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Bill 105

An Act to enact the Strengthening Talent Agency Regulation Act, 2026 and to amend various Acts

The Hon. A. Khanjin
Minister of Red Tape Reduction

Government Bill

1st Reading April 20, 2026
2nd Reading
3rd Reading
Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 EMPLOYMENT STANDARDS ACT, 2000

The Schedule adds section 13.1 to the *Employment Standards Act, 2000* to prohibit employers from requiring employees to pay for uniforms or other prescribed items, or for their repair or laundering, except in limited circumstances such as loss, damage beyond normal wear and tear or failure to return items as agreed. Amounts improperly charged are enforceable as wages owing. Transitional rules address conflicts with existing collective agreements.

The Schedule also adds section 96.1, allowing the Director to assign certain complaints for inspection and to refuse to assign certain complaints for investigation or inspection in specified circumstances.

Section 128 is amended to replace the rules for apportioning money collected in enforcement matters, requiring that employees be paid first and that any remaining amounts be divided proportionally among the collector, the Director and the Minister of Finance.

SCHEDULE 2 ENVIRONMENTAL ASSESSMENT ACT

The Schedule amends the *Environmental Assessment Act*. Some highlights include:

1. Section 15 of the Act is re-enacted to authorize the prescribing of approved class environmental assessments and to provide that sections 15.1 to 17 apply to undertakings to which a prescribed approved class environmental assessment applies.
2. Amendments to section 17.2 provide that, where a Part II.3 project has more than one proponent, an application for approval by any one proponent is sufficient, and corresponding transition rules are added.
3. Sections 17.11 to 17.13 are repealed to remove the requirement for a ministry review of environmental assessments and the ability for any person to request that an application be referred to the Tribunal.
4. Section 17.15 is amended to remove the requirement for Lieutenant Governor in Council approval of a Minister's decision. New section 17.15.1 is added to authorize the Minister to refer the approval decision to the Lieutenant Governor in Council.
5. Amendments to section 17.29 provide that, for Part II.4 projects with multiple proponents, compliance by one proponent with prescribed requirements for commencement is sufficient.
6. Various consequential, transitional and regulation-making amendments are made throughout the Act.

SCHEDULE 3 LABOUR RELATIONS ACT, 1995

The Schedule amends certain timelines set out in the *Labour Relations Act, 1995* relating to the construction industry. Currently, the Act provides for two-month timelines in which another trade union may apply to the Board for certification as bargaining agent for employees to whom a collective agreement applies, and two-month timelines for applying for a declaration that a trade union no longer represents the employees in a bargaining unit. The Schedule amends the Act to provide for one-month timelines instead.

SCHEDULE 4 MINISTRY OF HEALTH AND LONG-TERM CARE ACT

The Schedule amends section 12 of the *Ministry of Health and Long-Term Care Act* to add the authority to make regulations governing the admission of graduates of a medical school outside of Canada to an Ontario medical residency program, including prescribing processes to prioritize the admission of graduates who have a connection to Ontario, specifying when a graduate has a connection to Ontario and defining "medical school outside of Canada" and "Ontario medical residency program".

SCHEDULE 5 OCCUPATIONAL HEALTH AND SAFETY ACT

The Schedule amends the *Occupational Health and Safety Act* to permit the Chief Prevention Officer to collect personal information about workers' exposure to a physical, chemical or biological agent for the purpose of maintaining a worker occupational exposure registry and other purposes.

The Act is amended to provide that, in certain circumstances, the Minister may recognize standards for training, personal protective equipment and other equipment that comply with requirements in another Canadian jurisdiction or the requirements under an agreement between Ontario and another Canadian jurisdiction.

The Minister is authorized to reimburse such employers and constructors as may be prescribed for the cost of purchasing such protective headwear as may be prescribed.

Related and consequential amendments are made.

SCHEDULE 6 OMBUDSMAN ACT

Subsection 2 (3) of the *Ombudsman Act* is re-enacted to provide that an order by the Assembly to appoint the Ombudsman can be made only if two conditions are met, the first being that the person to be appointed is proficient in English and French and the second being that the person has been selected by unanimous agreement of a panel composed of one member of the Assembly from each recognized party and chaired by the Speaker who is a non-voting member, unless decided otherwise by unanimous consent of the Assembly.

SCHEDULE 7 RETIREMENT HOMES ACT, 2010

The Schedule amends the *Retirement Homes Act, 2010*.

Currently, section 12 of the Act provides that the Lieutenant Governor in Council has authority to appoint directors to the board of the Retirement Homes Regulatory Authority. Amendments are made to this section to transfer the authority to appoint directors to the Minister. Further amendments are made to this section to require the Minister to set out the term of any such appointment in the appointment itself and to provide that a director appointed to the board by the Minister holds office at the pleasure of the Minister.

Currently, section 75 of the Act requires suspicions of the occurrence of certain incidents involving residents of a retirement home be reported to the Registrar if they are based on reasonable grounds. Subsection 75 (3) of the Act provides that certain categories of persons, such as legally qualified medical practitioners, are required to report such suspicions even if information that would need to be reported is confidential or privileged. The subsection is amended to remove reference to a category of healthcare practitioners under the now repealed *Drugless Practitioners Act* and to enable regulations to be made to prescribe additional categories of persons for the purposes of the subsection.

SCHEDULE 8 STRENGTHENING TALENT AGENCY REGULATION ACT, 2026

The Schedule enacts the *Strengthening Talent Agency Regulation Act, 2026*.

The Act defines key terms, sets out its application and confirms that rights under the Act cannot be waived. It provides that related or associated businesses may be treated as a single talent agency.

The Act prohibits talent agencies from charging fees to entertainment workers, except for prescribed commissions and any other prescribed fees. It limits the amount of commission that may be charged and requires talent agencies to provide written statements to entertainment workers and retain related records. The Act also sets out rules for handling compensation received on behalf of entertainment workers, including requirements to deposit funds in a dedicated account and to remit payments to workers within specified timelines.

The Act assigns responsibility for administration to the Minister and provides for the appointment of a Director of Talent Agencies and compliance officers. It sets out their powers, including the authority to conduct inspections and investigations, enter business locations (with limits for dwellings), require records, question individuals and issue orders to address contraventions.

The Act establishes complaint procedures, including criteria for accepting or refusing complaints, the power to require meetings or evidence from parties, and the ability to make orders requiring repayment of fees or payment of monies owed. It sets out directors' liability, time limits for issuing orders and rules for circumstances where affected workers cannot be located. The Act also provides authority for the Director to seek injunctions and issue notices of contraventions.

The Act includes processes for reviewing orders and notices of contravention before the Ontario Labour Relations Board, including rules respecting hearings, procedures, the Board's powers on review and the role of labour relations officers in facilitating settlements. It also addresses the handling of monies paid into trust pending review.

The Act authorizes collection activities, including the appointment of collectors and the addition of administrative costs and certain collector fees to amounts owing. It contains offence provisions and establishes penalties for contraventions by individuals and corporations, including enhanced penalties for repeat corporate offenders. Additional orders may be imposed on conviction to require payment of amounts owing to entertainment workers.

The Act includes evidentiary, confidentiality and service of documents provisions to support enforcement and administrative processes. It also authorizes the Lieutenant Governor in Council to make regulations governing matters such as exemptions, notices of contraventions, collections and definitions.

SCHEDULE 9
WORKPLACE SAFETY AND INSURANCE ACT, 1997

The Schedule amends the *Workplace Safety and Insurance Act, 1997*. Some of the amendments allow the Workplace Safety and Insurance Board to pay benefits to a worker after the worker reaches the age of 65. The new subsection 43 (1.1) allows certain workers to request that the Board determine whether the worker is likely to be working in suitable and available employment or business past 65 years of age and, if so, the day on which the worker is likely to cease this work. The new subsection 43 (1.2) similarly allows certain workers that were 63 years of age or older on the date of injury to request that the Board determine whether the worker is likely to be working in suitable and available employment or business past the day that is two years after the date of the injury and, if so, the day on which the worker is likely to cease this work. Clauses 43 (1) (b) and (c) are repealed and replaced so that if the Board determines a day with respect to a worker under the new subsections 43 (1.1) and (1.2), the worker is entitled to payments under section 43 until the earlier of when their loss of earnings ceases and that day. Consequential amendments are made to other sections that reference payment of benefits until 65 years of age.

Other amendments to section 43 of the Act prospectively increase the loss of earnings benefit rate from 85 per cent to 90 per cent of the difference between the worker's pre-injury net average earnings and post-injury net average earnings. Similar amendments are made with respect to survivor's benefits under section 48 of the Act. Consequential amendments are made to section 45 of the Act, which governs payments for loss of retirement income.

Currently, section 44 of the Act provides that the Board may not review payments to a worker for loss of earnings more than 72 months after the date of the worker's injury. That section is amended to apply to workers whose date of injury is more than 72 months before the amendment comes into force. The new section 44.1 applies to workers whose date of injury is 72 months before the amendment comes into force or later and allows the Board to review payments at any time after the amendment comes into force in accordance with the prescribed maximum frequency, if any, or with such frequency as it determines is appropriate. The Board may also review payments if a material change in circumstances occurs.

Part I of Schedule 1 of Ontario Regulation 175/98 made under the Act sets out classes of industries in which employers are subject to the insurance plan. The new section 74.1 provides that residential care facilities operated by a private employer and group homes are deemed to be included in that Part.

**An Act to enact the Strengthening Talent Agency
Regulation Act, 2026 and to amend various Acts**

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Preamble

The Government of Ontario is committed to:

Making Ontario the most competitive jurisdiction in the G7 to invest, create jobs and do business by cutting red tape and lowering cost for businesses and workers.

Expanding worker protections and benefits, and harmonizing requirements to facilitate interprovincial labour mobility across Canada.

Supporting Ontario's health workforce by increasing access to medical education for Ontarians.

Modernizing and streamlining processes for government approvals to improve timelines for decision making on infrastructure projects in Ontario.

Reinforcing the delivery of high-quality French language services by making proficiency in English and French a mandatory qualification for the Ombudsman.

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 *Protecting Ontario's Workers and Economic Resilience Act, 2026*.

**SCHEDULE 1
EMPLOYMENT STANDARDS ACT, 2000**

1 The *Employment Standards Act, 2000* is amended by adding the following section:

No charges for uniforms

13.1 (1) An employer shall not, directly or indirectly, require an employee to pay for a uniform or for any other prescribed item that the employee is required to wear while performing work, unless,

- (a) the employee loses the uniform or other prescribed item;
- (b) the employee damages the uniform or other prescribed item in a manner that exceeds normal wear and tear;
- (c) the employee and employer agree that the employee is to return the uniform or other prescribed item when the employee's employment ends and the employee fails to do so; or
- (d) any other prescribed circumstances exist.

No charges for repair or laundering

(2) If an employer repairs or launders a uniform or any other prescribed item, or arranges for another person to do so, the employer shall not, directly or indirectly, require an employee to pay for the repair or laundering, unless,

- (a) the employee damages the uniform or other prescribed item in a manner that exceeds normal wear and tear; or
- (b) any other prescribed circumstances exist.

Enforcement

(3) If an employer contravenes subsection (1) or (2), the amount paid for the uniform or other prescribed item or for the repair or laundering of the uniform or other prescribed item is a debt owing to the employee and is enforceable under this Act as if it were wages owing to the employee.

Deductions, etc.

(4) Subsection 13 (3) does not apply in respect of,

- (a) an amount paid for a uniform or other prescribed item, unless a circumstance set out in subsection (1) exists; or
- (b) an amount paid for the repair or laundering of a uniform or other prescribed item, unless a circumstance set out in subsection (2) exists.

Transition — collective agreements

(5) If a collective agreement that is in effect on the transition date contains a provision that addresses charges described in subsection (1) or (2) and there is a conflict between the provision of the collective agreement and this section, the provision of the collective agreement prevails.

Same — expiry of agreement

(6) Following the expiry of a collective agreement described in subsection (5), if the provision that addresses charges described in subsection (1) or (2) remains in effect, subsection (5) continues to apply to that provision, with necessary modifications, until a new or renewal agreement comes into effect.

Same — renewed or new agreement

(7) Subsection (5) does not apply to a collective agreement that is made or renewed on or after the transition date.

Definitions

(8) In this section,

“transition date” means the day section 1 of Schedule 1 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026* comes into force; (“date de transition”)

“uniform” means, subject to the regulations, attire that is unique to an employer's business or that is identified with an employer's business, and may include clothing bearing an employer's name, logo or brand. (“uniforme”)

2 The Act is amended by adding the following section:

Inspection of certain complaints

96.1 (1) The Director may assign a complaint filed under section 96 in respect of any of the following provisions to an employment standards officer to perform an inspection for the purpose of determining whether the provision is being complied with:

- 1. Section 8.2, 8.3, 8.4, 8.5, 8.6 or 21.1.2.
- 2. Subsection 41.1.1 (3), (4) or (5).

3. Section 74.1.1, 74.1.2, 74.1.3, 74.1.7, 74.1.8, 74.1.9, 74.1.11 or 74.1.13.

4. Any other prescribed provision.

Investigations

(2) Nothing in subsection (1) prevents the Director from assigning a complaint filed under section 96 to an employment standards officer to investigate a possible contravention.

Refusal

(3) The Director may refuse to assign a complaint filed under section 96 to an employment standards officer for investigation or inspection if the Director is satisfied that,

- (a) the complaint is frivolous, vexatious or an abuse of process;
- (b) there is insufficient information to substantiate the complaint; or
- (c) any other prescribed criteria have been met.

Director's authorization

(4) The Director may authorize an individual employed in the Ministry to exercise a power conferred on the Director under this section, either orally or in writing.

Residual powers

(5) The Director may exercise a power conferred on the Director under this section even if the Director has authorized an individual to exercise it under subsection (4).

Duty re policies

(6) An individual authorized by the Director under subsection (4) shall follow any policies established by the Director under subsection 88 (2).

3 (1) Subsection 128 (3) of the Act is repealed.

