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Bill 148

An Act to enact the Intimate Images Protection Act, 2026 and to amend various Acts

The Hon. M. Parsa
Minister of Children, Community and Social Services

Government Bill

1st Reading November 16, 2026
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

SCHEDULE 1
AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY ACT, 1991

Section 4 of the *Audiology and Speech Language Pathology Act, 1991* is amended to add an act that a member of the College of Audiologists and Speech-Language Pathologists of Ontario who is a speech-language pathologist is authorized to perform in the course of engaging in the practice of speech-language pathology: applying a form of energy prescribed by the regulations.

SCHEDULE 2
CHILD, YOUTH AND FAMILY SERVICES ACT, 2017

The Schedule makes the following amendments to the *Child, Youth and Family Services Act, 2017*:

1. Currently, section 17 of the Act requires children's aid societies to consider the use of a prescribed method of alternative dispute resolution to assist in resolving an issue related to a child who is or may be in need of protection. Section 17 of the Act is amended to require children's aid societies to provide children who are or may be in need of protection and their parents with information about these prescribed methods of alternative dispute resolution at specified intervals.
2. Amendments are made to Part VIII (Adoption and Adoption Licensing) of the Act. In particular, a new section 218.1 requires a Director to issue a certificate converting an adoption of a child by an Ontario resident that was effected according to the law of another jurisdiction and that does not have the effect of terminating any pre-existing legal parent-child relationship into an adoption that has that effect if certain conditions are met, including that the adoption has been effected in accordance with the Convention on Protection of Children and Co-Operation in respect of Intercountry Adoption and that the Director is satisfied that certain consents contemplated by the Convention have been given. Subsection 218.1 (2) provides that an adoption in respect of which a certificate has been issued has the same effect in Ontario as an adoption under Part VIII.
3. Currently, clause 288 (2) (b) and subsection 292 (2) allow children's aid societies to collect personal information indirectly from, and disclose personal information to, another society or a child welfare authority outside Ontario without consent if the information is reasonably necessary to assess, reduce or eliminate a risk of harm to a child. These provisions are amended to extend this authority to the collection of information from, and disclosure of information to, child welfare authorities in Ontario.
4. Currently, section 310 of the Act permits the disclosure of personal information by a service provider to a potential successor of the service provider and to transfer records of personal information to the service provider's successor. This section is amended to permit a child welfare authority in Ontario to be a potential successor or a successor of a service provider.
5. The Act is amended to add a new section 335.1. This new section authorizes the Lieutenant Governor in Council to make regulations prohibiting the publication or making public of information identifying any location at which services are provided by the Ministry or under the authority of a licence issued under Part IX (Residential Licensing) or at which services are provided that are funded, directly or indirectly, under the Act. Subsection 335.1 (3) provides for an offence of contravening a prescribed provision of the regulations.

SCHEDULE 3
CHIROPRACTIC ACT, 1991

Section 4 of the *Chiropractic Act, 1991* is amended to add an act to the list of acts that a member of the College of Chiropractors of Ontario is authorized to perform in the course of engaging in the practice of chiropractic: ordering the application of a form of energy prescribed by the regulations.

SCHEDULE 4
DENTAL HYGIENE ACT, 1991

Section 4 of the *Dental Hygiene Act, 1991* is amended to add one act to the list of acts that a member of the College of Dental Hygienists of Ontario is authorized to perform in the course of engaging in the practice of dental hygiene: administering, by injection, a substance designated in the regulations. Additional requirements with respect to the new authorized act and related regulation-making authorities are also added to the Act.

Various amendments are made to the French version of the Act to replace the phrases "l'exercice de l'hygiène dentaire" and "l'exercice de la profession de l'hygiène dentaire" with "l'exercice de la profession d'hygiéniste dentaire".

SCHEDULE 5
DENTURISM ACT, 1991

Section 3 of the *Denturism Act, 1991* is amended by broadening the scope of the practice of denturism to include the design, construction, repair, alteration and fitting of implant-supported dentures. Section 4 of the Act is also amended by adding the fitting and dispensing of implant-supported dentures as an act that a member of the College of Denturists of Ontario is

authorized to perform in the course of engaging in the practice of denturism. Additional requirements with respect to the new authorized act and related regulation-making authorities are also added to the Act. Finally, consequential amendments are made to the *Regulated Health Professions Act, 1991*.

SCHEDULE 6
FIXING LONG-TERM CARE ACT, 2021

The Schedule makes amendments to the *Fixing Long-Term Care Act, 2021*, including the following:

1. Licensees of long-term care homes are required to have an organized program for dementia care.
2. The Director is authorized to request a placement co-ordinator to submit reports to the Director on any matter concerning long-term care home placement and admission.
3. Currently, section 78 of the Act requires every licensee of a long-term care home to ensure the home has a Medical Director who must be a physician. The section is re-enacted to require every licensee of a long-term care home to ensure the home has a Clinical Director who must be a physician or a registered nurse in the extended class.
4. Amendments are made to section 113, including the following:
    i. New subsection 113 (3.1) is added to provide that regulations establishing requirements with which management contracts must comply may include requirements governing the allocation of financial obligations between a licensee and the manager of the long-term care home.
    ii. Subsection 113 (4) is amended so that the Director's approval of a contract is subject to rules in sections 100 and 101 respecting who may be issued a licence.
5. Currently, subsection 192 (10) provides there is no limitation period for the prosecution of offences under the Act. The subsection is re-enacted to set a limitation period of four years after the day that evidence of the offence first came to the attention of a provincial offences officer.

SCHEDULE 7
HEALING ARTS RADIATION PROTECTION ACT

The Schedule amends the *Healing Arts Radiation Protection Act*. Subsection 5 (2) is amended to permit denturists to operate X-ray machines if they successfully complete a prescribed course. Subsection 6 (2) is amended to permit certain other health professionals to prescribe X-rays in a manner permitted by the regulations. Subsection 9 (1) is amended to allow dental hygienists and denturists to be designated as radiation protection officers.

SCHEDULE 8
HEALTH INSURANCE ACT

The Schedule amends the *Health Insurance Act*.

Currently, section 17.5 requires the General Manager to refuse to pay for an insured service if the claim for payment is not prepared in the required form, does not meet the prescribed requirements or is not submitted within the prescribed time. However, the General Manager may pay for the service if they are of the opinion there are extenuating circumstances.

Section 17.5 is re-enacted to provide that the General Manager may pay for an insured service where the claim is submitted late and the late submission is due to extenuating circumstances. Criteria respecting the form and contents of a claim for payment are retained.

Various amendments are made to enable the Lieutenant Governor in Council to make regulations prescribing time limits in relation to hearings under subsection 20 (1).

Amendments are made to Schedule 1 to the Act to repeal the requirement for review panels to consist of one physician and at least one lawyer.

Various other technical amendments are made.

SCHEDULE 9
HEALTH PROTECTION AND PROMOTION ACT

The Schedule amends the *Health Protection and Promotion Act*.

Currently, sections 83 to 85 of the Act authorize the Minister to give a board of health written directions in certain enumerated circumstances and to ensure compliance with those directions.

The Schedule repeals and re-enacts those sections. Here are some highlights:

1. Re-enacted section 83 authorizes the Minister to issue directives to a board of health if the Minister considers it to be in the public interest to do so. A board of health is required to comply with the directives, and each directive must be published on a website.

