 (1) of the Act is amended by striking out “au père, à la mère” in the portion before clause (a) and substituting “au parent”.

(6) The French version of subsection 14 (2) of the Act is amended by striking out “le même père, la même mère” and substituting “le même parent”.

(7) The French version of subsection 18 (7) of the Act is amended by striking out “à son père, à sa mère” and substituting “à son parent”.

Provincial Offences Act

30 (1) The French version of section 93 of the *Provincial Offences Act* is amended by adding the following definition:

«parent» S’entend en outre, lorsqu’employé relativement à un adolescent, d’un adulte avec lequel l’adolescent réside ordinairement. («parent»).

(2) The definition of “père ou mère” in the French version of section 93 of the Act is repealed.

(3) The French version of section 96 of the Act is amended by striking out “au père ou à la mère” wherever it appears and substituting in each case “à un parent”.

(4) The French version of paragraph 2 of subsection 99 (3) of the Act is amended by striking out “le père ou la mère,” and substituting “le parent”.

(5) The French version of section 104 of the Act is amended by striking out “du père ou de la mère” and substituting “d’un parent”.

(6) The French version of subsection 107 (4) of the Act is amended by striking out “le père ou la mère” and substituting “un parent”.

Residential Tenancies Act, 2006

31 (1) The French version of the *Residential Tenancies Act, 2006* is amended by,

(a) striking out “le père ou la mère” wherever it appears and substituting in each case “un parent”, except in clause 5 (i); and

(b) striking out “au père ou à la mère” wherever it appears and substituting in each case “un parent”.

(2) The French version of clause 5 (i) of the Act is amended by striking out “son père ou sa mère” and substituting “son parent” and by striking out “le père ou la mère” and substituting “le parent”.

Ryan’s Law (Ensuring Asthma Friendly Schools), 2015

32 (1) The French version of sections 2 and 3 of *Ryan’s Law (Ensuring Asthma Friendly Schools), 2015* is amended by striking out “son père, de sa mère” wherever it appears and substituting in each case “son parent”.

(2) The French version of subsection 4 (1) of the Act is amended by striking out “du père, de la mère” and substituting “du parent”.

(3) The French version of subsection 4 (2) of the Act is amended by striking out “au père, à la mère” and substituting “au parent”.

Sabrina’s Law, 2005

33 (1) The French version of subsection 3 (1) of *Sabrina’s Law, 2005* is amended by striking out “du père, de la mère” and substituting “du parent”.

(2) The French version of subsection 3 (2) of the Act is amended by striking out “au père, à la mère” and substituting “au parent”.

School Trust Conveyances Act

34 The French version of section 1 of the *School Trust Conveyances Act* is amended by striking out “pères et mères” and substituting “parents”.

Substitute Decisions Act, 1992

35 The French version of paragraph 3 of subsection 69 (6) of the *Substitute Decisions Act, 1992* is amended by striking out “Le père et la mère” at the beginning and substituting “Les parents”.

Succession Law Reform Act

36 (1) The definition of “enfant” in the French version of subsection 1 (1) of the *Succession Law Reform Act* is amended by striking out “du père ou de la mère” wherever it appears and substituting in each case “du parent”.

(2) The French version of subsection 47 (3) of the Act is amended by,

(a) striking out “le père et la mère” and substituting “les parents”; and

(b) striking out “un seul” and substituting “un seul parent”.

(3) The French version of subsections 47 (4), (5), (6) and (7) of the Act is amended by striking out “ni père, ni mère” wherever it appears and substituting in each case “ni parent”.

(4) The French version of subsection 57 (1) of the Act is amended by adding the following definition:

«parent» S'entend en outre d'un grand-parent de la personne qui a manifesté l'intention bien arrêtée de traiter le défunt comme s'il s'agissait d'un enfant de sa famille, sauf si elle a accueilli, contre valeur, dans un foyer d'accueil le défunt qui y avait été placé par la personne qui en avait la garde légitime. («parent»)

(5) The definition of “père ou mère” in the French version of subsection 57 (1) of the Act is repealed.

(6) Clause (b) of the definition of “personne à charge” in the French version of subsection 57 (1) of the Act is amended by striking out “père ou sa mère” and substituting “parent”.

(7) The French version of subsection 58 (2) of the Act is amended by striking out “la personne à charge ou par le père ou la mère de la personne à charge” and substituting “la personne à charge ou son parent”.

Taxation Act, 2007

37 (1) The French version of the *Taxation Act, 2007* is amended by striking out “le père ou la mère” wherever it appears and substituting in each case “le parent”.

(2) The French version of the definition of “U” in clause 9 (14) (b) of the Act is amended by striking out “, à son père, à sa mère, à son grand-père ou à sa grand-mère” and substituting “ou à son parent ou grand-parent”.

(3) The French version of clause 101.1 (2) (b) of the Act is amended by striking out “d'un père ou d'une mère” and substituting “d'un parent”.

(4) Clause (b) of the definition of “particulier admissible” in the French version of subsection 104 (1) of the Act is amended by striking out “la personne — père ou mère de la personne à charge — qui” in the portion before subclause (i) and substituting “un parent de la personne à charge qui”.