(2) Subsection 128 (4) of the Act is repealed and the following substituted:

Apportionment of money collected

(4) If the money collected is less than the full amount owing to all persons, including the collector, the Director and the Minister of Finance, the money shall be apportioned among those to whom it is owing and paid to them in accordance with the following rules:

- 1. If the money collected is sufficient to pay each employee the amount to which they are entitled under this Act, the collector shall pay each employee that amount.
- 2. If the money collected is not sufficient to pay each employee the amount to which they are entitled under this Act, the money shall be apportioned among the employees in proportion to the amounts owing to them and the collector shall pay each employee their apportioned amount.
- 3. If, after the amounts are paid under paragraph 1, additional money remains, the remaining money shall be apportioned among the following persons in proportion to the amounts owing to them and the collector shall pay each person their apportioned amount:
 - i. The collector.
 - ii. The Director.
 - iii. The Minister of Finance.

Commencement

4 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protecting Ontario's Workers and Economic Resilience Act, 2026* receives Royal Assent.

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

(3) Section 3 comes into force on a day to be named by order of the Lieutenant Governor in Council.

**SCHEDULE 2
ENVIRONMENTAL ASSESSMENT ACT**

1 Section 15 of the *Environmental Assessment Act* is repealed and the following substituted:

Application of Part

15 Sections 15.1 to 17 apply in respect of an undertaking to which a prescribed approved class environmental assessment applies.

2 Subsection 15.1.3 (1) of the Act is amended by striking out “listed in” and substituting “prescribed for the purposes of”.

3 (1) Subsection 15.3 (3) of the Act is repealed.

(2) Subsection 15.3 (4) of the Act is repealed.

4 (1) Subsection 17.2 (1) of the Act is repealed and the following substituted:

Approval for project

(1) A proponent who wishes to proceed with a Part II.3 project shall apply to the Minister for approval to do so.

Multiple proponents

(1.1) Despite subsection (1), if a Part II.3 project has more than one proponent and at least one of them applies for approval to proceed, no other proponent is required to apply in respect of the project.

(2) Section 17.2 of the Act is amended by adding the following subsection:

Transition

(2.1) If, as part of an application, proposed terms of reference were given to the Ministry under subsection 17.4 (1) before the day subsection 4 (1) of Schedule 2 to the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* came into force, subsection (1.1) applies in respect of the application.

(3) Subsections 17.2 (4) to (6) of the Act are repealed and the following substituted:

Prohibition

(4) No person shall proceed with a Part II.3 project unless the Minister gives approval to proceed under section 17.15, the Lieutenant Governor in Council gives approval to proceed under section 17.15.1 or the Tribunal gives approval to proceed under section 17.16.

Same

(5) No person shall proceed with a Part II.3 project in a manner inconsistent with a condition imposed by the Minister, the Lieutenant Governor in Council or the Tribunal for proceeding with it.

Notification of potential non-compliance

(6) If approval has been given to proceed with a Part II.3 project and a change in circumstances may prevent a proponent from complying with the approval, the proponent shall promptly notify the Minister.

5 (1) Subsection 17.4 (4) of the Act is amended by striking out “the prescribed deadline” and substituting “the prescribed deadline, if any”.

(2) Section 17.4 of the Act is amended by adding the following subsection:

Different deadlines

(13.1) For the purpose of subsection (13), different deadlines may be prescribed for proposed terms of reference in respect of which a matter is referred to mediation under subsection (12) and for proposed terms of reference in respect of which no referral is made.

6 (1) The English version of section 17.7 of the Act is amended by striking out “a proponent” wherever it appears and substituting in each case “the proponent”.

(2) Subsections 17.7 (7) and (8) of the Act are repealed and the following substituted:

Amendment or withdrawal

(7) After submitting the environmental assessment to the Ministry, the proponent may amend it at any time before the prescribed deadline for amendments or may withdraw it before the prescribed deadline for withdrawal.

Same

(8) The proponent may amend or withdraw the environmental assessment after the applicable deadline referred to in subsection (7) only upon such conditions as the Minister may by order impose.

7 Subsection 17.9 (2) of the Act is amended by striking out “during the preparation of the Ministry review” and substituting “when a decision is made in respect of the application”.

8 The English version of section 17.10 of the Act is amended by striking out “a proponent” and substituting “the proponent”.

9 Sections 17.11 to 17.13 of the Act are repealed and the following substituted:

Deficient environmental assessment

17.11 (1) If the Director considers that the environmental assessment is deficient in relation to the approved terms of reference and the purpose of this Act, the Director may, before the prescribed deadline, if any, give the proponent a statement describing the deficiencies and specifying the date by which the deficiencies must be remedied.

Remedying deficiencies

(2) If the proponent takes steps to remedy the deficiencies set out in the statement, they shall complete those steps by the date specified in the statement.

Rejection of environmental assessment

(3) The Minister may reject the environmental assessment if the Director is not satisfied that the deficiencies have been remedied by the specified date.

Notice of rejection

(4) If the Minister rejects the environmental assessment, the Director shall notify the proponent, the public and the clerk of each municipality in which the Part II.3 project is to be carried out.

10 (1) Paragraph 3 of subsection 17.14 (3) of the Act is amended by striking out “or 17.13 (2)” at the end.

(2) Subsection 17.14 (9) of the Act is repealed and the following substituted:

Disclosure

(9) The Minister shall make the report public promptly after the Minister makes a decision under section 17.15, the Minister notifies the proponent of the Lieutenant Governor in Council’s decision under subsection 17.15.1 (4) or the decision of the Tribunal under section 17.16 becomes effective. The Minister may make all or part of the report public before then only with the consent of the parties to the mediation.

11 (1) Subsection 17.15 (1) of the Act is amended by striking out “with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate, the Minister” in the portion before clause (a).

(2) The English version of subsection 17.15 (3) of the Act is amended by striking out “matters” and substituting “things” in the portion before paragraph 1.

(3) Paragraph 4 of subsection 17.15 (3) of the Act is repealed.

(4) Paragraph 5 of subsection 17.15 (3) of the Act is amended by striking out “subsections 17.9 (2) and 17.13 (2)” and substituting “subsection 17.9 (2)” at the end.

(5) Subsection 17.15 (5) of the Act is repealed and the following substituted:

Notice to others

(5) The Minister shall give notice of the decision to every person who submitted comments to the Ministry under subsection 17.9 (2).

12 The Act is amended by adding the following section:

Referral to Lieutenant Governor in Council

17.15.1 (1) The Minister may refer an application to the Lieutenant Governor in Council for a decision.

Powers of Lieutenant Governor in Council

(2) The Lieutenant Governor in Council may make any decision the Minister is permitted to make under subsection 17.15 (1).

Basis for decision

(3) The Lieutenant Governor in Council shall consider the following things when deciding an application:

1. The purpose of this Act.
2. The approved terms of reference for the environmental assessment.
3. The environmental assessment.
4. The comments submitted under subsection 17.9 (2).

5. The mediator's report, if any, given to the Minister under section 17.14.
6. Such other matters as the Lieutenant Governor in Council considers relevant to the application.

Notice to proponent

(4) The Minister shall notify the proponent of the decision and shall give them the Lieutenant Governor in Council's written reasons for the decision.

Notice to others

(5) The Minister shall give notice of the decision to every person who submitted comments to the Ministry under subsection 17.9 (2).

13 (1) Paragraph 4 of subsection 17.16 (3) of the Act is repealed.

(2) Paragraph 5 of subsection 17.16 (3) of the Act is amended by striking out "subsections 17.9 (2) and 17.13 (2)" and substituting "subsection 17.9 (2)" at the end.

14 (1) Subsection 17.17 (4) of the Act is repealed.

(2) Paragraph 3 of subsection 17.17 (5) of the Act is repealed.

(3) Paragraph 4 of subsection 17.17 (5) of the Act is amended by striking out "subsections 17.9 (2) and 17.13 (2)" and substituting "subsection 17.9 (2)" at the end.

15 Section 17.18 of the Act is repealed.

16 Section 17.19 of the Act is repealed and the following substituted:

Deadline, Minister's decisions

17.19 (1) By the prescribed deadline, the Minister shall determine whether to refer a matter in connection with an application to mediation under section 17.14 or to the Tribunal under section 17.17.

Same

- (2) By the prescribed deadline, the Minister shall, with respect to an application,
 - (a) decide the application under section 17.15;
 - (b) refer the application to the Lieutenant Governor in Council for a decision under section 17.15.1; or
 - (c) refer the application to the Tribunal for a decision under section 17.16.

Different deadlines

(3) For the purpose of subsection (2), different deadlines may be prescribed for applications in which a matter is referred to mediation under section 17.14 or to the Tribunal under section 17.17 and for applications in which no referral is made.

Same

(4) If, before the deadline referred to in subsection 17.7(7), the Minister gives the proponent written notice specifying a deadline that differs from a deadline prescribed for the purposes of subsection (1), the prescribed deadline does not apply with respect to the proponent's application and the deadline specified in the notice applies instead.

Reasons

(5) A notice given under subsection (4) must include reasons for the deadline specified in the notice.

Missed deadline, reasons

(6) If the Minister has not made a decision under subsection (2) by the prescribed deadline or by the deadline specified in a notice given under subsection (4), the Minister shall provide written reasons to the proponent indicating why a decision was not made and when a decision is expected to be made.

17 The Act is amended by adding the following section:

Notice of referral

17.20.1 (1) The Minister shall notify the proponent and such other persons as the Minister considers appropriate of a referral made under section 17.15.1.

Same

- (2) The Minister shall notify the following persons of a referral made under section 17.16, 17.17 or 17.20:
 1. The proponent.
 2. Every person who submitted comments under subsection 17.9 (2).

3. Such other persons as the Minister considers appropriate.

Additional information

(3) A notification made under subsection (2) in respect of a referral made under section 17.17 shall include the information given to the Tribunal under subsection 17.17 (3).

18 Subsection 17.21 (4) of the Act is amended by striking out “17.13 (2)” at the end and substituting “17.9 (2)”.

19 (1) Subsection 17.22 (2) of the Act is amended by striking out “at any time before the Minister decides the application under section 17.15” at the end and substituting “at any time before an application is decided”.

(2) Subsection 17.22 (4) of the Act is amended by striking out “with the necessary approval”.

20 Section 17.24 of the Act is repealed and the following substituted:

Reconsideration of decisions

17.24 (1) The Minister may reconsider an approval to proceed with a Part II.3 project, whether the approval was given by the Minister, the Lieutenant Governor in Council or the Tribunal, if there is a change in circumstances or there is new information concerning the application and the Minister is of the opinion that reconsideration is appropriate.

Same

(2) The Minister may request the Tribunal to determine whether it is appropriate to reconsider an approval.

Same

(3) The Minister may request the Lieutenant Governor in Council or the Tribunal to reconsider an approval given by the Minister, Lieutenant Governor in Council or the Tribunal.

Minister may require plans, etc.

(4) For the purposes of making a decision under this section, the Minister or the Tribunal may, by order, require the proponent of the Part II.3 project to provide plans, specifications, technical reports or other information and to carry out and report on tests or experiments relating to the Part II.3 project.

Amendment, revocation

(5) If the Minister, Lieutenant Governor in Council or the Tribunal reconsiders an approval under this section, the approval may be amended or revoked by the body or person that reconsidered it.

Rules, etc.

(6) A decision under this section shall be made in accordance with any rules and subject to any restrictions as may be prescribed.

21 Subsection 17.29 (1) of the Act is repealed and the following substituted:

Commencing project

(1) No person shall proceed with a Part II.4 project until the proponent has satisfied the prescribed requirements for commencing the project, including the completion of an environmental assessment process.

Same, multiple proponents

(1.1) Despite subsection (1), if a Part II.4 project has more than one proponent and at least one of them has satisfied the prescribed requirements for commencing the project, no other proponent is required to satisfy those requirements.

22 Subsection 19 (1) of the Act is amended by striking out “any person who under subsection 17.13 (3) requests the Minister to refer the application to the Tribunal”.

23 Section 22 of the Act is amended by striking out “17.13 (2)” and substituting “17.9 (2)”.

24 (1) Paragraph 3 of subsection 30 (1.1) of the Act is repealed.

(2) Paragraph 4 of subsection 30 (1.1) of the Act is amended by striking out “subsections 17.9 (2) and 17.13 (2)” and substituting “subsection 17.9 (2)” at the end.

(3) Paragraph 5 of subsection 30 (1.1) of the Act is amended by striking out “the Minister” and substituting “the Minister, the Lieutenant Governor in Council”.

25 (1) Subsection 31 (3) of the Act is amended by adding the following paragraph:

2.1 The power to refer decisions to the Lieutenant Governor in Council under section 17.15.1.

(2) Paragraph 4 of subsection 31 (3) of the Act is repealed and the following substituted:

4. The power under section 17.24 to reconsider a decision.

26 Subsection 38.1 (1) of the Act is amended by adding “or Schedule 2 to the *Protecting Ontario’s Workers and Economic Resilience Act, 2026*” at the end.

27 The Act is amended by adding the following section:

Ministry review, etc., continued

38.7 (1) If, before the transition date, a proponent submitted an environmental assessment under section 17.7 in respect of a Part II.3 project, the Act, as it read immediately before the transition date, continues to apply in respect of the Part II.3 project.

Same

(2) For greater certainty, any deadlines prescribed in respect of a Part II.3 project referred to in subsection (1) continue to apply as they read immediately before the transition date.

Transition

(3) Despite subsection (1), section 17.24, as it read on the transition date, applies in respect of a Part II.3 project referred to in subsection (1).

Definition

(4) In this section,

“transition date” means the day section 17.11 is repealed by section 9 of Schedule 2 to the *Protecting Ontario’s Workers and Economic Resilience Act, 2026*.

28 Subsection 40 (2) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Same

(2) A regulation under clause (1) (a) respecting the environmental assessment process that must be completed before proceeding with a Part II.4 project may limit the assessment to specified environmental impacts, such as impacts on archaeological resources, and may require persons to,

.

Commencement

29 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* receives Royal Assent.

(2) The following provisions come into force on a day to be named by order of the Lieutenant Governor in Council:

- 1. Sections 1, 2 and 3.**
- 2. Subsections 4 (3) and 6 (2).**
- 3. Sections 7, 9 to 20, 22 to 25 and 27.**

(3) Section 21 comes into force on the later of the day section 30 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force and the day the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* receives Royal Assent.