2. Re-enacted section 84 authorizes the Minister to appoint a person as a supervisor of a board of health if the Minister considers it in the public interest to do so. The appointment of a supervisor is valid until terminated by the Minister, and unless the appointment provides otherwise, a supervisor has the exclusive right to exercise all of the powers of a board of health. If, under the appointment, a board of health continues to have the right to act with regard to any matters, any such act is valid only if approved in writing by the supervisor.
3. Re-enacted section 85 sets out the matters the Minister may consider in making a decision under re-enacted section 83 or 84 in the public interest.

Consequential amendments are made to various provisions of the Act.

SCHEDULE 10
INTIMATE IMAGES PROTECTION ACT, 2026

The Schedule enacts the *Intimate Images Protection Act, 2026*. The Act consists of eight Parts.

Part I sets out the definitions of key terms and provides for interpretive rules respecting the meaning of an intimate image for the purposes of the Act.

Part II provides for rules respecting the application of a reasonable expectation of privacy in relation to an intimate image and the revocation of consent, including the communication of such revocation.

Part III establishes a cause of action with respect to intimate images. Under this Part, a civil action may be brought against any person who has made or distributed an intimate image without the consent of the person who is the subject of the intimate image or against any person who has threatened to distribute the intimate image. The court has the power to make various orders in an action under this Part if certain conditions are met, including the power to order internet intermediaries to remove intimate images from their platforms or to order the defendant to pay damages to the plaintiff. Defences are available to a person against whom an action is brought under this Part.

Part IV allows a person to apply to the court for an order to cease or prevent the distribution of an intimate image if the person is the subject of the image and if the respondent in the application has distributed the intimate image without the person's consent or has threatened to distribute the image. Such a person may also apply to the court for an order if the person fears the respondent will distribute the intimate image. Certain conditions must be met before a court may make such an order, some of which are deemed to be satisfied by declaration of the applicant. The order may also be made without a hearing and without the presence of the parties. The Part also provides for procedures by which an order to cease or prevent the distribution of an intimate image may be set aside or varied and for various appeals.

Part V provides for rules respecting publication bans and sealing orders, including circumstances when the court is required to issue a publication ban or a sealing order.

Part VI deals with enforcement and provides that a person who fails to comply with an order made under the Act, except for an order to pay any person an amount of money or an order made under section 22, is guilty of an offence and is liable on conviction to a fine or term of imprisonment, or to both.

Part VII authorizes the Lieutenant Governor in Council to make regulations, including regulations governing consent or respecting procedures on applications and appeals under Part IV.

Part VIII provides that the Act is to come into force on a day to be named by order of the Lieutenant Governor in Council and cites the short title of the Act.

SCHEDULE 11
MINISTRY OF COMMUNITY AND SOCIAL SERVICES ACT

The Schedule amends the *Ministry of Community and Social Services Act* to add a new section 13.1. This section authorizes the Lieutenant Governor in Council to make regulations prohibiting the publication or making public of information identifying any location at which services are provided by the Ministry or at which services are provided that are funded, directly or indirectly, by the Ministry. Subsection 13.1 (3) provides for an offence of contravening a provision of the regulations that is prescribed by the regulations.

SCHEDULE 12
MINISTRY OF HEALTH AND LONG-TERM CARE APPEAL AND REVIEW BOARDS ACT, 1998

The Schedule amends the *Ministry of Health and Long-Term Care Appeal and Review Boards Act, 1998* to repeal the requirement for the Health Services Appeal and Review Board to include a minimum number of lawyer members and physician members.

A technical amendment is also made.

SCHEDULE 13
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES ACT

The Schedule makes various amendments to the *Ministry of Training, Colleges and Universities Act*, including the following:

1. Existing provisions relating to liability are repealed and new provisions with respect to Crown liability and the extinguishment of certain causes of action are added.
2. Subsection 8.3 (3) of the Act is amended to provide that the Minister may suspend approval of certain institutions as institutions whose students are eligible to apply for student loans, awards and grants.
3. Regulation-making authority is added to provide that certain institutions may be deemed to be a party to certain loan agreements and the terms of such agreements may be modified to provide that the student and institution are jointly and severally liable for all or a portion of the amount owed by the student. In such cases, any authority under the Act or any other Act to take measures to enforce the collection of the loan may be exercised against the student and the institution.
4. Section 10 of the Act is amended to clarify that inspections commenced during certain hours may continue after such hours if reasonable to do so.
5. New regulation-making powers are added with respect to loans, grants and awards. New regulation-making powers are also added with respect to modifying or terminating the terms of certain agreements with institutions and with respect to changes in the ownership of certain institutions.
6. Regulation-making authority is added in respect of section 8 of the Act.

SCHEDULE 14
ONTARIO CAREER COLLEGES ACT, 2005

The Schedule makes various amendments to the *Ontario Career Colleges Act, 2005*, including the following:

1. Provisions in the Act relating to the Training Completion Assurance Fund are amended to classify the Fund as an account in the Public Accounts, to require certain amounts to be recorded in the Fund and to impose limits on the purposes for which amounts may be charged to the Fund.
2. Career colleges are required to maintain at least one campus and to receive the Superintendent's approval for campuses. Provisions relating to the process of granting or revoking an approval are included.
3. The Superintendent and the Tribunal are required to consider the protection of the interests of career college students, including prospective and former students. Career colleges are prohibited from contracting out or otherwise purporting to restrict or eliminate any student right or protection under the Act.
4. Provisions are added providing for the review of vocational programs and revocations of approvals to provide vocational programs, and to permit the Superintendent to add, change or remove conditions of a program's approval at any time.
5. Career colleges and former career colleges are required to notify the public of the loss of registration of a career college and of prescribed enforcement actions.
6. Other amendments are included respecting the contents of career colleges' fee refund policies and the limitation of the provision of personal information of students.
7. Amendments are made providing for gender-neutral language and adding or amending definitions or regulation-making powers related to the other amendments.
8. New regulation-making powers are added to permit regulations that would prohibit the approval of new registrations, vocational programs and campuses under the Act for a specified period of time.
9. Provisions are added with respect to crown liability and the extinguishment of certain causes of action.

SCHEDULE 15
OPTOMETRY ACT, 1991

Section 4 of the *Optometry Act, 1991* is amended to add two acts to the list of acts that a member of the College of Optometrists of Ontario is authorized to perform in the course of engaging in the practice of optometry: dispensing drugs designated in the regulations under the Act and performing a procedure prescribed by the regulations in or below the surface of the cornea or below the surface of the mucous membrane of the eye. Additional requirements with respect to the new authorized acts and related regulation-making authorities are also added to the Act.

SCHEDULE 16
PERSONAL HEALTH INFORMATION PROTECTION ACT, 2004

The Schedule amends the *Personal Health Information Protection Act, 2004*. The major elements are described below:

1. The purposes of the Act in section 1 are amended to include the facilitation of health system administration.
2. References to aboriginal midwives and aboriginal healers are updated to refer to Indigenous midwives and Indigenous healers. Indigenous midwives who provide traditional midwifery services to Indigenous persons or members of an Indigenous community are added to the definition of "health care practitioner" for the purposes of the Act. This change makes those midwives health information custodians.

