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Bill 72

**An Act to enact the Buy Ontario Act (Public Sector Procurement), 2025,
to repeal the Building Ontario Businesses Initiative Act, 2022, to amend the
Highway Traffic Act with respect to the installation of certain signs
and to amend section 10.1 of the Legislation Act, 2006 with respect to
certain provisions of the Protecting Condominium Owners Act, 2015**

The Hon. S. Crawford

Minister of Public and Business Service Delivery and Procurement

Government Bill

1st Reading November 20, 2025

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 BUY ONTARIO ACT (PUBLIC SECTOR PROCUREMENT), 2025

The Schedule enacts the *Buy Ontario Act (Public Sector Procurement), 2025*. The Act authorizes the Management Board of Cabinet to issue directives requiring public sector entities to comply with specified procurement policies, procedures or standards. Subsection 3 (2) of the Act provides that the directives may, among other things, require that preference be given to Ontario or Canadian made goods or to services provided in Ontario or Canada. Public sector entities under the Act consist of government entities and designated broader public sector organizations (both defined with reference to other statutory definitions). Additional persons or entities may be prescribed as public sector entities by regulation (referred to as “prescribed public sector entities” in the Act).

Under section 4 of the Act, a public sector entity must require, under a contract with a third party supply chain manager, that the manager comply with any requirement imposed under the Act on the public sector entity. Section 5 of the Act deems requirements established by directive that apply to a designated broader public sector organization or a prescribed public sector entity to form part of agreements or other funding arrangements between the organization or entity and the Crown or an agent of the Crown. Section 6 of the Act allows for the Management Board of Cabinet to direct that funds be withheld from designated broader public sector organizations or prescribed public sector entities in cases of non-compliance with a requirement imposed under the Act. Section 7 of the Act allows the Minister to require reviews of public sector entities’ compliance with a requirement of the Act or a directive and to take certain actions following the completion of the review, including directing that corrective action be undertaken.

The remaining provisions of the Act address various matters, including the interaction between the Act and the *Discriminatory Business Practices Act*, protections against liability and regulation-making powers. The *Building Ontario Businesses Initiative Act, 2022* is repealed.

SCHEDULE 2 HIGHWAY TRAFFIC ACT

The *Highway Traffic Act* is amended to provide that the Minister may direct a municipality to install signs in community safety zones in certain circumstances and that if the municipality does not install the signs, the Minister may carry out the installation. A related regulation-making power provides that regulations may require and govern the display of flashing amber signals in school zones and community safety zones.

SCHEDULE 3 LEGISLATION ACT, 2006

Section 10.1 of the *Legislation Act, 2006* provides for a process by which Acts or provisions of Acts that are to come into force on a day to be named by order of the Lieutenant Governor in Council, that were enacted nine or more years before December 31 of the preceding calendar year and that were not in force on December 31 of the preceding calendar year are identified by the Attorney General in a report tabled in the Assembly and, in the absence of specified action being taken, are automatically repealed. This section is amended to provide that certain provisions of Schedule 1 to the *Protecting Condominium Owners Act, 2015* are not to be repealed on December 31, 2025.

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Preamble

The Government of Ontario is protecting Ontario by using public sector procurement to support Ontario businesses and workers and to build a more competitive, resilient and self-reliant provincial economy.

Therefore, His 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) Except as otherwise provided in this section, 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 order of the Lieutenant Governor in Council, an order may apply to one or more of those provisions, and orders may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Buy Ontario Act, 2025*.

SCHEDULE 1
BUY ONTARIO ACT (PUBLIC SECTOR PROCUREMENT), 2025

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Definitions

1 In this Act,

“Board” means the Management Board of Cabinet; (“Conseil”)

“designated broader public sector organization” has the same meaning as in the *Broader Public Sector Accountability Act, 2010*; (“organisme désigné du secteur parapublic”)

“Minister” means the Minister of Public and Business Service Delivery and Procurement or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

“prescribed public sector entity” means a person or entity prescribed by the regulations made under this Act for the purposes of clause (c) of the definition of “public sector entity”; (“entité prescrite du secteur public”)