(4) Section 28 comes into force on the later of the day section 43 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force and the day the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* receives Royal Assent.

**SCHEDULE 3
LABOUR RELATIONS ACT, 1995**

1 (1) Section 127.3 of the *Labour Relations Act, 1995* is repealed and the following substituted:

Application for certification

127.3 (1) This section applies if a trade union and an employer have entered into a collective agreement.

Same

(2) Where the collective agreement is for a term of not more than three years, another trade union may apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement only after the commencement of the last month of its operation.

Same

(3) Where the collective agreement is for a term of more than three years, another trade union may apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement only after the commencement of the 36th month of its operation and before the commencement of the 37th month of its operation and during the one-month period immediately preceding the end of each year that the agreement continues to operate thereafter or after the commencement of the last month of its operation, as the case may be.

Same

(4) Where a collective agreement referred to in subsection (2) or (3) provides that it will continue to operate for any further term or successive terms if either party fails to give to the other notice of termination or of its desire to bargain with a view to renewal, with or without modifications, of the agreement or to the making of a new agreement, another trade union may apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement during the further term or successive terms only during the last month of each year that it so continues to operate, or after the commencement of the last month of its operation, as the case may be.

Transition

(5) Despite the amendment made by subsection 1 (1) of Schedule 3 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026*, this section, as it read immediately before that amendment came into force, continues to apply for six months after the amendment comes into force.

(2) Subsection (1) only applies if subsection 1 (3) of this Schedule has not come into force.

(3) Section 127.3 of the Act is repealed and the following substituted:

Application for certification

127.3 (1) This section applies if a trade union and an employer have entered into a collective agreement.

Same

(2) Where the collective agreement is for a term of not more than three years, another trade union may apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement only during the second last month of its operation.

Same

(3) Where the collective agreement is for a term of more than three years, another trade union may apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement only after the commencement of the 35th month of its operation and before the commencement of the 36th month of its operation and during the second last month immediately preceding the end of each year that the agreement continues to operate thereafter or during the second last month of its operation, as the case may be.

Same

(4) Where a collective agreement referred to in subsection (2) or (3) provides that it will continue to operate for any further term or successive terms if either party fails to give to the other notice of termination or of its desire to bargain with a view to renewal, with or without modifications, of the agreement or to the making of a new agreement, another trade union may apply to the Board for certification as bargaining agent of any of the employees in the bargaining unit defined in the agreement during the further term or successive terms only during the second last month of each year that it so continues to operate, or during the second last month of its operation, as the case may be.

Transition

(5) Despite the amendment made by subsection 1 (3) of Schedule 3 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026*, this section, as it read immediately before that amendment came into force, continues to apply for six months after the amendment comes into force.

(4) Subsection (3) only applies if subsection 1 (1) of this Schedule has not come into force.

(5) Subsection 127.3 (5) of the Act is repealed.

2 (1) Section 132 of the Act is repealed and the following substituted:

Application for termination

132 (1) If a trade union does not make a collective agreement with the employer within six months after its certification, any of the employees in the bargaining unit determined in the certificate may apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit.

Same, agreement

(2) Any of the employees in the bargaining unit defined in a first agreement between an employer and a trade union, where the trade union has not been certified as the bargaining agent of the employees of the employer in the bargaining unit, may apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit after the 335th day of its operation and before the 365th day of its operation.

Same, agreement

(3) Any of the employees in the bargaining unit defined in a collective agreement other than a first agreement referred to in subsection (2) may, subject to section 67, apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit,

- (a) in the case of a collective agreement for a term of not more than three years, only after the commencement of the last month of its operation;
- (b) in the case of a collective agreement for a term of more than three years, only after the commencement of the 36th month of its operation and before the commencement of the 37th month of its operation and during the one-month period immediately preceding the end of each year that the agreement continues to operate thereafter or after the commencement of the last month of its operation, as the case may be; and
- (c) in the case of a collective agreement referred to in clause (a) or (b) that provides that it will continue to operate for any further term or successive terms if either party fails to give to the other notice of termination or of its desire to bargain with a view to the renewal, with or without modifications, of the agreement or to the making of a new agreement, only during the last month of each year that it so continues to operate or after the commencement of the last month of its operation, as the case may be.

Transition

(4) Despite the amendment made by subsection 2 (1) of Schedule 3 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026*, this section, as it read immediately before that amendment came into force, continues to apply for six months after the amendment comes into force.

(2) Section 132 of the Act is repealed and the following substituted:

Application for termination

132 (1) If a trade union does not make a collective agreement with the employer within six months after its certification, any of the employees in the bargaining unit determined in the certificate may apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit.

Same, agreement

(2) Any of the employees in the bargaining unit defined in a first agreement between an employer and a trade union, where the trade union has not been certified as the bargaining agent of the employees of the employer in the bargaining unit, may apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit after the 305th day of its operation and before the 335th day of its operation.

Same, agreement

(3) Any of the employees in the bargaining unit defined in a collective agreement other than a first agreement referred to in subsection (2) may, subject to section 67, apply to the Board for a declaration that the trade union no longer represents the employees in the bargaining unit,

- (a) in the case of a collective agreement for a term of not more than three years, only during the second last month of its operation;
- (b) in the case of a collective agreement for a term of more than three years, only after the commencement of the 35th month of its operation and before the commencement of the 36th month of its operation and during the second last month immediately preceding the end of each year that the agreement continues to operate thereafter or during the second last month of its operation, as the case may be; and
- (c) in the case of a collective agreement referred to in clause (a) or (b) that provides that it will continue to operate for any further term or successive terms if either party fails to give to the other notice of termination or of its desire to bargain with a view to the renewal, with or without modifications, of the agreement or to the making of a new agreement, only

during the second last month of each year that it so continues to operate or during the second last month of its operation, as the case may be.

Transition

(4) Despite the amendment made by subsection 2 (2) of Schedule 3 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026*, this section, as it read immediately before that amendment came into force, continues to apply for six months after the amendment comes into force.

(3) Subsection 132 (4) of the Act is repealed.

3 (1) Subsection 125 (1) of the Act is amended by adding the following clause:

(j.3) governing or modifying the application of section 67 where the time periods in section 127.3 and 132 are amended;

(2) Section 125 of the Act is amended by adding the following subsections:

Transitional regulations

(6) The Lieutenant Governor in Council may make regulations providing for any transitional matter that the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of the amendments made by Schedule 3 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026*.

Conflict with transitional regulations

(7) In the event of a conflict between this Act and a regulation made under subsection (6), the regulation prevails.

Commencement

4 (1) Except as otherwise provided in this section, this Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

(2) Subsections 1 (2) and (4) come into force on the day the *Protecting Ontario's Workers and Economic Resilience Act, 2026* receives Royal Assent.

(3) Subsection 2 (1) comes into force on the day subsection 1 (1) of this Schedule comes into force.

(4) Subsections 2 (2) and 3 (1) come into force on the day subsection 1 (3) of this Schedule comes into force.

SCHEDULE 4
MINISTRY OF HEALTH AND LONG-TERM CARE ACT

1 Subsection 12 (1) of the *Ministry of Health and Long-Term Care Act* is amended by adding the following clause:

- (i) governing the admission of graduates of a medical school outside of Canada to an Ontario medical residency program, including,
 - (i) prescribing processes to prioritize the admission of graduates who have a connection to Ontario,
 - (ii) specifying when a graduate has a connection to Ontario,
 - (iii) defining “medical school outside of Canada” and “Ontario medical residency program”.

Commencement

2 This Schedule comes into force on the day the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* receives Royal Assent.

**SCHEDULE 5
OCCUPATIONAL HEALTH AND SAFETY ACT**

1 The English version of the *Occupational Health and Safety Act* is amended by striking out “occupational diseases” wherever it appears and substituting in each case “occupational illnesses”.

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

Protective headwear reimbursements

21.1 (1) Subject to subsections (2), (3) and (4), the Minister may reimburse such employers and constructors as may be prescribed for the cost of purchasing such protective headwear as may be prescribed.

Eligibility

(2) Prescribed protective headwear is eligible for reimbursement under subsection (1) only if it is purchased by the constructor or employer with respect to work performed on a project in respect of which they are a constructor or employer.

Regulations

(3) The Lieutenant Governor in Council may make regulations governing reimbursements under this section, including but not limited to, establishing maximum amounts for reimbursements and prescribing conditions that must be satisfied in order for reimbursements to occur.

Minister’s determinations

(4) The Minister may determine the form and timing of reimbursements under this section and, subject to any regulations made by the Lieutenant Governor in Council respecting the reimbursements, may specify conditions that must be satisfied in order for reimbursements to occur.

(2) Section 21.1 of the Act, as enacted by subsection (1), is repealed.

3 Subsection 22.3 (1) of the Act is amended by adding the following clause:

(b.1) develop and maintain a worker occupational exposure registry;

4 (1) Section 22.3.1 of the Act is amended by adding the following subsection:

Same, occupational exposure

(1.1) The Chief Prevention Officer may collect personal information directly from a worker about the worker’s exposure to a physical, chemical or biological agent at a workplace, for the purpose of maintaining a worker occupational exposure registry and for the purposes referred to in subsection (1).

(2) Subsection 22.3.1 (2) of the Act is amended by adding “or (1.1)” after “subsection (1)”.

(3) Subsection 22.3.1 (3) of the Act is amended by adding “or (1.1)” after “subsection (1)”.

(4) Section 22.3.1 of the Act is amended by adding the following subsection:

Same

(4.1) Unless required to do so by law, the Chief Prevention Officer shall not disclose personal information collected directly under subsection (1.1) to any person other than the worker from whom it was collected.

5 The title of Part III.1 of the Act is repealed and the following substituted:

**PART III.1
APPROVAL OF CODES OF PRACTICE AND INTERJURISDICTIONAL RECOGNITION OF STANDARDS**

6 Subsections 32.2 (2) and (3) of the Act are repealed and the following substituted:

Minister’s order – interjurisdictional recognition of standards

(2) Despite any legal requirement in this Act or the regulations, the Minister may issue an order recognizing standards for training, personal protective equipment or other equipment that comply with the requirements in another Canadian jurisdiction or the requirements under an agreement entered into between Ontario and another Canadian jurisdiction if the Minister is satisfied that the standard is appropriate for use in Ontario and provides adequate protection for the health and safety of workers.

Terms, conditions

(3) An approval or recognition order made under this section may be subject to such terms and conditions as the Minister considers appropriate and may be general or particular in its application.

Withdrawal of approval or recognition order

(3.1) The Minister may withdraw an approval or recognition order made under this section.

Legislation Act, 2006, Part III

(3.2) Part III (Regulations) of the *Legislation Act, 2006* does not apply with respect to an approval or recognition order made under this section or the withdrawal of such an approval or recognition order.

7 Section 32.3 of the Act is repealed and the following substituted:

Publication of approval or recognition order, etc.

32.3 (1) An approval or recognition order or a withdrawal of an approval or recognition order shall be published in *The Ontario Gazette*.

Effect of publication

(2) Publication of an approval or recognition order, or of the withdrawal of an approval or recognition order in *The Ontario Gazette*,

- (a) is, in the absence of evidence to the contrary, proof of the approval, recognition order or withdrawal; and
- (b) shall be deemed to be notice of the approval, recognition order or withdrawal to everyone affected by it.

Judicial notice

(3) Judicial notice shall be taken of an approval, recognition order or withdrawal published in *The Ontario Gazette*.

8 The Act is amended by adding the following section:

Effect of recognition order

32.5 Subject to any terms or conditions set out in the order, compliance with a standard recognized in an order made under subsection 32.2 (2) is deemed to be compliance with the legal requirement specified in the order.

Commencement

9 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protecting Ontario's Workers and Economic Resilience Act, 2026* receives Royal Assent.

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

**SCHEDULE 6
OMBUDSMAN ACT**

1 Subsection 2 (3) of the *Ombudsman Act* is repealed and the following substituted:

Conditions for appointment

- (3) An order shall be made under subsection (2) only if the person to be appointed,
- (a) is proficient in English and French; and
 - (b) has been selected by unanimous agreement of a panel composed of one member of the Assembly from each recognized party and chaired by the Speaker who is a non-voting member, unless decided otherwise by unanimous consent of the Assembly.

Commencement

2 This Schedule comes into force on the day the *Protecting Ontario's Workers and Economic Resilience Act, 2026* receives Royal Assent.

**SCHEDULE 7
RETIREMENT HOMES ACT, 2010**

1 (1) Subsection 12 (4) of the *Retirement Homes Act* is amended by striking out “Lieutenant Governor in Council” and substituting “Minister”.

(2) Section 12 of the Act is amended by adding the following subsections:

Term of appointment

(4.1) The Minister shall set out the term of appointment in the appointment of each person whom the Minister appoints to the board.

Appointments at pleasure

(4.2) A director appointed to the board by the Minister holds office at the pleasure of the Minister during the director’s term.

(3) Subsection 12 (5) of the Act is repealed and the following substituted:

Not majority

(5) When exercising either of the powers conferred by subsections (3) and (4), the Minister shall ensure that the directors appointed by the Minister do not constitute a majority of the number of directors required to be on the board.

(4) Subsections 12 (6) and (7) of the Act are amended by striking out “Lieutenant Governor in Council” wherever it appears and substituting in each case “Minister”.

(5) Section 12 of the Act is amended by adding the following subsection:

Transition to ministerial appointments

(15) Any director who was appointed to the board by the Lieutenant Governor in Council under subsection (4) before the day subsection 1 (1) of Schedule 7 to the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* came into force is deemed to have been appointed to the board by the Minister.

2 Subsection 29 (2) of the Act is amended by striking out “Lieutenant Governor in Council” at the end and substituting “Minister”.

3 (1) Subsection 75 (3) of the Act is amended by striking out “a person mentioned in paragraph 1, 2 or 3” in the portion before paragraph 1 and substituting “the following persons”.

(2) Paragraphs 2 and 3 of subsection 75 (3) of the Act are repealed and the following substituted:

2. A member of the Ontario College of Social Workers and Social Service Workers.
3. Any other person prescribed by the regulations.

Commencement

4 This Schedule comes into force on the day the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* receives Royal Assent.