3. The term "agent" is currently defined in relation to health information custodians. The term is expanded to apply to the Agency and the prescribed organization, which are both currently regulated under the Act. New section 17.0.1 authorizes the Agency and the prescribed organization to permit their agents to take certain actions and provides that the rules in section 17 about the agents of health information custodians apply, with necessary modifications, to the Agency and the prescribed organization.
4. New Part IV.1 is added to the Act. This Part establishes new powers and duties that apply to the Agency, including the following:
    i. The Agency is permitted to indirectly collect personal health information for a health system administration purpose, subject to various requirements and exceptions. The use and disclosure of that information in specified circumstances is provided for, which may include health care quality improvement and risk management.
    ii. The Agency is required to have in place practices and procedures that are, after a transitional period, approved by the Commissioner. The practices and procedures apply to the personal health information collected by the Agency under this Part.
    iii. The Agency may indirectly collect personal health information by means of the electronic health record, but additional requirements apply. This collection is subject to the individual's ability to instruct the prescribed organization not to provide this information to the Agency. The collection cannot be done until the Agency's practices and procedures have been approved by the Information and Privacy Commissioner.
    iv. Regular consultation with the advisory committee established under section 55.11 is required.
5. New section 51.1 provides that Part V applies to the Agency as if it were a health information custodian and sets out related rules.
6. Various amendments are made to Part V.1, which governs the electronic health record:
    i. The rules in section 55.1 are updated to extend to the Agency the rules about what constitutes a collection, use or disclosure by means of the electronic health record.
    ii. New section 55.1.1 authorizes the prescribed organization to request the transmission of personal health information into the electronic health record, subject to the regulations and the Minister's approval, and requires health information custodians to comply with such requests.
    iii. The functions of the prescribed organization in subsection 55.2 (2) are expanded to include the creation of summaries of personal health information or other supports and to carry out other activities that are reasonably necessary for the development and maintenance of the electronic health record.
    iv. New section 55.8 expands on the authority of the prescribed organization to use personal health information in the electronic health record despite the contents of a consent directive. This use must be for the purpose of providing notifications, reminders, alerts or other supports to health information custodians as long as they do not reveal personal health information that is subject to the consent directive.
    v. New section 55.9.2 authorizes the Agency to collect personal health information by means of the electronic health record for purposes related to its duties under the *Gift of Life Act*.
    vi. New section 55.10.1 sets out rules that apply when the prescribed organization provides health information by means of the electronic health record to the Agency for any purpose for which the Agency is authorized to collect the information under the new subsection 50.4 (1).
    vii. The protection from liability rules in section 55.13 are expanded to protect health information custodians who transmit personal health information into the electronic health record.
7. Various related regulation-making powers are set out.

The Schedule also amends the *Midwifery Act, 1991* and the *Regulated Health Professions Act, 1991* to update the references in those Acts to aboriginal midwives and aboriginal healers to refer to Indigenous midwives and Indigenous healers.

SCHEDULE 17
RETIREMENT HOMES ACT, 2010

The Schedule amends the *Retirement Homes Act, 2010* to add an additional right to the Residents' Bill of Rights set out in subsection 51 (1) of the Act, namely the right to ongoing support from caregivers, and to enable specified senior officials in the ministry of the Minister to provide binding direction as well as recommendations to licensees respecting the prevention and management of specified types of infectious diseases.

SCHEDULE 18
SOCIAL WORK AND SOCIAL SERVICE WORK ACT, 1998

The Schedule amends the *Social Work and Social Service Work Act, 1998* to introduce a concept of sexual abuse of a client by a member of the College of Social Workers and Social Service Workers and to provide for different rules that apply to disciplinary matters involving an allegation or finding of sexual abuse of a client by a member, including the mandatory revocation of a member's certificate of registration upon a finding of certain instances of sexual abuse, as well as to provide for different rules that apply to the reinstatement of a member whose certificate of registration was revoked for sexual abuse of a client.

Bill 148 **2026**

An Act to enact the Intimate Images Protection Act, 2026 and to amend various Acts

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Preamble

The Government of Ontario is committed to:

Strengthening protections for children and youth and supporting avenues to justice for victims of intimate image abuse.

Building a sustainable health care system that delivers high-quality care.

Strengthening safety, well-being and independence through enhanced services and supports.

Advancing postsecondary student success through high-quality education, integrity across the postsecondary sector and accountable use of student financial aid.

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 *Protect Ontario Families and Communities Act, 2026*.

SCHEDULE 1
AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY ACT, 1991

1 Section 4 of the *Audiology and Speech-Language Pathology Act, 1991* is amended by adding the following subsection:

Same

(2) In the course of engaging in the practice of speech-language pathology, a member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to apply a prescribed form of energy.

Commencement

2 This Schedule comes into force on the later of January 1, 2027 and the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 2
CHILD, YOUTH AND FAMILY SERVICES ACT, 2017

1 Section 17 of the *Child, Youth and Family Services Act, 2017* is amended by adding the following subsections:

Provision of information, child in need of protection

(5) A society shall provide information about the methods of alternative dispute resolution prescribed for the purposes of subsection (1) to a child who is or may be in need of protection and to the child's parents within the meaning of subsection 74 (1), at the following times:

1. Within 30 days after bringing the child to a place of safety within the meaning of subsection 74 (1).
2. Within 30 days before applying to the court to determine whether the child is in need of protection under subsection 81 (1).

Same, application or proceeding

(6) Where an application is made under subsection 81 (1) or a matter is brought before the court to determine whether a child is in need of protection, the society that is a party to the application or matter shall provide information about the methods of alternative dispute resolution prescribed for the purposes of subsection (1) to the child and to the child's parents within the meaning of subsection 74 (1), at least once every six months until any of the following occurs:

1. The application is withdrawn or dismissed.
2. An order that the child be placed in extended society care is made under paragraph 3 of subsection 101 (1).
3. An order for custody of the child is granted under section 102.
4. An order made under paragraph 1 or 2 of subsection 101 (1), or an order referred to in paragraph 4 of that subsection, is terminated and no subsequent order is made under section 101.

Same

(7) For greater certainty, reference in subsection (6) to an order made under subsection 101 (1) or section 102 includes any such order made by a court acting under section 114.

Transition

(8) Subsection (6) applies to a society that is a party to an application or a matter referred to in that subsection in respect of which none of the events described in paragraphs 1 to 4 of that subsection have occurred, even if the application was made or the matter was brought before the day on which section 1 of Schedule 2 to the *Protect Ontario Families and Communities Act, 2026* came into force.

2 Section 218 of the Act is repealed and the following substituted:

Effect of foreign adoption

218 An adoption that was effected according to the law of another jurisdiction, before, on or after the day this section comes into force, and that has the effect of terminating any pre-existing legal parent-child relationship has the same effect in Ontario as an adoption under this Part.

Certificate of conversion of simple adoption

218.1 (1) A Director shall issue a certificate converting an adoption of a child by an Ontario resident that was effected according to the law of another jurisdiction and that does not have the effect of terminating any pre-existing legal parent-child relationship into an adoption that has that effect if,

(a) the child's state of origin is a party to the Convention and the adoption was effected in that state and in accordance with the Convention; and

(b) the Director is satisfied that the consents mentioned in Article 27, paragraph 1, subparagraph (b) of the Convention have been given for the purpose of such an adoption.

Effect of certificate

(2) If a Director issues a certificate under subsection (1) in respect of an adoption, the adoption has the same effect in Ontario as an adoption under this Part.

Definition

(3) In this section,

"Convention" means the Convention on Protection of Children and Co-Operation in respect of Intercountry Adoption set out in the Schedule to the *Intercountry Adoption Act, 1998*.