“public sector entity” means,

- (a) a government entity as defined in the *Supply Chain Management Act (Government, Broader Public Sector and Health Sector Entities), 2019*,
- (b) a designated broader public sector organization, or
- (c) any other person or entity prescribed by the regulations made under this Act. (“entité du secteur public”)

Purpose

2 The purpose of this Act is to establish a framework for regulating procurement within the public sector in order to,

- (a) transform public sector procurement practices on the basis of principles of integrity and value-for-money and with an aim to supporting economic development and supply chain resilience; and
- (b) leverage public sector procurement as a means of promoting, protecting and building Ontario’s economy and businesses and safeguarding its supply chain.

Directives establishing procurement policies, procedures or standards

3 (1) The Board may issue directives requiring public sector entities to comply with specified procurement policies, procedures or standards.

Scope of directives

(2) A directive under subsection (1) may require a public sector entity to which it applies to take any measures respecting the procurement of goods and services, including measures respecting the management of procurement contracts, and may, without limiting the generality of the foregoing,

- (a) require that preference be given to Ontario or Canadian made goods or to services provided in Ontario or Canada;
- (b) impose requirements intended to,
 - (i) support Ontario businesses and promote Ontario made goods or services provided by Ontario businesses, or
 - (ii) protect Ontario businesses by limiting eligibility to participate in public sector entity procurements;

- (c) require the implementation of vendor performance standards and practices;
- (d) establish reporting requirements or procedures, including by authorizing specified persons to require that a public sector entity report on certain matters when and as the persons determines; or
- (e) require public sector entities to use specified compliance and enforcement measures and to impose those measures on vendors.

Rolling incorporation by reference

(3) A directive may incorporate by reference any other government policy or directive, in whole or in part, with such changes as the Board considers necessary, and may provide that the reference to the policy or directive includes amendments made to the policy or directive from time to time after the directive is issued.

Same

(4) For the purposes of subsection (3), a government policy or directive includes a policy or directive established by a government other than the Government of Ontario.

Supply chain management contractors

4 A public sector entity that contracts with a third party supply chain manager shall ensure that the contract requires the supply chain manager to comply with any requirement imposed under this Act on the public sector entity, with any necessary modifications.

Deemed part of agreement

5 Every requirement established under this Act by directive to which a designated broader public sector organization or a prescribed public sector entity is subject is deemed to be a requirement with which the organization or entity must comply under the terms of any agreement or other funding arrangement between itself and the Crown in right of Ontario or an agent of the Crown in right of Ontario.

Withholding funds

6 (1) If a designated broader public sector organization or a prescribed public sector entity fails to comply with any requirement imposed on the organization or entity under this Act, the Board may direct a minister of the Crown to withhold part or all of any amount authorized by law to be paid to that organization or entity.

When amount withheld may be paid

(2) Unless the Board withdraws its direction under subsection (1), an amount withheld shall be paid only when the organization or entity complies.

Failure continuing past fiscal year end

(3) If the failure to comply continues until March 31 after the Board directed the withholding and the direction has not been withdrawn by the Board on or before that date,

- (a) the organization or entity ceases to be entitled to be paid; and
- (b) the amount withheld forms part of the Consolidated Revenue Fund.

Public to be protected

(4) The organization or entity shall endeavour to minimize any impact of the application of this section on its provision of services to the public.

Compliance reviews

7 (1) The Minister may require that a review be conducted of a public sector entity's compliance with a requirement of this Act or of a directive under subsection 3 (1).

Conduct of review

(2) If the Minister requires that a review be conducted under subsection (1), the Minister shall designate a person to conduct the review.

Report

(3) After completing the review, the person designated under subsection (2) shall prepare a report and submit it to the Minister.

Co-operation by public sector entity

(4) The public sector entity that is the subject of the review shall co-operate with the person designated under subsection (2) and provide the designated person with access to its records as well as any other information that the designated person may request to enable the designated person to conduct the review.

Use and disclosure of information

(5) The person designated under subsection (2) shall only use information collected under subsection (4) for the purposes of conducting the review and preparing the report and shall not disclose the information except in the following circumstances:

1. The disclosure of the information is necessary for the purposes of conducting the review and preparing the report.
2. The information is disclosed to the Minister or with the Minister's consent.
3. The disclosure of the information is otherwise required by law.