**SCHEDULE 8
STRENGTHENING TALENT AGENCY REGULATION ACT, 2026**

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**PART I
INTERPRETATION AND APPLICATION**

Definitions

1 In this Act,

“Board” means the Ontario Labour Relations Board; (“Commission”)

“business day” means a day from Monday to Friday, other than a holiday as defined in section 87 of the *Legislation Act, 2006*; (“jour ouvrable”)

“collector” means a person, other than a compliance officer, who is authorized by the Director to collect an amount owing under this Act; (“agent de recouvrement”)

“compliance officer” means a person described in subsection 11 (1); (“agent de conformité”)

“Director” means the Director of Talent Agencies appointed by the Minister under subsection 10 (1); (“directeur”)

“entertainment worker” means a performer and any other prescribed individual who performs work or supplies services for monetary compensation in the entertainment industry; (“travailleur du spectacle”)

“labour relations officer” means a labour relations officer appointed under the *Labour Relations Act, 1995*; (“agent des relations de travail”)

“Minister” means the Minister of Labour, Immigration, Training and Skills Development or such other member of the Executive Council to whom the administration of this Act is assigned under the *Executive Council Act*; (“ministre”)

“Ministry” means the ministry of the Minister; (“ministère”)

“performer” means, subject to the regulations, an individual who, for monetary compensation, acts, sings, dances or otherwise performs in any medium and includes background performers and extras; (“artiste”)

“prescribed” means prescribed by the regulations; (“prescrit”)

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

“talent agency” means, subject to the regulations, a person who, for a fee, represents an entertainment worker who is seeking to perform work or supply services in the entertainment industry. (“agence artistique”)

Application

2 This Act applies to talent agencies and entertainment workers.

No contracting out

3 No talent agency or entertainment worker shall contract out of or waive any right provided in this Act and any such contracting out or waiver is void.

Separate persons treated as one talent agency

4 (1) If associated or related activities or businesses are or were carried on by or through a talent agency and one or more other persons, the talent agency and those persons shall be treated as one talent agency for the purposes of this Act.

Businesses need not be carried on at the same time

(2) Subsection (1) applies even if the activities or businesses are not carried on at the same time.

Exception, individuals

(3) Subsection (1) does not apply with respect to a corporation and an individual who is a shareholder of the corporation unless the individual is a member of a partnership and the shares are held for the purposes of the partnership.

Joint and several liability

(4) Persons who are treated as one talent agency under this section are jointly and severally liable for any contravention of this Act or the regulations and for any amounts owing to an entertainment worker by any of them.

Civil proceedings not affected

5 No civil remedy of an entertainment worker against a talent agency is affected by this Act.

PART II FEES AND COMMISSION

No fees charged to entertainment workers

6 (1) No talent agency shall, directly or indirectly, charge a fee to an entertainment worker.

Exception

(2) Subsection (1) does not apply in respect of a commission described in section 7 or any other prescribed fee.

Fees

(3) Except as otherwise prescribed, a fee referred to in subsection (1) includes an annual fee, a registration fee and any other fee in respect of representing an entertainment worker who is seeking to perform work or supply services in the entertainment industry.

Restrictions on commission

7 (1) A talent agency that represents an entertainment worker shall not charge a commission exceeding the prescribed amount in respect of work performed or services supplied by the entertainment worker.

Statements

(2) If an entertainment worker owes commission to a talent agency, the agency shall, within the prescribed time period, give the entertainment worker a written statement setting out the prescribed information.

Retention

(3) A talent agency shall retain, or arrange for another person to retain, a statement required under subsection (2) for three years after it is provided to the entertainment worker.

Availability

(4) A talent agency shall ensure that the records required to be retained under this section are readily available as required by a compliance officer, even if the talent agency has arranged for another person to retain them.

Compensation received on behalf of performers, etc.

8 (1) If a talent agency receives payment for work performed or services supplied by an entertainment worker whom it represents, the agency shall,

- (a) ensure the amount of the payment is deposited into a bank account used exclusively for funds owing to such entertainment workers; and
- (b) unless the regulations provide otherwise, pay the amount to the entertainment worker within 10 business days of receiving the payment.

Exception

(2) Despite subsection (1), a talent agency may deduct any commission charged in accordance with section 7 and any other fee prescribed for the purposes of subsection 6 (2) from the payment required to be deposited.

**PART III
WHO ENFORCES THIS ACT AND WHAT THEY CAN DO**

Minister responsible

9 (1) The Minister is responsible for the administration of this Act.

Delegation of powers

(2) The Minister or Deputy Minister may, in writing, delegate to any Ministry employee any power or duty granted to or vested in the Minister or Deputy Minister under this Act subject to such limitations, restrictions, conditions and requirements as the Minister or Deputy Minister may set out in the delegation.

Director

10 (1) The Minister shall appoint a Ministry employee to be the Director of Talent Agencies to administer this Act and the regulations.

Acting Director

(2) The Director's powers may be exercised and the Director's duties may be performed by a Ministry employee appointed as Acting Director if,

- (a) the Director is absent or unable to act; or
- (b) an individual who was appointed Director has ceased to be the Director and no new Director has been appointed.

Same

(3) An Acting Director shall be appointed by the Director or, in the Director's absence, the Deputy Minister.

Policies

(4) The Director may establish policies respecting the interpretation, administration and enforcement of this Act.

Delegation

(5) The Director may, in writing, delegate to any Ministry employee any power or duty granted to or vested in the Director under this Act, subject to such limitations, restrictions, conditions and requirements as the Director may set out in the delegation.

Hearing not required

(6) The Director is not required to hold a hearing in exercising any power or making any decision under this Act.

Compliance officers

11 (1) Such persons as are considered necessary to enforce this Act and the regulations may be appointed under Part III of the *Public Service of Ontario Act, 2006* as compliance officers.

Certificate of appointment

(2) The Deputy Minister shall issue a certificate of appointment bearing the Deputy Minister's signature or a facsimile of it to every compliance officer.

Powers and duties of officers

12 (1) A compliance officer may exercise the powers and shall perform the duties conferred or imposed on compliance officers under this Act.

Officers to follow policies

(2) A compliance officer shall follow any policies established by the Director under subsection 10 (4).

Hearing not required

(3) A compliance officer is not required to hold a hearing in exercising any power or making any decision under this Act.

Investigation and inspection powers

13 (1) A compliance officer may, without a warrant, enter and inspect any place in order to investigate a possible contravention of this Act or to perform an inspection to ensure that this Act is being complied with.

Time of entry

(2) The power to enter and inspect a place without a warrant may be exercised only during the place's regular business hours or, if it does not have regular business hours, during daylight hours.

Dwellings

(3) The power to enter and inspect a place without a warrant shall not be exercised to enter and inspect a part of the place that is used as a dwelling unless the occupier of the dwelling consents.

Use of force

(4) A compliance officer is not entitled to use force to enter and inspect a place.

Identification

(5) A compliance officer shall produce, on request, evidence of the officer's appointment.

Powers of officer

(6) A compliance officer conducting an investigation or inspection may,

- (a) examine a record or other thing that the officer thinks may be relevant to the investigation or inspection;
- (b) require the production of a record or other thing that the officer thinks may be relevant to the investigation or inspection;
- (c) remove for review and copying a record or other thing that the officer thinks may be relevant to the investigation or inspection;
- (d) in order to produce a record in readable form, use data storage, information processing or retrieval devices or systems that are normally used in carrying on business in the place; and
- (e) question any person on matters the officer thinks may be relevant to the investigation or inspection.

Written demand

(7) A demand that a record or other thing be produced must be in writing and must include a statement of the nature of the record or thing required.

Obligation to produce and assist

(8) If a compliance officer demands that a record or other thing be produced, the person who has custody of the record or thing shall produce it and, in the case of a record, shall on request provide any assistance that is reasonably necessary to interpret the record or to produce it in a readable form.

Records and things removed from place

(9) A compliance officer who removes a record or other thing under clause (6) (c) shall provide a receipt and return the record or thing to the person within a reasonable time.

Copy admissible in evidence

(10) A copy of a record that purports to be certified by a compliance officer as being a true copy of the original is admissible in evidence to the same extent as the original and has the same evidentiary value.

Warrant

14 (1) A justice of the peace may issue a warrant authorizing a compliance officer named in the warrant to enter premises specified in the warrant and to exercise any of the powers mentioned in subsection 13 (6), if the justice of the peace is satisfied on information under oath that,

- (a) the officer has been prevented from exercising a right of entry to the premises under subsection 13 (1) or has been prevented from exercising a power under subsection 13 (6);
- (b) there are reasonable grounds to believe that the officer will be prevented from exercising a right of entry to the premises under subsection 13 (1) or will be prevented from exercising a power under subsection 13 (6); or
- (c) there are reasonable grounds to believe that an offence under this Act or the regulations has been or is being committed and that information or other evidence will be obtained through the exercise of a power mentioned in subsection 13 (6).

Expiry of warrant

(2) A warrant issued under this section shall name a date on which it expires, which date shall not be later than 30 days after the warrant is issued.

Extension of time

(3) Upon application without notice by the compliance officer named in a warrant issued under this section, a justice of the peace may extend the date on which the warrant expires for an additional period of no more than 30 days.

Use of force

(4) A compliance officer named in a warrant issued under this section may call upon a police officer for assistance in executing the warrant.

Time of execution

(5) A warrant issued under this section may be executed only between 8 a.m. and 8 p.m., unless the warrant specifies otherwise.

Other matters

(6) Subsections 13 (4) to (10) apply with necessary modifications to an officer executing a warrant issued under this section.

Same

(7) Without restricting the generality of subsection (6), if a warrant is issued under this section, the matters on which an officer executing the warrant may question a person under clause 13 (6) (e) are not limited to those that aid in the effective execution of the warrant but extend to any matters that the officer thinks may be relevant to the investigation or inspection.

**PART IV
COMPLAINTS AND ENFORCEMENT**

COMPLAINTS

Definition

15 (1) In this Part and Part V,

“director” means a director of a talent agency that is a corporation and includes a shareholder who is a party to a unanimous shareholder agreement.

Same

(2) For greater certainty, in this Part and Part V, “Director” has the same meaning as in section 1.

Complaints

16 (1) A person alleging that this Act has been or is being contravened may file a complaint with the Ministry in a written or electronic form approved by the Director.

Effect of failure to use form

(2) A complaint that is not filed in a form approved by the Director is deemed not to have been filed.

Limitation

(3) A complaint regarding a contravention that occurred more than two years before the day on which the complaint was filed is deemed not to have been filed.

Inspection of certain complaints

17 (1) The Director may assign a complaint filed under section 16 in respect of any of the following provisions to a compliance officer to perform an inspection for the purposes of determining whether the provision is being complied with:

1. Subsection 7 (2).
2. Clause 8 (1) (a).
3. Any other prescribed provision.

Investigations

(2) Nothing in subsection (1) prevents the Director from assigning a complaint filed under section 16 to a compliance officer to investigate a possible contravention.

Refusal

(3) The Director may refuse to assign a complaint filed under section 16 to a compliance officer for investigation or inspection if the Director is satisfied that,

- (a) the complaint is frivolous, vexatious or an abuse of process;
- (b) there is insufficient information to substantiate the complaint;
- (c) a proceeding relating to the subject matter of the complaint has been commenced before, or has been decided by, a court, tribunal, arbitrator or other adjudicative body; or
- (d) any other prescribed criteria have been met.

Reassigning investigations and inspections

18 (1) The Director may terminate the assignment of a compliance officer to the investigation of a complaint and may assign the investigation to another compliance officer.

Same

(2) If the Director terminates the assignment of a compliance officer to the investigation of a complaint,

- (a) the officer whose assignment is terminated shall no longer have any powers or duties with respect to the investigation of the complaint or the discovery during the investigation of any similar potential entitlement of another entertainment worker related to the complaint; and
- (b) the new compliance officer assigned to the investigation may rely on evidence collected by the first officer and any findings of fact made by that officer.

Inspections

- (3) This section applies with necessary modifications to inspections by compliance officers.

EVIDENCE GATHERING

Meeting may be required

- 19 (1) A compliance officer may, after giving at least 15 days written notice, require any of the persons referred to in subsection (2) to attend a meeting with the officer in the following circumstances:
 - 1. The officer is investigating a complaint against a talent agency.
 - 2. The officer, while inspecting a place under section 13 or 14, comes to have reasonable grounds to believe that a talent agency has contravened this Act or the regulations with respect to an entertainment worker.
 - 3. The officer acquires information that suggests to the officer the possibility that the talent agency may have contravened this Act or the regulations.

Attendees

- (2) Any of the following persons may be required to attend the meeting:
 - 1. The entertainment worker.
 - 2. The talent agency.

Notice

- (3) The notice referred to in subsection (1) shall specify the time and place at which the person is to attend and shall be served on the person in accordance with section 58.

Documents

- (4) The compliance officer may require the person to bring to the meeting or make available for the meeting any records or other documents specified in the notice.

Same

- (5) The compliance officer may give directions on how to make records or other documents available for the meeting.

Compliance

- (6) A person who is served with a notice under this section shall comply with it.

Use of technology

- (7) The compliance officer may direct that a meeting under this section be held using technology, including but not limited to teleconference and videoconference technology, that allows the persons participating in the meeting to participate concurrently.

Same

- (8) If a compliance officer gives directions under subsection (7) respecting a meeting, the notice referred to in subsection (1) shall include such information additional to that required by subsection (3) as the officer considers appropriate.

Same

- (9) Participation in a meeting by means described in subsection (7) is attendance at the meeting for the purposes of this section.

Determination if person fails to attend, etc.

- (10) If a person served with a notice under this section fails to attend the meeting or fails to bring or make available any records or other documents as required by the notice, the officer may determine whether a talent agency has contravened or is contravening this Act on the basis of the following factors:
 - 1. If the talent agency failed to comply with the notice,
 - i. any evidence or submissions provided by or on behalf of the talent agency before the meeting, and
 - ii. any evidence or submissions provided by or on behalf of the entertainment worker before or during the meeting.
 - 2. If the entertainment worker failed to comply with the notice,
 - i. any evidence or submissions provided by or on behalf of the entertainment worker before the meeting, and

ii. any evidence or submissions provided by or on behalf of the talent agency before or during the meeting.