3 Clause 288 (2) (b) of the Act is amended by striking out "from another society or from a child welfare authority outside of Ontario" and substituting "from another society or child welfare authority in Ontario or from a child welfare authority outside of Ontario".

4 Subsection 292 (2) of the Act is amended by striking out "another society or to a child welfare authority outside Ontario" and substituting "another society, to another child welfare authority in Ontario or to a child welfare authority outside of Ontario".

5 Subsection 310 (3) of the Act is repealed and the following substituted:

Successors and potential successors

(3) For the purposes of this section and subject to subsection (4), a successor or a potential successor must be,

(a) a service provider; or

(b) a child welfare authority in Ontario.

Same

(4) A person or entity that is not a service provider may be a potential successor if the person or entity will be a service provider upon becoming a successor.

6 The Act is amended by adding the following section:

Regulations prohibiting publication of certain locations

335.1 (1) The Lieutenant Governor in Council may make regulations prohibiting the publication or making public of information identifying any location at which services are provided by the Ministry or under the authority of a licence issued under Part IX (Residential Licensing) or at which services are provided that are funded, directly or indirectly, under this Act.

Same

(2) The regulations under subsection (1) may provide for the specific information to which a prohibition applies, may provide that a prohibition applies to all or certain persons and may provide for exceptions to a prohibition or situations in which a prohibition does not apply.

Offence

(3) Every person who contravenes a prescribed provision of the regulations made under subsection (1) and every director or officer of a corporation who authorizes, permits or concurs in such a contravention is guilty of an offence and on conviction is liable to,

(a) in the case of an individual, a fine of not more than $5,000; or

(b) in any other case, a fine of not more than $25,000.

7 Section 349 of the Act is amended by adding the following paragraph:

5. for the purposes of subsection 335.1 (2), prescribing provisions of a regulation made under subsection 335.1 (1).

Commencement

8 (1) Except as otherwise provided in this section, this Schedule comes into force on the later of January 1, 2027 and the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

(2) Sections 1 and 2 come into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

(3) Sections 6 and 7 come into force on a day to be named by order of the Lieutenant Governor in Council.

SCHEDULE 3
CHIROPRACTIC ACT, 1991

1 Section 4 of the *Chiropractic Act, 1991* is amended by adding the following paragraph:

4. Ordering the application of a prescribed form of energy.

Commencement

2 This Schedule comes into force on the later of January 1, 2027 and the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 4
DENTAL HYGIENE ACT, 1991

1 The French version of section 3 of the *Dental Hygiene Act, 1991* is amended by striking out "L'exercice de l'hygiène dentaire" at the beginning and substituting "L'exercice de la profession d'hygiéniste dentaire".

2 (1) The French version of section 4 of the Act is amended by striking out "l'exercice de l'hygiène dentaire" in the portion before paragraph 1 and substituting "l'exercice de la profession d'hygiéniste dentaire".

(2) Section 4 of the Act is amended by adding the following paragraph:

4. Administering, by injection, a substance designated in the regulations.

3 Subsection 5 (2.1) of the Act is amended by adding "or 4" after "paragraph 3".

4 (1) The French versions of clauses 12 (1) (a) and (d) of the Act are amended by striking out "l'exercice de la profession de l'hygiène dentaire" wherever it appears and substituting in each case "l'exercice de la profession d'hygiéniste dentaire".

(2) The French version of clause 12 (1) (e) of the Act is amended by striking out "l'exercice de l'hygiène dentaire" in the portion before subclause (i) and substituting "l'exercice de la profession d'hygiéniste dentaire".

(3) Subsection 12 (1) of the Act is amended by adding the following clauses:

(f) designating substances that a member may administer by injection in the course of engaging in the practice of dental hygiene;

(g) regulating and governing the administration, by injection, of substances by members in the course of engaging in the practice of dental hygiene and ancillary matters, including, without limiting the generality of the foregoing,

(i) establishing requirements for the administration, by injection, of substances,

(ii) governing the purposes for which, and the circumstances under which, the administration, by injection, of substances must be performed,

(iii) setting prohibitions.

Commencement

5 This Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 5
DENTURISM ACT, 1991

1 Section 3 of the *Denturism Act, 1991* is repealed and the following substituted:

Scope of practice

3 The practice of denturism is the assessment of the oral-facial complex as it relates to missing teeth, and the design, construction, repair, alteration and fitting of removable dentures and implant-supported dentures.

2 Section 4 of the Act is amended by striking out "removable dentures" at the end and substituting "removable or implant-supported dentures".

3 The Act is amended by adding the following section:

Additional requirements for authorized acts

4.1 (1) A member is not authorized to perform an act set out in section 4 as it applies to implant-supported dentures unless the member performs the act in accordance with the regulations.

Grounds for misconduct

(2) In addition to the grounds set out in subsection 51 (1) of the Health Professions Procedural Code, a panel of the Discipline Committee shall find that a member has committed an act of professional misconduct if the member contravenes subsection (1).

4 The Act is amended by adding the following section:

Council regulations

10.0.1 Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations regulating and governing the fitting and dispensing of implant-supported dentures by members and ancillary matters, including, without limiting the generality of the foregoing,

(a) governing the purposes for which, or the circumstances under which, implant-supported dentures may be fitted or dispensed;

(b) setting requirements respecting the fitting or dispensing of implant-supported dentures;

(c) setting prohibitions.

Regulated Health Professions Act, 1991

5 Subsection 32 (4) of the *Regulated Health Professions Act, 1991* is amended by striking out "removable dentures" and substituting "removable or implant-supported dentures".

Commencement

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

SCHEDULE 6
FIXING LONG-TERM CARE ACT, 2021

1 Subsection 2 (1) of the *Fixing Long-Term Care Act, 2021* is amended by adding the following definition:

"provincial offences officer" means a person designated by the Minister under subsection 1 (3) of the *Provincial Offences Act*; ("agent des infractions provinciales")

2 The Act is amended by adding the following section:

Dementia care

16.1 Every licensee of a long-term care home shall ensure that there is an organized program of dementia care and services for the home to meet the care needs of residents with dementia.

3 The Act is amended by adding the following section:

Report

48.1 The Director may at any time request a placement co-ordinator to submit a report to the Director on any matter concerning long-term care home placement and admission, in a form acceptable to the Director, and the placement co-ordinator shall comply with such a request.

4 Section 78 of the Act is repealed and the following substituted:

Clinical Director

78 (1) Every licensee of a long-term care home shall ensure that the home has a Clinical Director.

Professional qualifications

(2) The Clinical Director shall be a physician or a registered nurse in the extended class.

Role

(3) The Clinical Director shall,

(a) advise the licensee on matters relating to medical care in the long-term care home; and

(b) perform the duties prescribed by regulation.

Must consult

(4) In performing their duties under subsection (3), the Clinical Director shall consult with the Director of Nursing and Personal Care and other health professionals working in the long-term care home, in accordance with the regulations.

5 (1) Clause 92 (2) (b) of the Act is repealed and the following substituted:

(b) relating to the use of psychotropic drugs in long-term care homes, including requiring a licensee of a home to discuss the use of such drugs with the Clinical Director or with another staff member provided for in the regulations, and requiring the Clinical Director or other staff member, as applicable, to prepare reports and advise the licensee on the use of such drugs in the home;

(2) Subsection 92 (2) of the Act is amended by adding the following clause:

(d.1) governing consultations for the purposes of subsection 78 (4);

6 (1) Section 113 of the Act is amended by adding the following subsection:

Same

(3.1) Without restricting the generality of subsection (3), the regulations may establish requirements governing the allocation of financial obligations between the licensee and the manager of the long-term care home, which may include financial obligations arising from the manager's failure to comply with the contract or the Act and the regulations or to adequately manage the home.