Actions based on report

(6) Upon reviewing the report submitted under subsection (3), the Minister may do either or both of the following:

1. Publish, on a publicly accessible website, any findings stemming from the report respecting the public sector entity's compliance with the requirements of this Act or of a directive under subsection 3 (1).
2. Direct the public sector entity to undertake corrective action to remedy non-compliance with a requirement of this Act or a directive under subsection 3 (1).

Not a discriminatory business practice

8 Anything done or not done by a public sector entity to comply with a directive under subsection 3 (1) is deemed not to constitute a discriminatory business practice for the purposes of the *Discriminatory Business Practices Act*.

Rules respecting directives

General or particular

9 (1) A directive or any of its provisions may be general or particular in their application.

Classes

(2) The power to make a directive under subsection 3 (1) includes the power to prescribe a class.

Same

- (3) For the purposes of subsection (2), a class may be defined,
- (a) in terms of any attribute or combination of attributes; or
 - (b) as consisting of, including or excluding a specified member.

Public availability

- (4) The Board shall ensure that a directive issued under subsection 3 (1) is,
- (a) made available to any person who requests a copy; and
 - (b) publicly posted on a website of the Government of Ontario.

Part III of the *Legislation Act, 2006*

(5) Part III (Regulations) of the *Legislation Act, 2006* does not apply to a directive under subsection 3 (1).

Delegation

10 (1) The Board may delegate to any member of the Executive Council or to any person employed in the public service the power to issue directives under subsection 3 (1), subject to such limitations and requirements as the Board may specify.

Public service

(2) In subsection (1),

“public service” has the same meaning as in the *Management Board of Cabinet Act*.

Extinguishment of causes of action

11 (1) No cause of action arises against the Crown, a public sector entity or any current or former member of the Executive Council or employee, officer or agent of or advisor to the Crown or employee, officer, agent or director of or advisor to a public sector entity as a direct or indirect result of,

- (a) the enactment, amendment or repeal of any provision of this Act;
- (b) the making, amendment or revocation of any provision of a regulation, directive or other instrument under this Act; or
- (c) anything done or not done in accordance with this Act or a regulation, directive or other instrument under this Act.

No remedy

(2) No costs, compensation or damages, including for loss of revenues or loss of profit or any other alleged loss, whether direct or indirect, are owing or payable to any person and no remedy, including but not limited to a remedy in contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation, any equitable remedy or any remedy under any statute, is available to any person in connection with anything referred to in subsection (1) against any person referred to in that subsection.

Proceedings barred

(3) No proceeding that is directly or indirectly based on or related to anything referred to in subsection (1) may be brought or maintained against any person referred to in that subsection.

Application

(4) Subsections (2) and (3) do not apply with respect to an application for judicial review or a claim for a constitutional remedy, but do apply with respect to any other court, administrative or arbitral proceeding, claiming any remedy or relief, including specific performance, injunction, declaratory relief or the enforcement of a judgment, order or award made outside Ontario.

No costs awarded

(5) No costs shall be awarded against any person in respect of a proceeding that cannot be brought or maintained under subsection (3).

No expropriation or injurious affection

(6) Nothing referred to in subsection (1) constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

Proceedings by Crown not prevented

(7) This section does not apply with respect to proceedings brought by the Crown.

Regulations

12 The Lieutenant Governor in Council may make regulations for carrying out the purpose and provisions of this Act, including regulations,

- (a) prescribing persons or entities for the purposes of clause (c) of the definition of “public sector entity” in section 1;
- (b) defining terms or expressions used in this Act that are not defined in this Act;
- (c) exempting a public sector entity from a provision of this Act and specifying conditions for the exemption;
- (d) addressing any transitional matters arising from the enactment of this Act or the repeal of the *Building Ontario Businesses Initiative Act, 2022*.

Repeal

13 The *Building Ontario Businesses Initiative Act, 2022* is repealed.

Commencement

14 (1) Except as otherwise provided in this section, the Act set out in this Schedule comes into force on the day the *Buy Ontario Act, 2025* receives Royal Assent.