3. Any other factors that the officer considers relevant.

Talent agency includes representative

(11) For the purposes of subsection (10), if the talent agency is a corporation, a reference to a talent agency includes a director, employee or agent of the corporation who was served with a notice requiring them to attend the meeting or to bring or make available any records or other documents.

Requirement to provide evidence, etc.

20 (1) A compliance officer may, in any of the following circumstances and after giving notice, require an entertainment worker or a talent agency to provide evidence or submissions to the officer within the time that the officer specifies in the notice:

1. The officer is investigating a complaint against a talent agency.
2. The officer, while inspecting a place under section 13 or 14, comes to have reasonable grounds to believe that a talent agency has contravened this Act or the regulations.
3. The officer acquires information that suggests to the officer the possibility that a talent agency may have contravened this Act or the regulations.

Service of notice

(2) The notice shall be served in accordance with section 58.

Determination if person fails to respond

(3) If a person served with a notice under this section fails to provide evidence or submissions as required by the notice, the officer may determine whether the talent agency has contravened or is contravening this Act or the regulations on the basis of the following factors:

1. Any evidence or submissions provided by or on behalf of the talent agency or the entertainment worker before the notice was served.
2. Any evidence or submissions provided by or on behalf of the talent agency or the entertainment worker in response to and within the time specified in the notice.
3. Any other factors that the officer considers relevant.

Compliance with investigations and inspections

21 (1) No person shall hinder, obstruct or interfere with or attempt to hinder, obstruct or interfere with a compliance officer conducting an investigation or inspection.

Same

(2) No person shall,

- (a) refuse to answer questions on matters that a compliance officer thinks may be relevant to an investigation or inspection; or
- (b) provide a compliance officer with information that the person knows to be false or misleading on matters the officer thinks may be relevant to an investigation or inspection.

Separate inquiries allowed to be made

(3) No person shall prevent or attempt to prevent a compliance officer from making inquiries of any person separate and apart from another person under clause 13 (6) (e).

ORDERS RE FEES AND PAYMENTS

Order to repay fees

22 (1) If a compliance officer finds that a talent agency charged a fee to an entertainment worker in contravention of section 6, the officer may,

- (a) arrange with the agency that it repay the amount of the fee directly to the entertainment worker;
- (b) order the talent agency to repay the amount of the fee to the entertainment worker; or
- (c) order the talent agency to pay the amount of the fee to the Director in trust.

Contents of order

(2) A single order may be issued for more than one entertainment worker, and the order must include information describing the nature of the amount owing to each worker or be accompanied by that information.

Administrative costs

(3) An order issued under clause (1) (c) shall also require the talent agency to pay to the Director an amount for administrative costs equal to the greater of \$100 and 10 per cent of the amount owing.

Order to pay

23 (1) If a compliance officer finds that a talent agency has not paid an entertainment worker in contravention of section 8, the officer may,

- (a) arrange with the agency that it pay the amount directly to the entertainment worker;
- (b) order the talent agency to pay the amount to the entertainment worker; or
- (c) order the talent agency to pay the amount to the Director in trust.

Contents of order

(2) A single order may be issued for more than one entertainment worker, and the order must include information describing the nature of the amount owing to each worker or be accompanied by that information.

Administrative costs

(3) An order issued under clause (1) (c) shall also require the talent agency to pay to the Director in trust an amount for administrative costs equal to the greater of \$100 and 10 per cent of the amount owing.

Time limit on recovery, worker's complaint

24 (1) If an entertainment worker files a complaint alleging a contravention of this Act or the regulations, the compliance officer investigating the complaint shall not issue an order under section 22 or 23 for any amount that became due to the worker more than two years before the day on which the complaint was filed.

Same, another worker's complaint

(2) If, in the course of investigating a complaint, a compliance officer finds that a talent agency has contravened this Act or the regulations with respect to an entertainment worker who did not file a complaint, the officer shall not issue an order under section 22 or 23 for any amount that became due to the worker more than two years before the day on which the complaint was filed.

Same, inspection

(3) If, in the course of an inspection, a compliance officer finds that a talent agency has contravened this Act or the regulations with respect to an entertainment worker, the officer shall not issue an order under section 22 or 23 for any amount that became due to the worker more than two years before the day on which the inspection commenced.

Worker cannot be found

25 (1) If a compliance officer has arranged with a talent agency or ordered a talent agency to pay an amount to an entertainment worker under clause 22 (1) (a) or (b) or 23 (1) (a) or (b) and the talent agency is unable to locate the entertainment worker despite having made reasonable efforts to do so, the talent agency shall pay the amount to the Director in trust.

When money vests in Crown

(2) Money paid to or held by the Director in trust under this section vests in the Crown but may, without interest, be paid out to the entertainment worker, the entertainment worker's estate or such other person as the Director considers is entitled to it.

COMPLIANCE ORDERS**Compliance order**

26 (1) If a compliance officer finds that a person has contravened a provision of this Act or the regulations, the officer may,

- (a) order that the person cease contravening the provision;
- (b) order what action the person shall take or refrain from taking in order to comply with the provision; and
- (c) specify a date by which the person must do so.

Payment may not be required

(2) No order under this section shall require the payment of fees or other monetary amounts.

Injunction proceedings

27 (1) At the instance of the Director, the contravention of an order made under section 26 may be restrained upon an application, made without notice, to a judge of the Superior Court of Justice.

Same

(2) Subsection (1) applies with respect to a contravention of an order in addition to any other remedy or penalty for its contravention.

LIABILITY OF DIRECTORS OF TALENT AGENCIES

Order against directors

28 (1) If a compliance officer issues an order under this Act against a talent agency for an amount owing to an entertainment worker, the officer may issue an order for which directors of the talent agency are liable under section 30 against some or all of the directors.

Orders, insolvent talent agency

(2) A compliance officer may issue an order for which directors of a talent agency are liable under section 30 against some or all of the directors if,

- (a) the talent agency is insolvent;
- (b) an entertainment worker has caused a claim for an amount owing to be filed with the receiver appointed by a court with respect to the talent agency or with the talent agency's trustee in bankruptcy; and
- (c) the claim has not been paid.

Effect of order

(3) If a director does not comply with an order issued under this section or does not apply to have it reviewed, the order becomes final and binding against the director even if a review hearing is held to determine another person's liability under this Act.

Maximum liability

(4) Nothing in this section shall be construed to increase the maximum liability of a director beyond the amount, if any, prescribed for the purposes of subsection 30 (6).

Payment to Director

(5) At the discretion of the Director, a director who is subject to an order under this section may be ordered to pay the amount owing in trust to the Director.

Further order

29 (1) A compliance officer may issue an order for which directors of a talent agency are liable under section 30 against some or all of the directors who were not the subject of an order under section 28 if,

- (a) an amount required to be paid under an order issued under section 22 or 23 against the talent agency has not been paid and the talent agency has not applied to have the order reviewed;
- (b) an amount required to be paid under an order issued under subsection 28 (1) or (2) has not been paid and neither the talent agency nor a director has applied to have the order reviewed;
- (c) the Board has issued, amended or affirmed an order under section 40 that, as issued, amended or affirmed, requires the talent agency or the directors to pay an amount and the amount set out in the order has not been paid.

Payment to Director

(2) At the discretion of the Director, a director who is subject to an order under this section may be ordered to pay the amount in trust to the Director.

Director liability**Application**

30 (1) This section applies with respect to shareholders described in the definition of "director" in section 15 only to the extent that the directors are relieved, under subsection 108 (5) of the *Business Corporations Act* or subsection 146 (5) of the *Canada Business Corporations Act*, of their liability to pay wages to the employees of the corporation.

Non-application

(2) This section does not apply with respect to directors of corporations to which the *Not-for-Profit Corporations Act, 2010* or the *Co-operative Corporations Act* applies.

Same

(3) This section does not apply with respect to directors of corporations,

- (a) that have been incorporated in another jurisdiction;

- (b) that have objects that are similar to the objects of corporations to which the *Not-for-Profit Corporations Act, 2010* applies or to which the *Co-operative Corporations Act* applies; and
- (c) that are carried on without the purpose of gain.

Directors' liability for amounts owing

- (4) The directors of a talent agency are jointly and severally liable for amounts owing to an entertainment worker as provided in this section if,
- (a) the talent agency is insolvent, the entertainment worker has caused a claim for an amount owing to the entertainment worker to be filed with the receiver appointed by a court with respect to the talent agency or with the talent agency's trustee in bankruptcy and the claim has not been paid;
 - (b) an amount required to be paid to the entertainment worker under an order issued under section 22 or 23 against the talent agency has not been paid and the talent agency has not applied to have the order reviewed;
 - (c) an amount required to be paid to the entertainment worker under an order issued under subsection 28 (1) or (2) has not been paid and neither the talent agency nor a director has applied to have the order reviewed;
 - (d) the Board has issued, amended or affirmed an order under section 40 that, as issued, amended or affirmed, requires the talent agency or the directors to pay an amount to the entertainment worker and the amount set out in the order has not been paid.

Talent agency primarily responsible

(5) Despite subsection (4), the talent agency is primarily responsible for an amount owing to an entertainment worker but proceedings against the talent agency under this Act do not have to be exhausted before proceedings may be commenced to collect amounts owing from directors under this section.

Directors' maximum liability

(6) The directors of a talent agency are jointly and severally liable to an entertainment worker for debts owing under this Act that became payable while they were directors, not exceeding the prescribed amount, if any.

Contribution from other directors

(7) A director who has satisfied a claim for an amount owing to an entertainment worker is entitled to a contribution in relation to the amount owing from other directors who are liable for the claim.

Limitation period

(8) A limitation period set out in section 32 prevails over a limitation period in any other Act, unless the other Act states that it is to prevail over this Act.

No relief by contract, etc.

(9) No provision in a contract, in the articles of incorporation or the by-laws of a corporation or in a resolution of a corporation relieves a director from the duty to act according to this Act or relieves the director from liability for breach of it.

Indemnification of directors

(10) A talent agency may indemnify a director, a former director and the heirs or legal representatives of a director or former director against all costs, charges and expenses, including an amount paid to satisfy an order under this Act reasonably incurred by the director with respect to any civil or administrative action or proceeding to which the director is a party by reason of being or having been a director of the talent agency if,

- (a) the director has acted honestly and in good faith with a view to the best interests of the talent agency; and
- (b) in the case of a proceeding or action that is enforced by a monetary penalty, the director had reasonable grounds for believing that the director's conduct was lawful.

Civil remedies protected

(11) No civil remedy that a person may have against a director or that a director may have against a person is suspended or affected by this section.

NOTICES OF CONTRAVENTION

Notice of contravention

31 (1) If a compliance officer believes that a person has contravened a provision of this Act, the officer may issue a notice to the person setting out the officer's belief and specifying the amount of the penalty for the contravention.

Amount of penalty

(2) The amount of the penalty shall be determined in accordance with the regulations.

Penalty within range

(3) If a range has been prescribed as the penalty for a contravention, the compliance officer shall determine the amount of the penalty in accordance with the prescribed criteria, if any.

Information

(4) The notice shall contain or be accompanied by information setting out the nature of the contravention.

Deemed contravention

(5) The person is deemed to have contravened the provision set out in the notice if,

- (a) the person fails to apply to the Board for a review of the notice within the period set out in subsection 41 (1); or
- (b) the person applies to the Board for a review of the notice and the Board finds that the person contravened the provision set out in the notice.

Penalty

(6) A person who is deemed to have contravened this Act shall pay to the Minister of Finance the penalty for the deemed contravention and the amount of any collector's fees and disbursements added to the amount under subsection 46 (10).

Same

(7) The payment under subsection (6) shall be made within 30 days after the day the notice of contravention was served or, in the case described in clause (5) (b), within 30 days after the Board finds that there was a contravention.

Publication re notice of contraventions

(8) If a person, including an individual, is deemed under subsection (5) to have contravened this Act after being issued a notice of contravention, the Director may publish or otherwise make available to the general public the name of the person, a description of the deemed contravention, the date of the deemed contravention and the penalty for the deemed contravention.

Internet publication

(9) Authority to publish under subsection (8) includes authority to publish on the Internet.

Disclosure

(10) Any disclosure made under subsection (8) is deemed to be in compliance with clause 42 (1) (e) of the *Freedom of Information and Protection of Privacy Act*.

Other means not a bar

(11) A compliance officer may issue a notice to a person under this section even though an order has been or may be issued against the person under section 22, 23 or 26 or the person has been or may be prosecuted for or convicted of an offence with respect to the same contravention.

Director

(12) This section does not apply with respect to a contravention of this Act by a director or officer of a talent agency.

ENFORCEMENT – GENERAL MATTERS

Limitation period

32 (1) A compliance officer shall not issue an order under section 22, 23, 28 or 29, or a notice of contravention under section 31, with respect to a contravention of this Act relating to an entertainment worker in any of the following circumstances:

1. The entertainment worker filed a complaint in respect of the contravention and more than two years have elapsed since the day on which the complaint was filed.
2. Another entertainment worker represented by the same talent agency filed a complaint, the compliance officer discovered the contravention relating to the entertainment worker while investigating that complaint and more than two years have elapsed since the day on which the other entertainment worker filed the complaint.
3. Paragraphs 1 and 2 do not apply and more than two years have elapsed since the day on which a compliance officer commenced an inspection of the talent agency for the purpose of determining whether a contravention occurred.

Restriction on rescission or amendment

(2) A compliance officer shall not amend or rescind an order issued under section 22, 23, 28 or 29 or a notice of contravention issued under section 31 after the last day on which the officer could have issued that order or notice under subsection (1) unless the talent agency against whom the order was issued and the entertainment worker with respect to whom it was issued consent to the rescission or amendment.

Refusal to issue order

33 (1) If, after a person files a complaint alleging a contravention of this Act in respect of which an order could be issued under this Part, a compliance officer assigned to investigate the complaint refuses to issue such an order, the officer shall, in accordance with section 58, serve a letter on the person advising the person of the refusal.

Deemed refusal

(2) If no order is issued with respect to a complaint described in subsection (1) within two years after it was filed, a compliance officer is deemed to have refused to issue an order and to have served a letter on the person advising the person of the refusal on the last day of the second year.