(2) Paragraph 2 of subsection 113 (4) of the Act is amended by striking out "section" and substituting "sections 100 and".

(3) Section 113 of the Act is amended by adding the following subsection:

Transition

(7) Subsection (4), as it read immediately before the day the *Protect Ontario Families and Communities Act, 2026* received Royal Assent, continues to apply to applications for approval of a contract or of an amendment of a contract received by the Director before that day.

7 Subsection 192 (10) of the Act is repealed and the following substituted:

Limitation period

(10) A prosecution for an offence under this Act shall not be commenced more than four years after the day evidence of the offence first came to the attention of a provincial offences officer.

Transition

(11) Subsection (10), as it read immediately before the day the *Protect Ontario Families and Communities Act, 2026* received Royal Assent, continues to apply to a prosecution for an offence under this Act if evidence of the offence first came to the attention of a provincial offences officer before that day.

Commencement

8 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

(2) Sections 2, 4 and 5 come into force on a day to be named by order of the Lieutenant Governor in Council.

SCHEDULE 7
HEALING ARTS RADIATION PROTECTION ACT

1 Subsection 5 (2) of the *Healing Arts Radiation Protection Act* is amended by adding the following paragraph:

9. A member of the College of Denturists of Ontario, if they have successfully completed the course that is prescribed by the regulations.

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

Same

(2) Despite subsection (1), a person may operate an X-ray machine for the irradiation of a human being if the irradiation is prescribed in a manner permitted by the regulations by,

(a) a member of the College of Audiologists and Speech-Language Pathologists of Ontario;

(b) a member of the College of Dental Hygienists of Ontario;

(c) a member of the College of Denturists of Ontario; or

(d) a member of the College of Physiotherapists of Ontario.

3 Subsection 9 (1) of the Act is amended by striking out "or" at the end of clause (c) and by adding the following clauses:

(e) a member of the College of Dental Hygienists of Ontario; or

(f) a member of the College of Denturists of Ontario.

Commencement

4 This Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 8
HEALTH INSURANCE ACT

1 The definitions of "Minister" and Ministry" in section 1 of the *Health Insurance Act* are repealed and the following substituted:

"Minister" means the Minister of Health or such other member of the Executive Council to whom responsibility for the administration may be assigned or transferred under the *Executive Council Act*; ("ministre")

"Ministry" means the ministry of the Minister; ("ministère")

2 Section 17.5 of the Act is repealed and the following substituted:

Refusal to pay if not required form, etc.

17.5 (1) Subject to subsection (2), the General Manager shall refuse to pay for an insured service if the claim for payment for the service is not prepared in the required form, does not meet the prescribed requirements or is not submitted to the General Manager within the prescribed time.

Extenuating circumstances re late submissions

(2) The General Manager may pay for an insured service where the claim for payment for the service is not submitted within the time referred to in subsection (1) if the General Manager is of the opinion that the late submission is due to extenuating circumstances.

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

Powers of Appeal Board

(1) If a person requests a hearing under section 20, the Appeal Board shall schedule and hold a hearing within such time limits as may be prescribed and following the hearing may, by order, direct the General Manager to take such action as the Appeal Board considers the General Manager should take in accordance with this Act and the regulations.

Time limits

(1.1) Subject to subsection (2), the steps in the proceeding before the Appeal Board shall be taken within such time limits as may be prescribed.

(2) Subsection 21 (2) of the Act is amended by striking out "this section" and substituting "section 20".

4 (1) Clause 45 (1) (w) of the Act is amended by striking out "(2)" at the end and substituting "(6)".

(2) Subsection 45 (1) of the Act is amended by adding the following clause:

(x) prescribing time limits in relation to hearings under subsection 20 (1), including time limits for filing written submissions and other materials and time limits within which hearings must be held and completed;

5 (1) Subsection 2 (2) of Schedule 1 to the Act is repealed and the following substituted:

Timing

(2) A panel selected under subsection (1) shall conduct the hearing within such time limits as may be prescribed and shall make an order with written reasons within 30 business days of the close of submissions, or, if another time limit has been prescribed, within that time.

Same

(2.1) The steps in the proceeding before the Appeal Board shall be taken within such time limits as may be prescribed.

(2) Paragraphs 2 and 3 of section 4 of Schedule 1 to the Act are repealed.

Commencement

6 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

(2) Subsections 3 (1) and 4 (2) and section 5 come into force on the later of April 1, 2027 and the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 9
HEALTH PROTECTION AND PROMOTION ACT

1 Sections 83 to 85 of the *Health Protection and Promotion Act* are repealed and the following substituted:

Directives by Minister

83 (1) The Minister may issue directives to a board of health if the Minister considers it to be in the public interest to do so.

Binding

(2) The board of health shall comply with every directive of the Minister.

General or particular

(3) A directive of the Minister may be general or particular in its application.

Non-application of *Legislation Act, 2006*

(4) Part III (Regulations) of the *Legislation Act, 2006* does not apply to directives of the Minister.

Public availability

(5) The Minister shall publish every directive under this section on a website.

Law prevails

(6) For greater certainty, in the event of a conflict between a directive issued under this section and a provision of any applicable Act or rule of any applicable law, the Act or rule prevails.

Supervisor

84 (1) The Minister may appoint a person as a supervisor of a board of health if the Minister considers it in the public interest to do so.

Notice of appointment

(2) The Minister shall give the board of health at least 14 days notice before appointing a supervisor.

Immediate appointment

(3) Subsection (2) does not apply in respect of a board of health if there are not enough members on the board to form a quorum.

Immediate appointment, emergency

(4) Subsection (2) does not apply in respect of a board of health if, in the Minister's opinion, there is an immediate risk to the health of persons in the health unit served by the board.

Not successor employer

(5) The appointment of a supervisor under this section is not a sale of a business for the purposes of section 9 of the *Employment Standards Act, 2000*, section 69 of the *Labour Relations Act, 1995* or section 13.1 of the *Pay Equity Act*.

Related employers

(6) If a supervisor is appointed under this section,

(a) no person is entitled to make an application under subsection 1 (4) of the *Labour Relations Act, 1995*; and

(b) the supervisor and the board of health shall not be treated as one employer under section 4 of the *Employment Standards Act, 2000*.

Term of office

(7) The appointment of a supervisor is valid until terminated by the Minister.

Powers of supervisor

(8) Unless the appointment provides otherwise, a supervisor has the exclusive right to exercise all of the powers of a board of health.

Same

(9) An appointment may specify the powers and duties of a supervisor appointed under this section and the terms and conditions governing those powers and duties.

Additional powers of supervisor

(10) If, under the appointment, the board of health continues to have the right to act with regard to any matters, any such act of the board is valid only if approved in writing by the supervisor.

Right of access

(11) A supervisor appointed for a board of health has the same rights as the board and as its officers in respect of the documents, records and information of the board.