Tobacco Tax Act

38 The definition of “membre de sa famille” in the French version of subsection 19.1 (1) of the *Tobacco Tax Act* is amended by striking out “son père, sa mère, son conjoint, son grand-père, sa grand-mère, son enfant, son petit-fils, sa petite-fille” and substituting “son parent, son conjoint, son grand-parent, son enfant, son petit-enfant”.

Trillium Gift of Life Network Act

39 (1) The French version of clause 5 (2) (c) of the *Trillium Gift of Life Network Act* is amended by striking out “le père ou la mère” at the end and substituting “l'un des parents”.

(2) The French version of clause 5 (2) (d) of the Act is amended by striking out “du père et de la mère” and substituting “de parents”.

Trustee Act

40 (1) The French version of subparagraph 6 ii of subsection 36 (6.2) of the *Trustee Act* is amended by striking out “le père et la mère du mineur, ou le père ou la mère” at the beginning and substituting “les parents du mineur, ou le parent”.

(2) The French version of subparagraph 6 iii of subsection 36 (6.2) of the Act is amended by striking out “le père ou la mère” at the end and substituting “son parent”.

Victims' Bill of Rights, 1995

41 The definition of “victime” in the French version of section 1 of the *Victims' Bill of Rights, 1995* is amended by,

- (a) striking out “le père ou la mère” in clause (a) and substituting “un parent”; and**
- (b) striking out “le père, la mère” in the portion after clause (b) and substituting “le parent”.**

Workplace Safety and Insurance Act, 1997

42 (1) The definition of “personnes à charge” in the French version of subsection 2 (1) of the *Workplace Safety and Insurance Act, 1997* is repealed and the following substituted:

«personnes à charge» S'entend des personnes suivantes qui dépendaient entièrement ou partiellement des gains du travailleur au moment de son décès, ou qui, sans l'incapacité due à l'accident, se seraient trouvées dans cette situation :

1. Le parent, le beau-parent ou la personne qui agissait à titre de parent à l'égard du travailleur.
2. Le frère ou la soeur ou le demi-frère ou la demi-soeur.
3. Le grand-parent.
4. Le petit-enfant. («dependants»)

(2) The definition of “membre de sa famille” in the French version of subsection 12.2 (10) of the Act is repealed and the following substituted:

«membre de sa famille» Relativement à une personne, s'entend de l'une ou l'autre des personnes suivantes :

- a) son conjoint;
- b) son enfant ou son petit-enfant;
- c) son parent, son grand-parent, son beau-père ou sa belle-mère;
- d) son frère ou sa soeur;
- e) toute personne dont le lien de parenté avec elle est le même lien par alliance que celui visé à l'alinéa b), c) ou d).
(«member of the person's family»)

(3) The French version of subsection 30 (7) of the Act is amended by striking out “son père ou sa mère” and substituting “son parent”.

(4) The French version of subsection 48 (20) of the Act is repealed and the following substituted:

Parent (autre que le conjoint)

(20) Malgré les paragraphes (14) et (15), les règles suivantes s'appliquent si le parent qui n'est pas le conjoint du travailleur décédé ou une autre personne qui agit à titre de parent subvient aux besoins d'un ou de plusieurs enfants qui ont droit à des versements aux termes du présent article :

1. Le parent ou l'autre personne a droit aux versements périodiques auxquels le conjoint du travailleur décédé aurait droit aux termes du paragraphe (4).
2. Dans le cas visé à la disposition 1, les versements faits au parent ou à l'autre personne à l'égard des enfants remplacent les versements périodiques auxquels les enfants auraient par ailleurs droit aux termes du présent article.
3. S'il y a plus d'une personne qui est un parent ou une autre personne et qu'il y a plus d'un enfant, la Commission répartit les versements entre eux.
4. Les versements périodiques faits aux termes du présent paragraphe ne doivent pas dépasser au total 85 pour cent des gains moyens nets du travailleur décédé.

(5) The French version of subsections 60 (2) and (4) of the Act is amended by striking out “à son père ou à sa mère” wherever it appears and substituting in each case “à son parent”.

(6) The French version of subsection 120 (1) of the Act is amended by striking out “le père ou la mère ou toute autre personne qui agit à titre de père ou de mère” in the portion before clause (a) and substituting “le parent ou toute autre personne qui agit à titre de parent”.

(7) The French version of subsection 125 (1) of the Act is amended by striking out “un père ou une mère ou toute autre personne qui agit à titre de père ou de mère” and substituting “un parent ou toute autre personne qui agit à titre de parent”.

(8) The French version of clause 133 (1) (c) of the Act is amended by striking out “le père ou la mère” at the beginning and substituting “le parent”.

Commencement

43 (1) Subject to subsections (2), (3) and (4), this Schedule comes into force on the day *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(2) Subsection 6 (1) comes into force on the later of the day section 1 of Schedule 7 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(3) Subsection 6 (2) comes into force on the later of the day subsection 111 (1) of Schedule 7 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.

(4) Subsection 17 (5) comes into force on the later of the day section 4 of Schedule 2 to the *Protecting Patients Act, 2017* comes into force and the day the *Accelerating Access to Justice Act, 2021* receives Royal Assent.