Service of orders and notices of contravention

34 (1) An order or notice of contravention issued under this Part shall be served in accordance with section 58.

Same

(2) An order served under subsection 28 (1) shall be accompanied by a copy of the order against the talent agency.

Notice to entertainment worker

(3) A compliance officer who issues an order with respect to an entertainment worker under this Part shall advise the entertainment worker of its issuance by serving a letter, in accordance with section 58, on the entertainment worker.

Compliance with orders

35 (1) A person who is served with an order under this Part shall comply with it according to its terms.

Effect of order

(2) If a person fails to apply under section 39 for a review of an order issued under this Part within the time allowed for applying for that review, the order becomes final and binding against the person.

Money paid when no review

36 (1) Money paid to the Director in accordance with an order issued under section 22, 23, 28 or 29 shall be paid to each entertainment worker with respect to whom the order was issued unless an application for review is made under section 39 within the period required under that section.

Money distributed rateably

(2) If the money referred to in subsection (1) is insufficient to pay each entertainment worker the full amount owing under the order, the Director shall distribute the money, including any amount received for administrative costs under subsection 22 (3) or 23 (3), among them in proportion to their entitlement.

No proceeding against Director

(3) No proceeding shall be instituted against the Director for acting in compliance with this section.

SETTLEMENT**Settlement**

37 (1) Subject to subsection (8), if an entertainment worker and a talent agency who have agreed to a settlement respecting a contravention or alleged contravention of this Act inform a compliance officer in writing of the terms of the settlement and do what they agreed to do under it,

- (a) the settlement is binding on the parties;
- (b) any complaint filed by the entertainment worker respecting the contravention or alleged contravention is deemed to have been withdrawn;
- (c) any order made in respect of the contravention or alleged contravention is void; and
- (d) any proceeding, other than a prosecution, respecting the contravention or alleged contravention is terminated.

Compliance orders

(2) Clause (1) (c) does not apply with respect to an order issued under section 26.

Notices of contravention

(3) This section does not apply with respect to a notice of contravention.

Payment by officer

(4) If a compliance officer receives money for an entertainment worker under this section, the officer may pay it directly to the entertainment worker or to the Director in trust.

Same

(5) If money is paid in trust to the Director under subsection (4), the Director shall pay it to the entertainment worker.

Administrative costs and collector fees

(6) If the settlement relates to an order issued under clause 22 (1) (c) or 23 (1) (c) that included administrative costs or collector's fees and disbursements, the Director is, despite clause (1) (c), entitled to the be paid,

- (a) an amount that is the same proportion of the administrative costs ordered to be paid as the proportion of the fees or payments that the entertainment worker is entitled to receive under the settlement; and
- (b) an amount that is the same proportion of the collector's fees and disbursements that were added to the order under subsection 46 (10) as the proportion of the fees or payments that the entertainment worker is entitled to receive under the settlement.

Restrictions on settlements

(7) No person shall enter into a settlement which would permit or require that person or any other person to engage in future contraventions of this Act.

Application to void settlement

(8) If, upon application to the Board, the entertainment worker demonstrates that they entered into the settlement as a result of fraud or coercion,

- (a) the settlement is void;
- (b) the complaint is deemed never to have been withdrawn;
- (c) any order made in respect of the contravention or alleged contravention is reinstated;
- (d) any proceedings respecting the contravention or alleged contravention that were terminated shall be resumed.

Worker cannot be found

38 (1) If a compliance officer has received money for an entertainment worker under a settlement but the entertainment worker cannot be located, the money shall be paid to the Director in trust.

When money vests in Crown

(2) Money paid to or held by the Director in trust under this section vests in the Crown but may, without interest, be paid out to the entertainment worker, the entertainment worker's estate or such other person as the Director considers is entitled to it.

PART V REVIEWS OF ORDERS AND NOTICES

Review of orders

39 (1) A person against whom an order has been issued under Part IV is entitled to a review of the order by the Board if, within 30 days after the day on which the order is served, the person,

- (a) applies to the Board in writing for a review; and
- (b) in the case of an order under clause 22 (1) (c) or 23 (1) (c), pays the amount owing under the order to the Director in trust or provides the Director with an irrevocable letter of credit acceptable to the Director in that amount.

Entertainment worker seeks review of order

(2) If an order has been issued under section 22 or 23 with respect to an entertainment worker, the entertainment worker is entitled to a review of the order by the Board if, within 30 days after the day on which the letter advising of the order is served, the entertainment worker applies to the Board in writing for a review.

Entertainment worker seeks review of refusal

(3) If an entertainment worker has filed a complaint alleging a contravention of this Act or the regulations and an order could be issued under Part IV with respect to such a contravention, the entertainment worker is entitled to a review of a compliance officer's refusal to issue such an order if, within 30 days after the day on which the letter advising of the refusal is served, the entertainment worker applies to the Board in writing for such a review.

Extension of time

(4) The Board may extend the time for applying for a review under this section if it considers it appropriate in the circumstances to do so and, in the case of an application under subsection (1),

- (a) the Board has enquired of the Director whether collector's fees or disbursements have been added to the amount of the order under subsection 46 (10) and, if so, the Board is satisfied that the fees and disbursements have been paid to the Director; and

- (b) the Board has enquired of the Director whether the Director has paid to the entertainment worker the fees or payment that were the subject of the order and is satisfied that the Director has not done so.

Hearing

- (5) Subject to subsection 43 (2), the Board shall hold a hearing for the purposes of the review.

Parties

- (6) The following are parties to the review:

1. The applicant for the review of an order.
2. If the person against whom an order was issued applies for the review, the entertainment worker with respect to whom the order was issued.
3. If the entertainment worker applies for the review of an order, the person against whom the order was issued.
4. If the entertainment worker applies for a review of a refusal to issue an order under Part IV, the person against whom such an order could be issued.
5. If a director of a corporation applies for the review, the applicant and each director, other than the applicant, on whom the order was served.
6. The Director.
7. Any other persons specified by the Board.

Parties given full opportunity

- (7) The Board shall give the parties full opportunity to present their evidence and make their submissions.

Practice and procedure for review

- (8) The Board shall determine its own practice and procedure with respect to a review under this section.

Same, powers of Board

- 40** (1) This section sets out the Board's powers in a review under section 39.

Persons to represent groups

- (2) If a group of parties has the same interest or substantially the same interest, the Board may designate one or more of the parties in the group to represent the group.

Quorum

- (3) The chair or a vice-chair of the Board constitutes a quorum for the purposes of this section and is sufficient for the exercise of the jurisdiction and powers of the Board under it.

Powers of Board

- (4) The Board may, with necessary modifications, exercise the powers conferred on a compliance officer under this Act and may substitute its findings for those of the officer who issued the order or refused to issue the order.

Dealing with order

- (5) Without restricting the generality of subsection (4),
- (a) on a review of an order, the Board may amend, rescind or affirm the order or issue a new order; and
 - (b) on a review of a refusal to issue an order, the Board may issue an order or affirm the refusal.

Labour relations officers

- (6) Any time after an application for review is made, the Board may direct a labour relations officer to examine any records or other documents and make any inquiries it considers appropriate, but it shall not direct a compliance officer to do so.

Powers of labour relations officers

- (7) Sections 13 and 14 apply with necessary modifications with respect to a labour relations officer acting under subsection (6).

Decision final

- (8) A decision of the Board is final and binding upon the parties to the review and any other parties as the Board may specify.

Judicial review

- (9) Nothing in subsection (8) prevents a court from reviewing a decision of the Board under this section, but a decision of the Board concerning the interpretation of this Act shall not be overturned unless the decision is unreasonable.

Review of notice of contravention

41 (1) A person against whom a notice of contravention has been issued under section 31 may dispute the notice if the person makes a written application to the Board for a review,

- (a) within 30 days after the date of service of the notice; or
- (b) if the Board considers it appropriate in the circumstances to extend the time for applying, within the period specified by the Board.

Hearing

(2) The Board shall hold a hearing for the purposes of the review.

Parties

(3) The parties to the review are the person against whom the notice was issued and the Director.

Onus

(4) On a review under this section, the onus is on the Director to establish, on a balance of probabilities, that the person against whom the notice of contravention was issued contravened the provision of this Act indicated in the notice.

Decision

(5) The Board may,

- (a) find that the person did not contravene the provision and rescind the notice;
- (b) find that the person did contravene the provision and affirm the notice; or
- (c) find that the person did contravene the provision but amend the notice by reducing the penalty.

Collector's fees and disbursements

(6) If the Board finds that the person contravened the provision and if it extended the time for applying for a review under clause (1) (b),

- (a) before issuing its decision, it shall inquire of the Director whether a collector's fees and disbursements have been added to the amount set out in the notice under subsection 46 (10); and
- (b) if they have been added to that amount, the Board shall advise the person of that fact and of the total amount, including the collector's fees and disbursements, when it issues its decision.

Parties given full opportunity

(7) The Board shall give the parties full opportunity to present their evidence and make their submissions.

Practice and procedure for review

(8) The Board shall determine its own practice and procedure with respect to a review under this section.

Same, powers of Board

42 (1) This section sets out the Board's powers in a review under section 41.

Quorum

(2) The chair or a vice-chair of the Board constitutes a quorum for the purposes of this section and is sufficient for the exercise of the jurisdiction and powers of the Board under it.

Decision final

(3) A decision of the Board is final and binding upon the parties to the review and any other parties as the Board may specify.

Judicial review

(4) Nothing in subsection (3) prevents a court from reviewing a decision of the Board under this section, but a decision of the Board concerning the interpretation of this Act shall not be overturned unless the decision is unreasonable.

Rules of practice

43 (1) The chair of the Board may make rules,

- (a) governing the Board's practice and procedure and the exercise of its powers; and
- (b) providing for forms and their use.

Expedited decisions

(2) The chair of the Board may make rules to expedite decisions about the Board's jurisdiction, and those rules,

- (a) may provide that the Board is not required to hold a hearing; and

- (b) despite subsection 39 (7), may limit the extent to which the Board is required to give full opportunity to the parties to present their evidence and to make their submissions.

Conflict with *Statutory Powers Procedure Act*

- (3) If there is a conflict between the rules made under this section and the *Statutory Powers Procedure Act*, the rules under this section prevail.

Rules not regulations

- (4) Rules made under this section are not regulations within the meaning of Part III (Regulations) of the *Legislation Act, 2006*.

Settlement through labour relations officer

- 44 (1) The Board may authorize a labour relations officer to attempt to effect a settlement of the matters raised in an application for review under section 39.

Certain matters not bar to settlement

- (2) A settlement may be effected under this section even if,
- (a) the compliance officer who issued the order or refused to issue the order does not participate in the settlement discussions or is not advised of the discussions or settlement; or
 - (b) the review under section 39 has started.

Compliance orders

- (3) A settlement respecting a compliance order shall not be made if the Director has not approved the terms of the settlement.

Effect of settlement

- (4) If the parties to a settlement under this section do what they agreed to do under the settlement,
- (a) the settlement is binding on the parties;
 - (b) if the review concerns an order, the order is void; and
 - (c) the review is terminated.

Application to void settlement

- (5) If, upon application to the Board, the entertainment worker demonstrates that they entered into the settlement as a result of fraud or coercion,
- (a) the settlement is void;
 - (b) if the review concerned an order, the order is reinstated; and
 - (c) the review shall be resumed.

Distribution

- (6) If the order that was the subject of the application required the payment of money to the Director in trust, the Director shall distribute the amount held in trust with respect to fees or payments in accordance with the settlement.

Administrative costs and collector fees

- (7) If the settlement relates to an order including administrative costs or collector's fees and disbursements, the Director is, despite clause (4) (b), entitled to be paid,
- (a) an amount that is the same proportion of the administrative costs ordered to be paid as the proportion of the fees or payments that the entertainment worker is entitled to receive under the settlement; and
 - (b) an amount that is the same proportion of the collector's fees and disbursements that were added to the order under subsection 46 (10) as the proportion of the fees or payments that the entertainment worker is entitled to receive under the settlement.

Money held in trust pending review

- 45 (1) This section applies if money with respect to an order to repay fees or make a payment is paid to the Director in trust and the person against whom the order was issued applies to the Board for a review of the order.

If settlement

- (2) If the matter is settled under section 37 or 44, the amount paid into trust shall, subject to subsection 37 (6) or 44 (7), be paid out in accordance with the settlement.

If no settlement

(3) If the matter is not settled under section 37 or 44, the amount paid into trust shall be paid out in accordance with the Board's decision.

**PART VI
COLLECTIONS**

Collections

46 (1) If a talent agency is liable to repay fees or make a payment under this Act, the Director may collect or arrange for the collection of the amount owing in accordance with the regulations and may exercise such collection powers as are prescribed.

Director may authorize collector

(2) The Director may authorize a collector to exercise those powers that the Director specifies in the authorization to collect amounts owing under this Act.

Same

(3) The Director may specify the Director's prescribed collection powers and the Board's powers under section 19 of the *Statutory Powers Procedure Act* in an authorization under subsection (2).

Costs of collection

(4) Despite clause 22 (a) of the *Collection and Debt Settlement Services Act*, the Director may also authorize the collector to collect a reasonable fee or reasonable disbursements or both from each person from whom the collector seeks to collect amounts owing under this Act.

Same

(5) The Director may impose conditions on an authorization under subsection (4) and may determine what constitutes a reasonable fee or reasonable disbursements for the purposes of that subsection.

Exception re disbursements

(6) The Director shall not authorize a collector who is required to be registered under the *Collection and Debt Settlement Services Act* to collect disbursements.

Disclosure

(7) The Director may disclose, or allow to be disclosed, information collected under the authority of this Act or the regulations to a collector for the purpose of collecting an amount owing under this Act.

Same

(8) Any disclosure of personal information made under subsection (7) is deemed to be in compliance with clause 42 (1) (d) of the *Freedom of Information and Protection of Privacy Act*.

Collector's powers

(9) A collector may exercise any of the powers specified in an authorization of the Director under subsection (2).

Fees and disbursements part of order or notice of contravention

(10) If a collector is seeking to collect an amount owing under an order or a notice of contravention, any fees and disbursements authorized under subsection (4) are deemed to be added to the amount of the order or notice of contravention and deemed to be owing to the collector.