Restriction

(12) A supervisor shall,

(a) not collect, use or disclose personal health information if other information will serve the purposes of the supervisor;

(b) not collect, use or disclose more personal health information than is reasonably necessary for the purposes of the supervisor; and

(c) comply with any conditions or requirements relating to the collection, use or disclosure of personal health information that may be prescribed.

Minister's directions

(13) The Minister may issue directions to a supervisor with regard to any matter within the jurisdiction of the supervisor, and the supervisor shall carry out the directions.

Report to Minister

(14) A supervisor shall report to the Minister as required by the Minister.

Disclosure

(15) The Minister shall make any report provided under subsection (14) public.

Personal health information to be removed

(16) Before making the report public, the Minister shall ensure that all personal health information in the report is de-identified.

Definition

(17) In this section,

"personal health information" means personal health information within the meaning of the *Personal Health Information Protection Act, 2004*.

Public interest

85 In making a decision in the public interest under section 83 or 84, the Minister may consider any matter they regard as relevant including, without limiting the generality of the foregoing,

(a) the quality of the management and administration of the board of health;

(b) whether the board of health is providing or ensuring the provision of health programs and services in accordance with section 5, 6 or 7, the regulations or the public health standards; and

(c) whether the board of health is complying in all other respects with this Act or the regulations.

2 Subsection 86.3 (1) of the Act is amended by striking out "82, 83, 84 or 85" at the end and substituting "82, 83 or 84".

3 Section 86.4 of the Act is repealed.

4 (1) Subsection 95 (1) of the Act is repealed and the following substituted:

Protection from personal liability

(1) No action or other proceeding for damages or otherwise shall be instituted against the Minister, the Chief Medical Officer of Health or an Associate Chief Medical Officer of Health, a member of a board of health, a medical officer of health, an associate medical officer of health of a board of health, an acting medical officer of health of a board of health, a public health inspector, a supervisor appointed under section 84 or an employee of a board of health or of a municipality who is working under the direction of a medical officer of health for any act done in good faith in the execution or the intended execution of any duty or power under this Act or for any alleged neglect or default in the execution in good faith of any such duty or power.

(2) Subsection 95 (3) of the Act is repealed and the following substituted:

Board of health not relieved of liability

(3) Subsection (1) does not relieve a board of health from liability for damage caused by negligence of, or action without authority by, a person referred to in subsection (1), other than a minister of the Crown or a Crown employee, and a board of health is liable for such damage in the same manner as if subsection (1) had not been enacted.

5 Clause 96 (6) (b) of the Act is repealed.

6 Subsection 100 (3) of the Act is amended by striking out "83 (3) or 84 (2)".

Commencement

7 This Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 10
INTIMATE IMAGES PROTECTION ACT, 2026

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PART I
INTERPRETATION

Definitions

1 (1) In this Act,

"child" means a person under the age of 18 years; ("enfant")

"court" means,

(a) respecting an action brought under section 5, the Superior Court of Justice,

(b) respecting an application made under section 9, a judge or justice of the peace of the Ontario Court of Justice; ("tribunal")

"distribute" means to transmit, publish or otherwise make available; ("partager")

"internet intermediary" means a person that hosts or indexes third party content through an online platform; ("intermédiaire de l'Internet")

"intimate image" means an intimate image within the meaning of section 2; ("image intime")

"visual recording" includes a still image, a moving image or a live transmission, whether or not the transmission was recorded. ("enregistrement visuel")

Interpretation — subject of an intimate image

(2) For the purposes of this Act, the subject of an intimate image is a person who is depicted in the image, whose likeness is represented in the image or to whom the intimate image has been attributed.

Meaning of intimate image

2 (1) Subject to subsection (4), an intimate image for the purposes of this Act is,

(a) a visual recording of a person in which,

(i) the person is engaging in a sexual act or the person's genital organs, anal region or breasts are exposed,

(ii) the person is nude, nearly nude or in a circumstance prescribed by the regulations, or

(iii) the person is a child under the age prescribed by the regulations and,

(A) the dominant characteristic of the image is of a sexual nature, or

(B) the image has been made or distributed for a sexual purpose; or

(b) an audio recording in which a person is heard engaging in or describing a sexual act.

Alteration irrelevant

(2) A visual recording or an audio recording described in subsection (1) is an intimate image for the purposes of this Act regardless of whether it has been altered in any way.

Means of making irrelevant

(3) A visual recording or an audio recording described in subsection (1) is an intimate image for the purposes of this Act regardless of the means by which it was made, including whether through the use of software, machine learning, artificial intelligence or other electronic means or mechanical means such as drawing.

Reasonable expectation of privacy required

(4) A visual recording described in subclause (1) (a) (ii) is an intimate image for the purposes of this Act only if the person in the image had a reasonable expectation of privacy in relation to the image, as determined by the relevant court in accordance with the regulations, at the time the visual recording was made or, if distributed, at the time it was distributed.

PART II
PRIVACY AND CONSENT

Reasonable expectation of privacy not lost

3 For greater certainty, a reasonable expectation of privacy in relation to an intimate image is not lost only by reason of,

(a) the distribution of the image by the person in the image;

(b) the consent of the person in the image to the making or distribution of the image by another person;

(c) the death of the person in the intimate image; or

(d) any other circumstances prescribed by the regulations.

Consent revocable

4 (1) A person who consented to the distribution of an intimate image of the person may revoke consent to the distribution of the image at any time.

Communication of revocation required

(2) Before bringing an action under Part III, a person must have communicated the revocation of their consent to the person who distributed the intimate image.

Service of order under Part IV as communication

(3) For the purposes of subsection (2), serving an order obtained under Part IV on the defendant in an action under Part III serves as communication of the revocation of consent if the order relates to the same intimate image.

PART III
CAUSE OF ACTION RESPECTING INTIMATE IMAGES

Making and distributing without consent and threatening to distribute

5 (1) Subject to subsection (3), a person who is the subject of an intimate image may bring an action against any person who has,

(a) made the intimate image without the consent of the person who is the subject of the intimate image;

(b) distributed the intimate image without the consent of the person who is the subject of the intimate image; or

(c) threatened to distribute the intimate image.

Unidentified defendant

(2) A person may bring an action under this section even if the name of the defendant is not known, and the defendant must instead be identified by any details known by the person that may serve to identify the defendant, including a user name or account, phone number or email address.

Limitation

(3) An action shall not be brought under subsection (1) in respect of the making or distribution of an intimate image if making or distributing the image is necessary for the following purposes:

1. A law enforcement investigation.
2. A court proceeding.
3. Activities that are necessarily incidental to an investigation referred to in paragraph 1 or a proceeding referred to in paragraph 2.

Proof of damage not required

(4) The action may be brought without proof of damage.

Reverse onus

(5) Subject to the regulations, in an action under this Part, the intimate image is presumed to have been made or distributed without the consent of the person who is the subject of the intimate image, in the absence of evidence to the contrary.

Remedies

Conditions, making and distributing intimate image without consent

6 (1) If a plaintiff brings an action in respect of the making or distribution of an intimate image, the court may make a declaration or order under subsection (2) if the court is satisfied that,

(a) the visual recording or audio recording that was made or distributed is an intimate image;

(b) the plaintiff is the subject of the intimate image; and

(c) the defendant made or distributed the intimate image without the plaintiff's consent.

