

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

2ND SESSION, 42ND LEGISLATURE, ONTARIO
71 ELIZABETH II, 2022

Bill 116

An Act to amend the Auditor General Act

Co-sponsors:
Ms F. Gélinas
Mr. J. West

Private Members' Bill

1st Reading April 13, 2022
2nd Reading
3rd Reading
Royal Assent



An Act to amend the Auditor General Act

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

1 Subsections 10 (1) and (2) of the *Auditor General Act* are repealed and the following substituted:**Duty to furnish information**

(1) Every ministry of the public service, every agency of the Crown, every Crown controlled corporation and every grant recipient shall give the Auditor General the information regarding its powers, duties, activities, organization, financial transactions and methods of business that the Auditor General believes to be necessary to perform his or her duties under this Act, even if the information or documents are confidential or subject to solicitor-client privilege, litigation privilege or settlement privilege.

Access to records

(2) Despite any other rights of privacy, confidentiality or privilege, including solicitor-client privilege, litigation privilege, settlement privilege and public interest immunity, the Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by a ministry, agency of the Crown, Crown controlled corporation or grant recipient, as the case may be, that the Auditor General believes to be necessary to perform his or her duties under this Act.

Commencement

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

Short title

3 The short title of this Act is the *Auditor General Amendment Act, 2022*.

EXPLANATORY NOTE

The Bill amends the *Auditor General Act*. Subsection 10 (1) of the Act is re-enacted to provide that the duty to furnish information applies to documents and information that are otherwise confidential or subject to certain privilege rights. Subsection 10 (2) of the Act is also re-enacted to provide that the Auditor General's right to access information applies despite other rights of privacy, confidentiality and privilege.