**PART VII
OFFENCES AND PROSECUTIONS**

General offence

47 A person who contravenes this Act or the regulations or fails to comply with an order, direction or other requirement under this Act or the regulations is guilty of an offence and on conviction is liable,

- (a) if the person is an individual, to a fine of not more than \$100,000 or to imprisonment for a term of not more than 12 months or to both;
- (b) subject to clause (c), if the person is a corporation, to a fine of not more than \$100,000; and
- (c) if the person is a corporation that has previously been convicted of an offence under this Act or a predecessor to it,
 - (i) if the person has one previous conviction, to a fine of not more than \$250,000, and
 - (ii) if the person has more than one previous conviction, to a fine of not more than \$500,000.

Additional orders

48 (1) If a talent agency is convicted under section 47 of contravening a provision of this Act or the regulations, the court shall, in addition to any fine or term of imprisonment that is imposed, assess any amount owing to an entertainment worker affected by the contravention and order the talent agency to pay the amount assessed to the Director.

Collection by Director

(2) The Director shall attempt to collect the amount ordered to be paid under subsection (1) and, if the Director is successful, shall distribute it to the entertainment worker.

Enforcement of order

(3) An order under subsection (1) may be filed by the Director in a court of competent jurisdiction and upon filing is deemed to be an order of that court for the purposes of enforcement.

Offence re directors' liability

49 (1) A director of a talent agency is guilty of an offence if the director,

- (a) fails to comply with an order of a compliance officer under section 28 or 29 and has not applied for a review of that order; or
- (b) fails to comply with an order issued under section 28 or 29 that has been amended or affirmed by the Board on a review of the order under section 39 or with a new order issued by the Board on such a review.

Penalty

(2) A director convicted of an offence under subsection (1) is liable to a fine of not more than \$50,000.

Offence re permitting offence by corporation

50 (1) If a corporation contravenes this Act or the regulations, an officer, director or agent of the corporation or a person acting or claiming to act in that capacity who authorizes or permits the contravention or acquiesces in it is a party to and guilty of the offence and is liable on conviction to the fine or imprisonment provided for the offence.

Same

(2) Subsection (1) applies whether or not the corporation has been prosecuted or convicted of the offence.

No prosecution without consent

(3) No prosecution shall be commenced under this section without the consent of the Director.

Proof of consent

(4) The production of a document that appears to show that the Director has consented to a prosecution under this section is admissible as evidence of the Director's consent.

Prosecution of compliance officer

51 (1) No prosecution of a compliance officer shall be commenced with respect to an alleged contravention of subsection 12 (2) without the consent of the Deputy Attorney General.

Proof of consent

(2) The production of a document that appears to show that the Deputy Attorney General has consented to a prosecution of a compliance officer is admissible as evidence of his or her consent.

Where prosecution may be heard

52 (1) Despite section 29 of the *Provincial Offences Act*, the prosecution of an offence under this Act may be heard and determined by the Ontario Court of Justice sitting in the area where the accused is resident or carries on business, if the prosecutor so elects.

Election to have judge preside

(2) The Attorney General or an agent for the Attorney General may by notice to the clerk of the court require that a judge of the court hear and determine the prosecution.

Publication re convictions

53 (1) If a person, including an individual, is convicted of an offence under this Act, the Director may publish or otherwise make available to the general public the name of the person, a description of the offence, the date of the conviction and the person's sentence.

Internet publication

(2) Authority to publish under subsection (1) includes authority to publish on the Internet.

Disclosure

(3) Any disclosure made under subsection (1) is deemed to be in compliance with clause 42 (1) (e) of the *Freedom of Information and Protection of Privacy Act*.

Limitation period

54 No prosecution shall be commenced under this Act more than two years after the date on which the offence was committed or alleged to have been committed.

**PART VIII
MISCELLANEOUS**

Copy constitutes evidence

55 (1) In a prosecution or other proceeding under this Act, a copy of an order or notice of contravention that appears to have been made under this Act or the regulations and to have been signed by a compliance officer or the Board is evidence of the order or notice and of the facts appearing in it without proof of the signature or office of the person appearing to have signed the order or notice.

Same

(2) In a prosecution or other proceeding under this Act, a copy of a record or other document or an extract from a record or other document that appears to be certified as a true copy or accurate extract by a compliance officer is evidence of the record or document or the extracted part of the record or document and of the facts appearing in the record, document or extract without proof of the signature or office of the person appearing to have certified the copy or extract or any other proof.

Certificate of Director constitutes evidence

(3) In a prosecution or other proceeding under this Act, a certificate that appears to be signed by the Director setting out that the records of the Ministry indicate that a person has failed to make the payment required by an order or notice of contravention issued under this Act is evidence of the failure to make that payment without further proof.

Same, collector

(4) In a prosecution or other proceeding under this Act, a certificate shown by a collector that appears to be signed by the Director setting out any of the following facts is evidence of the fact without further proof:

1. The Director has authorized the collector to collect amounts owing under this Act.
2. The Director has authorized the collector to collect a reasonable fee or reasonable disbursements or both.
3. The Director has, or has not, imposed conditions on an authorization described in paragraph 2 and has, or has not, determined what constitutes a reasonable fee or reasonable disbursements.
4. Any conditions imposed by the Director on an authorization described in paragraph 2.

Date of complaint

(5) In a prosecution or other proceeding under this Act, a certificate that appears to be signed by the Director setting out the date on which the records of the Ministry indicate that a complaint was filed is evidence of that date without further proof.

Officers not compellable

56 (1) A compliance officer is not a competent or compellable witness in a civil proceeding respecting any information given or obtained, statements made or received, or records or other things produced or received under this Act except for the purpose of carrying out the officer's duties under this Act.

Same

(2) A compliance officer shall not be compelled in a civil proceeding to produce any record or other thing the officer has made or received under this Act except for the purpose of carrying out the officer's duties under this Act.

Persons from Board not compellable

57 (1) Except with the consent of the Board, the following persons shall not be compelled to give evidence in a civil proceeding or in a proceeding before the Board or another board or tribunal with respect to information obtained while exercising their powers or performing their duties under this Act:

1. A Board member.
2. The registrar of the Board.
3. An employee of the Board.

Non-disclosure

(2) A labour relations officer who receives information or material under this Act shall not disclose it to any person or body other than the Board unless the Board authorizes the disclosure.

Service of documents

58 A document that is required or permitted to be served on a person under this Act is sufficiently served if served in accordance with the regulations.

**PART IX
REGULATIONS**

Regulations

59 The Lieutenant Governor in Council may make regulations,

- (a) respecting anything referred to in this Act as being prescribed or as otherwise dealt with in the regulations;
- (b) defining any word or expression used in this Act that is not defined in it;
- (c) exempting any person or class of persons from any provision of this Act and attaching conditions to the exemption;
- (d) providing that this Act does not apply to a person or class of persons or specifying circumstances in which the Act does not apply;
- (e) governing penalties for contraventions for the purposes of subsection 31 (2), and without restricting the generality of this power,
 - (i) establishing different penalties or ranges of penalties for different types of contraventions or the method of determining those penalties or ranges,
 - (ii) specifying that different penalties, ranges or methods of determining a penalty or range apply to contraveners who are individuals and to contraveners that are corporations, or
 - (iii) prescribing criteria a compliance officer is required or permitted to consider when imposing a penalty;
- (f) governing collections for the purposes of section 46, including authorizing collectors to attempt to effect settlements and specifying circumstances in which the Director's approval is required for settlement by collectors;
- (g) respecting any matter considered necessary or advisable to carry out effectively the purpose of this Act.

**PART X
COMMENCEMENT**

Commencement

60 The Act set out in this Schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

Short title

61 The short title of the Act set out in this Schedule is the *Strengthening Talent Agency Regulation Act, 2026*.

**SCHEDULE 9
WORKPLACE SAFETY AND INSURANCE ACT, 1997**

1 (1) Clauses 43 (1) (b) and (c) of the *Workplace Safety and Insurance Act, 1997* are repealed and the following substituted:

- (b) if the worker was less than 63 years of age on the date of the injury, the later of,
 - (i) the day on which the worker reaches 65 years of age, or
 - (ii) if the Board has determined a day in response to a request made by the worker under subsection 43 (1.1), that day;
- (c) if the worker was 63 years of age or older on the date of the injury, the later of,
 - (i) the day that is two years after the date of the injury, or
 - (ii) if the Board has determined a day in response to a request made by the worker under subsection 43 (1.2), that day;

(2) Section 43 of the Act is amended by adding the following subsections:

Same

(1.1) A worker who was less than 63 years of age on the date of the injury and is entitled to payments under this section on or after the specified date may, on or after the day the worker reaches 63 years of age and before the day on which the worker reaches 65 years of age, request that the Board determine whether the worker is likely to be working in suitable and available employment or business past 65 years of age and, if so, the day on which the worker is likely to cease working in such employment or business.

Same

(1.2) A worker who was 63 years of age or older on the date of the injury and is entitled to payments under this section on or after the specified date may, before the day that is two years after the date of the injury, request that the Board determine whether the worker is likely to be working in suitable and available employment or business past the day that is two years after the date of the injury and, if so, the day on which the worker is likely to cease working in such employment or business.

Board to make determination

(1.3) After receiving a request under subsection (1.1) or (1.2), the Board shall make a determination with respect to the request having regard to the individual circumstances of the worker at the time of the determination.

Determination if unable to work after maximum medical recovery

(1.4) If a request is made under subsection (1.1) or (1.2) by a worker who is entitled to full loss of earnings payments and who the Board or Appeals Tribunal has determined is unable to work after reaching maximum medical recovery, instead of making the determination described in those subsections, the Board shall determine whether the worker would have been likely to continue working in pre-injury employment were it not for the injury and, if so, the day on which the worker would have ceased working in such employment.

Request more than 72 months after injury

(1.5) Despite subsection 44 (2), a worker described in subsection 44 (0.1) may make a request under subsection (1.1) or (1.2) more than 72 months after the date of the worker's injury.

Request despite direction under s. 44 (3)

(1.6) A worker may make a request under subsection (1.1) or (1.2) despite having made a direction under subsection 44 (3).

Extension of time

(1.7) The Board may permit a request under subsection (1.1) or (1.2) to be made after the period specified in those subsections expires if, in the opinion of the Board, it is just to do so.

Where payments commuted

(1.8) For greater certainty, a worker whose payments have been commuted under subsection 62 (2) before the specified date is not eligible to make a request under subsection (1.1) or (1.2).

Same

(1.9) A worker whose payments have been commuted under subsection 62 (2) on or after the specified date is not eligible to make a request under subsection (1.1) or (1.2) unless the worker meets the requirements of subsection (1.1) or (1.2) at the time of the commutation.

(3) Subsection 43 (2) of the Act is repealed and the following substituted:

Amount

(2) Subject to subsections (2.1), (2.2), (3) and (4), for a worker whose date of injury is before the specified date, the amount of the payments for the period before the specified date is 85 per cent of the difference between,

- (a) the worker's net average earnings before the injury; and
- (b) the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury.

Same

(2.0.1) Subject to subsections (2.1), (2.2), (3.1) and (4), for a worker whose date of injury is before the specified date and who is entitled to payments under this section on or after the specified date, the amount of the payments for the period beginning on or after the specified date is 90 per cent of the difference between,

- (a) the worker's net average earnings before the injury; and
- (b) the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury.

Same

(2.0.2) Subject to subsections (2.1), (2.3), (3.2) and (4), for a worker whose date of injury is on or after the specified date, the amount of the payments is 90 per cent of the difference between,

- (a) the worker's net average earnings before the injury; and
- (b) the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury.

Same

(2.0.3) For greater certainty, on or after the specified date, the Board shall adjust the amount of the payment made under this section to a worker described in subsection (2.0.1) in accordance with that subsection.

Same

(2.0.4) For greater certainty, payments made to a worker under this section before the specified date are not invalid solely on the ground that they were calculated in the manner set out in this section as it read before the specified date, and there is no right to object to or appeal a decision, or to commence an action or other legal proceeding, on that ground alone.

(4) Subsection 43 (2.2) of the Act is repealed and the following substituted:**Minimum amount, partial loss of earnings – injuries before specified date**

(2.2) For a worker whose date of injury is before the specified date, the minimum amount of the payments for partial loss of earnings is,

- (a) for any period before or after the specified date, if the worker's net average earnings before the injury is less than \$17,559.88, the difference between the worker's net average earnings before the injury and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury;
- (b) for any period before the specified date, if the worker's net average earnings before the injury is greater than or equal to \$17,559.88, but 85 per cent of the worker's net average earnings before the injury is less than \$17,559.88, the higher of,
 - (i) the difference between \$17,559.88 and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury, and
 - (ii) 85 per cent of the difference between the worker's net average earnings before the injury and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury; or
- (c) for any period beginning on or after the specified date, if the worker's net average earnings before the injury is greater than or equal to \$17,559.88, but 90 per cent of the worker's net average earnings before the injury is less than \$17,559.88, the higher of,
 - (i) the difference between \$17,559.88 and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury, and
 - (ii) 90 per cent of the difference between the worker's net average earnings before the injury and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury.

Minimum amount, partial loss of earnings – injuries on or after specified date

(2.3) With respect to a worker whose date of injury is on or after the specified date, the minimum amount of the payments for partial loss of earnings is,

- (a) if the worker's net average earnings before the injury is less than \$17,559.88, the difference between the worker's net average earnings before the injury and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury; or
- (b) if the worker's net average earnings before the injury is greater than or equal to \$17,559.88, but 90 per cent of the worker's net average earnings before the injury is less than \$17,559.88, the higher of,
 - (i) the difference between \$17,559.88 and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury, and
 - (ii) 90 per cent of the difference between the worker's net average earnings before the injury and the net average earnings that the worker earns or is able to earn in suitable and available employment or business after the injury.

(5) Subsection 43 (3) of the Act is repealed and the following substituted:

Payments where co-operating

(3) For a worker whose date of injury is before the specified date, the amount of the payment for any period before the specified date is 85 per cent of the difference between the worker's net average earnings before the injury and any net average earnings they earn after the injury, if they are co-operating in health care measures and,

- (a) their early and safe return to work; or
- (b) all aspects of a labour market re-entry assessment or plan.