Declaration and orders, making and distributing intimate image without consent

(2) If the conditions set out in subsection (1) are satisfied, the court may,

(a) declare the making or distribution of the intimate image to have been unlawful;

(b) order the defendant to destroy all copies of the intimate image in the defendant's possession or control;

(c) order the defendant to make all reasonable efforts to make the intimate image unavailable to others, including by having the intimate image,

(i) removed from any platform operated by an internet intermediary and from any other electronic form of application, software, database and communication method, and

(ii) de-indexed from any search engine;

(d) order an internet intermediary or other person to,

(i) remove the intimate image from any platform operated by the internet intermediary and from any other electronic form of application, software, database or communication method,

(ii) destroy the intimate image, and

(iii) de-index the intimate image from any search engine;

(e) order a person to provide any information that the court considers necessary to further the objectives of removal, destruction or de-indexing of the intimate image;

(f) order the defendant to pay damages to the plaintiff, including compensatory, aggravated and punitive damages and any damages prescribed by the regulations; and

(g) make any other order that the court considers just and reasonable in the circumstances.

Conditions, threatening to distribute intimate image

(3) If a plaintiff brings an action in respect of a threat to distribute an intimate image, the court may make a declaration or order under subsection (4) if the court is satisfied that,

(a) the visual recording or audio recording in question is an intimate image;

(b) the plaintiff is the subject of the intimate image; and

(c) the defendant threatened to distribute the intimate image.

Declaration and orders, threatening to distribute intimate image

(4) If the conditions set out in subsection (3) are satisfied, the court may,

(a) declare the threat to distribute the intimate image to have been unlawful;

(b) order the defendant to refrain from distributing the intimate image;

(c) order the defendant to destroy all copies of the intimate image in the defendant's possession or control;

(d) order a person to provide any information that the court considers necessary to further the objectives of removal, destruction or de-indexing of the intimate image;

(e) order the defendant to pay damages to the plaintiff, including compensatory, aggravated and punitive damages and any damages prescribed by the regulations; and

(f) make any other order that the court considers just and reasonable in the circumstances.

Order to pay damages

(5) In ordering a defendant to pay damages under clause (2) (f) or (4) (e), the court shall have regard to any circumstances prescribed by the regulations.

Period to comply with order

(6) Any order made under subsection (2) or (4) shall be complied with within the period of time prescribed by the regulations, but the court may, by order, extend or abridge the period prescribed on such terms as are just.

Court not bound

(7) In making a declaration or order under subsection (2) or (4), the court is not bound by any declaration or order made in an application under Part IV arising from the same facts.

Conflict

(8) For greater certainty, an order made under subsection (2) or (4) is inoperative to the extent that it affects any duty that a person may have under *An Act respecting the mandatory reporting of Internet child sexual abuse and exploitation material by persons who provide an Internet service* (Canada) or to the extent of any conflict with any court order, preservation demand or duty that is prescribed by the regulations.

Defences to action under s. 5

7 (1) A person is not liable in an action under section 5 if the person proves that the intimate image was made or distributed in any of the following circumstances:

1. The making or distribution of the intimate image,
    i. was in the public interest, including for purposes related to science, medicine, education or art,
    ii. did not extend beyond what was in the public interest, and
    iii. did not pose an undue risk of harm to children.
2. The intimate image was made or distributed in accordance with the terms of a valid contract.
3. The intimate image was distributed by an internet intermediary who had taken all reasonable efforts to address the unlawful distribution of the intimate image in the use of its services.
4. Any other circumstances prescribed by the regulations.

Limitation re public interest

(2) For greater certainty, an intimate image is not made or distributed in the public interest solely because the person who is the subject of the image is a public figure.

Stay

8 If a person makes an application under section 9, an action under this Part is stayed until the disposition of the matter.

PART IV
EXPEDITED ORDER TO CEASE OR PREVENT DISTRIBUTION OF INTIMATE IMAGE

Application for order under s. 11

9 (1) Subject to subsection (4), a person described in subsection (2) may apply to the court, in accordance with the regulations, for an order under section 11 against a respondent to cease or prevent the distribution of an intimate image if,

(a) the respondent has distributed an intimate image without the consent of the person who is the subject of the intimate image;

(b) the respondent has threatened to distribute the intimate image; or

(c) the applicant fears that the respondent will distribute the intimate image.

Applicants

(2) The following persons are entitled to apply to the court under subsection (1):

1. An adult who is the subject of the intimate image.
2. A child who is the subject of the intimate image and above the age prescribed by the regulations.
3. Any of the following persons in relation to a child who is the subject of the intimate image:
    i. A person with lawful custody of the child.
    ii. A person who is caring for the child under customary care, as defined in subsection 2 (1) of the *Child, Youth and Family Services Act, 2017*.
4. Any other person who is prescribed by the regulations.

Unidentified respondent

(3) A person may apply to the court under this section even if the name of the respondent is not known, and the respondent must instead be identified by any details known by the person that may serve to identify the respondent, including a user name or account, phone number or email address.

Limitation

(4) An application shall not be made under subsection (1) in respect of the distribution of an intimate image if distributing the image is necessary for the following purposes:

1. A law enforcement investigation.
2. A court proceeding.
3. Activities that are necessarily incidental to an investigation referred to in paragraph 1 or a proceeding referred to in paragraph 2.

Parties

(5) Parties to an application under subsection (1) are the applicant and the respondent and, if the applicant is not the person who is the subject of the intimate image, that person if they are above the age prescribed by the regulations for the purposes of paragraph 2 of subsection (2).

Application without notice

(6) An application under subsection (1) may be made without notice.

Conditions, distributing intimate image without consent

10 (1) If an applicant makes an application in respect of the distribution of an intimate image, the court may make a declaration or order under section 11 if the following conditions are satisfied:

1. The visual recording or audio recording that was distributed is an intimate image.
2. The applicant, or the person on whose behalf the application is made, is the subject of the intimate image.
3. The intimate image was distributed.
4. There was no consent to the distribution of the intimate image.

Same, threatening to distribute or fearing distribution

(2) If an applicant makes an application in respect of a threat to distribute an intimate image or fear that the image will be distributed, the court may make a declaration or order under section 11 if the following conditions are satisfied:

1. The visual recording or audio recording in question is an intimate image.

2. The applicant, or the person on whose behalf the application is made, is the subject of the intimate image.
3. The respondent has threatened to distribute the intimate image or the applicant, or the person on whose behalf the application is made, fears that the respondent will distribute the image.

Conditions deemed satisfied

(3) The following conditions are deemed to be satisfied if the applicant makes a declaration in the manner prescribed by the regulations attesting to the information required by those conditions:

1. Paragraphs 2 and 4 of subsection (1).
2. Paragraphs 2 and 3 of subsection (2).

Additional conditions

(4) The regulations may prescribe additional conditions that must be satisfied under subsection (1) or (2) and may provide that those conditions are deemed to be satisfied as described in subsection (3).

Expedited order to cease or prevent distribution of intimate image

11 (1) If the conditions set out in subsection 10 (1) or (2), as the case may be, are satisfied, the court may make any declaration or order the court may make under subsection 6 (2) or (4), as applicable, except for orders under clauses 6 (2) (f) and 6 (4) (e).

Hearing, presence of parties

(2) An order may be made without a hearing on the basis of the information the applicant provides in accordance with the regulations and without the presence of the parties.

Hearing held in the absence of the public

(3) If the court decides to hold a hearing, it may be held in the absence of the public and in the absence of the respondent.

Service of order

(4) An order made under subsection (1) shall be served by the applicant, in accordance with the regulations, on every other party, any person named in the order who is not a party and any other persons prescribed by the regulations.