(2) Section 13 comes into force on a day to be named by order of the Lieutenant Governor in Council.

Short title

15 The short title of the Act set out in this Schedule is the *Buy Ontario Act (Public Sector Procurement), 2025*.

**SCHEDULE 2
HIGHWAY TRAFFIC ACT**

1 Subsection 128.0.1 (1) of the *Highway Traffic Act* is amended by striking out “in school zones” and substituting “in or within 500 metres of a school zone”.

2 (1) Section 182 of the Act is amended by adding the following subsection:

Regulations, amber signals in school zones and community safety zones

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

- (a) requiring the use of flashing amber signals together with signs that a Minister’s directive under section 128.0.1 or 215 requires to be installed;
- (b) governing the display and actuation of the flashing amber signals, including their manner of display and the timing of display;
- (c) providing that any requirements respecting the flashing amber signals shall not apply if a by-law has been made governing the display, actuation or timing of the signals.

(2) Subsection 182 (2) of the Act is amended by striking out “so erected” at the end and substituting “so erected, installed or displayed”.

3 The Act is amended by adding the following section:

Directive to install signs in community safety zones

215 (1) The Minister may issue directives requiring a municipality to,

- (a) install signs along a highway under its jurisdiction where the highway is adjacent to land used for the purposes of a school if the school is in a community safety zone; and
- (b) install signs along a highway under its jurisdiction within 500 metres of land used for the purposes of a school if the school is in a community safety zone.

Same

(2) The Minister may, in a directive, specify a date by which the installation of a sign must be completed.

Requirement to comply

(3) A municipality that receives a directive issued under subsection (1) shall comply with it.

Same

(4) If a directive issued under subsection (1) specifies a date by which installation must be completed, the municipality shall comply with the directive by that date.

Minister to carry out sign installation

(5) If a municipality does not comply with a directive as required by subsection (3) or (4), the Minister or a person acting on behalf of the Minister may enter upon a highway under the jurisdiction of the municipality and do anything necessary to carry out the installation of the signs.

Obstruction

(6) A person shall not hinder, obstruct or interfere with the installation of signs under this section.

Municipality to provide information

(7) A municipality shall provide to the Minister, by the date specified by the Minister, any information that the Minister requests to facilitate the installation of signs under subsection (5).

Minister powers

(8) The Minister or a person acting on behalf of the Minister may carry out the installation of signs under subsection (5) despite any requirement that would otherwise apply in respect of the installation under an Act, regulation, by-law, order, permit, approval or licence.

Commencement

4 This Schedule comes into force on the day the *Buy Ontario Act, 2025* receives Royal Assent.

**SCHEDULE 3
LEGISLATION ACT, 2006**

1 (1) Section 10.1 of the *Legislation Act, 2006* is amended by adding the following subsections:

Exception, *Protecting Condominium Owners Act, 2015*

(5) Despite subsection (2), the provisions of Schedule 1 to the *Protecting Condominium Owners Act, 2015* referred to in subsection (6) shall not be repealed on December 31, 2025.

Same

(6) The provisions mentioned in subsection (5) are the following provisions of Schedule 1 to the *Protecting Condominium Owners Act, 2015*: subsections 1 (2), (11) and (18), sections 14, 18 and 24, subsection 26 (2), section 28, subsections 36 (2) and (4), section 37, subsections 39 (2) and (3), section 40, subsection 44 (1), subsections 46 (2), (3) and (4), subsections 52 (7) and (8), section 55, subsections 62 (2), (3) and (6), subsections 65 (2), (3), (4) and (5), subsections 67 (2), (3), (4) and (6), sections 98 and 99, subsection 107 (2), subsections 114 (1), (3), (4) and (5), sections 115 and 131, subsections 134 (2) and (3) and subsections 144 (2) and (4).

(2) Subsections 10.1 (5) and (6) of the Act, as enacted by subsection (1), are repealed.

Commencement

2 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Buy Ontario Act, 2025* receives Royal Assent.

(2) Subsection 1 (2) comes into force on January 1, 2027.