Same

(3.1) For a worker whose date of injury is before the specified date and who is entitled to payments under this section for any period beginning on or after the specified date, the amount of the payment for any period beginning on or after the specified date is 90 per cent of the difference between the worker's net average earnings before the injury and any net average earnings they earn after the injury, if they are co-operating in health care measures and,

- (a) their early and safe return to work; or
- (b) all aspects of a labour market re-entry assessment or plan.

Same

(3.2) For a worker whose date of injury is on or after the specified date, the amount of the payment for any period beginning on or after the specified date is 90 per cent of the difference between the worker's net average earnings before the injury and any net average earnings they earn after the injury, if the worker is co-operating in health care measures and,

- (a) their early and safe return to work; or
- (b) all aspects of a labour market re-entry assessment or plan.

(6) Subsection 43 (5) of the Act is amended by adding the following paragraph:

- 3. For any period beginning on or after the day section 3 of Schedule 9 of the *Protecting Ontario's Workers and Economic Resilience Act, 2026* comes into force, with respect to a worker described in subsection 44.1 (1), the sum of a payment made under this section and payments prescribed under subsection 44.1 (7) must not exceed 100 per cent of the worker's pre-injury net average earnings as adjusted by the amount of the indexing factor described in subsection 49 (1) to January 1 of the year in which the Board makes the calculation under this subsection.

(7) Section 43 of the Act is amended by adding the following subsection:

Calculation—deemed maximum amount

(6) For a worker whose average earnings are deemed to be the maximum amount of average earnings under section 54, the Board shall calculate the worker's pre-injury net average earnings under paragraph 3 of subsection (5) and subsection 44.1 (5) using the worker's average earnings determined under section 53 instead of the maximum amount of average earnings deemed under section 54.

(8) Section 43 of the Act is amended by adding the following subsection:

Specified date

(12) For the purposes of subsections 43 (1.1), (1.2), (1.8) and (1.9), the specified date is the day subsection 1 (2) of Schedule 9 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026* comes into force.

(9) Section 43 of the Act is amended by adding the following subsection:

Same

(13) For the purposes of subsections 43 (2), (2.0.1), (2.0.2), (2.0.3), (2.0.4), (2.2), (2.3), (3), (3.1) and (3.2), the specified date is the day subsection 1 (3) of Schedule 9 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026* comes into force.

2 (1) Section 44 of the Act is amended by adding the following subsection:

Review re loss of earnings

(0.1) This section applies to a worker whose date of injury is more than 72 months before the day subsection 2 (1) of Schedule 9 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026* comes into force

(2) Subsection 44 (2.1) of the Act is amended by striking out “or” at the end of clause (f), by adding “or” at the end of clause (g) and by adding the following clause:

(h) the Board determines, in response to a request made under subsection 43 (1.1), that the worker is likely to cease working on a day that is after the day on which the worker reaches 65 years of age.

(3) Section 44 of the Act is amended by adding the following subsection:

Time for review when clause (2.1) (h) applies

(2.2.1) If clause (2.1) (h) applies, the Board may at any time review the payments for any period beginning on or after the day the worker reaches 65 years of age.

3 The Act is amended by adding the following section:

Review re loss of earnings

44.1 (1) This section applies with respect to,

- (a) a worker whose date of injury is no more than 72 months before the specified date; and
- (b) a worker whose date of injury is on or after the specified date.

Same

(2) Subject to subsections (3) and (4), in accordance with the prescribed maximum frequency or if a material change in circumstances occurs, the Board may review payments to a worker for loss of earnings for any period beginning on or after the specified date and may confirm, vary or discontinue the payments.

Same

(3) If no maximum frequency is prescribed for the purposes of subsection (2), the Board may review payments as frequently as it determines is appropriate.

Same

(4) The Board's powers under subsection (2) are subject to any prescribed requirements, limitations and conditions.

Review, payments to be offset

(5) In reviewing payments under subsection (2), the Board shall adjust periodic payments to a worker for loss of earnings in a manner that ensures that the sum of the periodic payments and the prescribed payments set out in subsection (7) does not exceed 100 per cent of the worker's pre-injury net average earnings as adjusted by the amount of the indexing factor described in subsection 49 (1) to January 1 of the year in which the Board makes the adjustment under this subsection.

No adjustment for period before specified date

(6) For greater certainty, nothing in this section authorizes the Board to adjust amounts payable to a worker under this Act for any period before the specified date.

Prescribed payments

(7) The prescribed payments referred to in subsection (5) are the following:

- 1. Subject to subsection (8), prescribed payments made to the worker under another Act or an Act of Canada.
- 2. Prescribed payments made to the worker by, or on behalf of, the worker's employer.

Same

(8) Disability payments described in paragraph 2 of subsection 43 (5) paid to the worker in respect of the injury under the *Canada Pension Plan* or the *Quebec Pension Plan* shall not be prescribed under paragraph 1 of subsection (7).

Review, prohibition

(9) Despite subsection (2), the Board shall not review payments to a worker for loss of earnings in the prescribed circumstances.

Review, older workers

(10) Despite subsection (2), with respect to a worker described in clause 44.1 (1) (a) who has made a direction under subsection 44 (3) before the specified date, the Board shall not review payments to the worker until the day that is after the day the worker reaches 65 years of age.

Regulations

- (11) The Lieutenant Governor in Council may make regulations,
- (a) prescribing frequencies for the purposes of subsection (2);
 - (b) prescribing requirements, limitations and conditions for the purposes of subsection (4);
 - (c) prescribing payments made to a worker for the purposes of subsection (7);
 - (d) prescribing circumstances for the purposes of subsection (9).

Same

(12) For greater certainty, a regulation made under clause (11) (a) prescribing a frequency for review may prescribe different frequencies of review for different types of claims.

Specified date

(13) For the purpose of this section, the specified date is the day section 3 of Schedule 9 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026* comes into force.

4 (1) Section 45 of the Act is amended by adding the following subsections:

Same

(2.1) For greater certainty, for any period beginning on or after the specified date, the amount of the payment that is set aside by the Board for a worker described in subsection 43 (2.0.1) shall be calculated using the payment to which the worker is entitled on or after the specified date.

Specified date

(2.2) For the purpose of subsections (2.1) and (4.1), the specified date is the day subsection 1 (3) of Schedule 9 to the *Protecting Ontario's Workers and Economic Resilience Act, 2026* comes into force.

Same

(4.1) For any period beginning on or after the specified date, a worker described in subsection 43 (2.0.1) who made an election under subsection (3) of this section before the specified date is deemed to have elected to contribute an amount that is calculated using the payment to which the worker is entitled under section 43 on or after the specified date.

(2) Subsection 45 (5) of the Act is amended by striking out “When the worker reaches 65 years of age” at the beginning and substituting “When the worker reaches 65 years of age, or on such later date as the Board determines under subsection 43 (1.1) or (1.2)”.

(3) Clause 45 (6.1) (b) of the Act is repealed and the following substituted:

- (b) in the case of a worker who reaches the age of 65 on or after the specified date, the amount of the benefit is less than or equal to the maximum amount of average earnings determined under section 54 for the year in which the worker reaches the age of 65 or, if the Board has determined a day in response to a request made by the worker under subsection 43 (1.1) or (1.2), the year in which that day occurs.

5 (1) Subsection 48 (4) of the Act is repealed and the following substituted:

Periodic payment to spouse with children

(4) For any period before the specified date, if the deceased worker is survived by a spouse and one or more children, the spouse is entitled to be paid, by periodic payments until the youngest child reaches 19 years of age, the greater of,

- (a) 85 per cent of the deceased worker's net average earnings; and
- (b) \$22,904.44 per year.

Same

(4.1) For any period beginning on or after the specified date, if the deceased worker is survived by a spouse and one or more children, the spouse is entitled to be paid, by periodic payments until the youngest child reaches 19 years of age, the greater of,

- (a) 90 per cent of the deceased worker's net average earnings; and
- (b) \$22,904.44 per year.

(2) Subsection 48 (5) of the Act is amended by,

- (a) striking out “Subsection (4) does not apply” at the beginning and substituting “Subsections (4) and (4.1) do not apply”; and
- (b) striking out “under subsection (4)” and substituting “under subsections (4) and (4.1)”.

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

(a) striking out “Subject to subsection (19)” at the beginning and substituting “Subject to subsections (19) and (19.1); and

(b) striking out “under subsection (4)” and substituting “under subsections (4) and (4.1)”.

(4) Paragraph 2 of subsection 48 (8) of the Act is amended by striking out “The total periodic payments” at the beginning and substituting “For any period before the specified date, the total periodic payments”.

(5) Subsection 48 (8) of the Act is amended by adding the following paragraph:

2.1 For any period beginning on or after the specified date, the total periodic payments to the spouses must not exceed 90 per cent of the deceased worker’s net average earnings.

(6) Subsection 48 (15) of the Act is amended by striking out “If there is no spouse” at the beginning and substituting “For any period before the specified date, if there is no spouse”.

(7) Section 48 of the Act is amended by adding the following subsections:

Same

(15.1) For any period beginning on or after the specified date, and subject to subsection (15.2), if there is no spouse or if the spouse dies and the deceased worker is survived by more than one dependent child, the dependent children as a class are entitled to be paid, by periodic payments, 30 per cent of the deceased worker’s net average earnings plus 10 per cent of the net average earnings for each dependent child, except one child.

Same

(15.2) For any period beginning on or after the specified date, if the net average earnings of the deceased worker described in subsection (15.1) are less than \$22,904.44, they shall be deemed to be \$22,904.44 and the total amount payable under subsection (15.1) shall not exceed 90 per cent of the net average earnings of the worker at the time of the accident.

(8) Subsection 48 (19) of the Act is repealed and the following substituted:

Maximum payable to spouse and children

(19) For any period before the specified date, the total periodic payments to the spouse and the children of the deceased worker must not exceed 85 per cent of the deceased worker’s net average earnings.

Same

(19.1) For any period beginning on or after the specified date, the total periodic payments to the spouse and the children of the deceased worker must not exceed 90 per cent of the deceased worker’s net average earnings.

(9) Paragraph 1 of subsection 48 (20) of the Act is amended by striking out “subsection (4)” at the end and substituting “subsection (4) or (4.1)”.

(10) Paragraph 4 of subsection 48 (20) of the Act is amended by striking out “The total periodic payments” at the beginning and substituting “For any period before the specified date, the total periodic payments”.

(11) Subsection 48 (20) of the Act is amended by adding the following paragraph:

5. For any period beginning on or after the specified date, the total periodic payments under this subsection must not exceed 90 per cent of the deceased worker’s net average earnings.

(12) Subsection 48 of the Act is amended by adding the following subsections:

Payments made before specified date

(26) For greater certainty, payments made to a survivor under this section before the specified date are not invalid solely on the ground that they were calculated in the manner set out in this section as it read before the specified date, and there is no right to object to or appeal a decision, or to commence an action or other legal proceeding, on that ground alone.

Specified date

(27) For the purposes of this section, the specified date is the day subsection 1 (3) of Schedule 9 to the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* comes into force.

6 Clause 62 (2) (b) of the Act is amended by striking out “if the 72-month period for reviewing payments to the worker has expired” at the beginning and substituting “if 72 months have elapsed since the date of injury”.

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

Industries deemed included, Schedule 1 to O. Reg. 175/98

74.1 (1) Despite paragraphs 3 and 4 of Class N of Part II of Schedule 1 to Ontario Regulation 175/98 (General) made under the Act, the following classes of industries are deemed to be included under Class N of Part I of that Schedule:

1. Residential care facilities operated by a private employer.
2. Group homes.

Same

(2) For greater certainty, employers in classes of industries set out in subsection (1) are deemed to be subject to the insurance plan.

(2) Section 74.1 of the Act, as enacted by subsection (1), is repealed.

8 (1) Subsection 107 (3) of the Act is amended by,

- (a) striking out “72-month period” and substituting “72 months”; and
- (b) striking out “60-month period” and substituting “60 months”.

(2) Section 107 of the Act is amended by adding the following subsections:

Same

(5) Subsection 43 (2) of the pre-1997 Act shall be deemed to be repealed and the following substituted:

Duration of compensation

- (2) An injured worker ceases to be eligible for compensation for future loss of earnings on the later of,
 - (a) the day the worker reaches 65 years of age; or
 - (b) if the Board has determined a day in response to a request made by the worker under subsection (2.1), that day.

Request for determination re employment past 65

(2.1) On or after the day subsection 8 (1) of Schedule 9 to the *Protecting Ontario’s Workers and Economic Resilience Act, 2026* comes into force, a worker who is 63 years of age or older and entitled to payments under this section may, at any time before the day the worker reaches 65 years of age, request that the Board determine whether the worker is likely to be working in suitable and available employment or business past 65 years of age and, if so, the day on which the worker is likely to cease working in such employment or business.

Board to make determination

(2.2) After receiving a request under subsection (2.1), the Board shall make a determination with respect to the request having regard to the individual circumstances of the worker at the time of the determination.

Same

(2.3) If a request is made under subsection (2.1) by a worker who is entitled to full future loss of earnings and who the Board or Appeals Tribunal has determined is unable to work after reaching maximum medical recovery, instead of making the determination described in that subsection, the Board shall determine whether the worker would have been likely to continue working in pre-injury employment were it not for the injury and, if so, the day on which the worker would have ceased working in such employment.

Extension of time

(2.4) The Board may permit a request under subsection (2.1) to be made after the day the worker reaches 65 years of age if, in the opinion of the Board, it is just to do so.

9 The Act is amended by adding the following section:

Benefits for loss of retirement income

107.2 (1) Subsection 44 (3) of the pre-1997 Act is deemed to be amended by adding “or such day as the Board determines under subsection 43 (2.1)” after “upon reaching sixty-five years of age”.

Same

(2) Subsection 44 (7) of the pre-1997 Act is deemed to be amended by adding “or such day as the Board determines under subsection 43 (2.1)” after “upon reaching 65 years of age.”

10 Section 185 of the Act is repealed and the following substituted:

Regulations

185 The Lieutenant Governor in Council may make regulations providing for any transitional matter that the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of the amendments made by Schedule 9 to the *Protecting Ontario’s Workers and Economic Resilience Act, 2026*.

Commencement

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