Period to comply with order

(5) Any person who is the subject of an order made under subsection (1) shall make best efforts to comply with the order immediately after service of the order but shall, in any event, comply with the order within the period prescribed by the regulations.

Same, court to extend or abridge period

(6) The court may, by order, extend or abridge the period prescribed under subsection (5) on such terms as are just.

Conflict

(7) For greater certainty, an order made under subsection (1) is inoperative to the extent that it affects any duty that a person may have under *An Act respecting the mandatory reporting of Internet child sexual abuse and exploitation material by persons who provide an Internet service* (Canada) or to the extent of any conflict with any court order, preservation demand or duty that is prescribed by the regulations.

Application to set aside or vary order

12 (1) Any person who is served with an order made under section 11 may apply to the court to have the order set aside or varied within 30 days of the order being served.

Prescribed requirements

(2) A person who applies to the court under subsection (1) shall comply with any requirements prescribed by the regulations.

Order to set aside or vary

(3) The court may set aside or vary an order made under section 11 if the applicant satisfies the court that any of the following conditions are met:

1. The making or distribution of the intimate image,
    i. was in the public interest, including for purposes related to science, medicine, education or art,
    ii. did not extend beyond what was in the public interest, and
    iii. did not pose an undue risk of harm to children.
2. The intimate image was distributed in accordance with the terms of a valid contract.
3. Any other conditions prescribed by the regulations.

Limitation re public interest

(4) For greater certainty, an intimate image is not distributed in the public interest solely because the person who is the subject of the image is a public figure.

No stay

(5) An application under subsection (1) operates as a stay of any terms of an order described in clause 6 (2) (b), subclause 6 (2) (d) (ii) or clause 6 (4) (c) but does not operate as a stay of any other terms of the order unless ordered by the court.

Service of order

(6) An order made under subsection (3) shall be served by the applicant, in accordance with the regulations, on every other party, any person named in the order who is not a party and any other persons prescribed by the regulations.

Application to vary order, other persons

13 (1) An applicant for an order made under section 11 or a person who is the subject of the intimate image to which such an order relates, provided that the person would have been entitled to make an application under subsection 9 (2), may, at any time, apply to the court to have the order varied to extend its provisions to additional internet intermediaries or other persons.

Prescribed requirements

(2) A person who applies to the court under subsection (1) shall comply with any requirements prescribed by the regulations.

Order to vary

(3) On application by a person referred to in subsection (1), the court may vary an order made under section 11 to extend its provisions to additional internet intermediaries or other persons.

Unidentified persons

(4) The court may order that provisions of an order made under section 11 be extended to persons whose names are not known, so long as those persons can be identified by any details known by the person making the application that may serve to identify them, including a user name or account, phone number or email address.

Service of order

(5) An order made under subsection (3) shall be served by the person who applied to the court under subsection (1), in accordance with the regulations, on every other party, any person named in the order who is not a party and any other persons prescribed by the regulations.

Application to set aside or vary

(6) For greater certainty, any person to which an order under section 11 applies after having been varied under subsection (3) of this section may apply to the court to have the order set aside or varied in accordance with subsection 12 (1).

Hearing, presence of parties

14 An order under section 12 or 13 may be made without a hearing and without the presence of the parties.

Appeals

Applications for order

15 (1) The following decisions of the court may be appealed to the Superior Court of Justice by the applicant or respondent, as applicable, in accordance with the regulations:

1. A decision to deny an application for an order under section 11.
2. A decision to grant or deny an application for an order under section 12.
3. A decision to deny an application for an order under section 13.

Timing

(2) An appeal under subsection (1) must be brought no later than 30 days after the decision being appealed from is made.

Appeal

(3) A decision on an appeal under subsection (1) may be appealed, with leave obtained by motion, to the Court of Appeal in accordance with the regulations.

No appeal, review re leave

(4) No appeal or review lies from a decision on a motion for leave to appeal under subsection (3).

No stay of proceedings

(5) Unless the court hearing the appeal orders otherwise, an appeal under this section does not operate as a stay of proceedings under this Part.

Partial stay of order

(6) Unless the court hearing the appeal orders otherwise, an appeal under this section operates as a stay of any terms of an order described in clause 6 (2) (b), subclause 6 (2) (d) (ii) or clause 6 (4) (c) but does not operate as a stay of any other terms of the order unless ordered by the court.

Rules of court

16 The rules of court do not apply to an application or appeal under this Part, except as may be provided by the regulations.

Courts of Justice Act

17 In the event of a conflict between this Part and the *Courts of Justice Act*, this Part prevails to the extent of the conflict.

PART V
ACCESS TO PROCEEDINGS

Publication ban

Plaintiff or applicant

18 (1) In an action under section 5 or an application under section 9, the relevant court shall, on request by the plaintiff or applicant, as the case may be, make an order prohibiting the publication or disclosure of the name of the plaintiff or applicant or other information that could identify the plaintiff or applicant.

Same

(2) Subsection (1) applies, with necessary modifications, with respect to any person in the intimate image, including in an application under section 9 where the person in the intimate image is not the applicant, but does not apply to the defendant or respondent.

Children

(3) If any person involved in a proceeding relating to an action under section 5 or an application under section 9 is a child, the relevant court shall make an order prohibiting the publication or disclosure of the name of the child or other information that could identify the child.

Application

(4) For greater certainty, an order made under subsection (3) continues to apply once the person is no longer a child.

Prescribed terms

(5) In addition to any terms that the relevant court considers appropriate, an order made under this section must contain any terms prescribed by the regulations.

Duty to inform applicant

19 In a proceeding relating to an application under section 9, the court shall, as soon as feasible, inform the applicant of the right to make an application for an order under subsection 18 (1).

Application to cancel publication ban

20 (1) Any person who is the subject of a publication ban made under section 18 may, at any time, ask the court to cancel the order, including after the proceedings have concluded.

Court to consider factors

(2) On hearing an application made under subsection (1), the court shall consider any factors prescribed by the regulations.

Limitations on order

21 An order made under section 18 does not apply in the following circumstances:

1. The disclosure of information is made in the course of the administration of justice and the purpose of the disclosure is not one of making the information known in the community.
2. The disclosure of information is made, in any forum and for any purpose, by a person who is the subject of the order and is about that person and their particulars, and they did not intentionally or recklessly reveal the identity of or reveal particulars likely to identify any other person whose identity is protected by an order made under section 18.
3. The disclosure of information is made by a person in the intimate image who is not the defendant in an action under section 5 or the respondent in an application under section 9, and the purpose of the disclosure is not to make the information known to the public, including when the disclosure is made to a legal professional, a health care professional or a person in a relationship of trust with the person.
4. Any other circumstances prescribed by the regulations.

Sealing order, intimate image

22 (1) In an action under section 5 or an application under Part IV, the relevant court shall order that any intimate image or image that is alleged to be an intimate image that is filed in the action or application be treated as confidential, be sealed and not form part of the public record.

Same, other materials

(2) In an action under section 5 or an application under Part IV, the relevant court may order that any materials relating to the action or application that are filed be treated as confidential, be sealed and not form part of the public record.

PART VI
ENFORCEMENT

Enforcement

Definition

23 (1) In this section,

"court" means the Ontario Court of Justice.

Offence

(2) A person who fails to comply with an order made under this Act, except for an order to pay any person an amount of money or an order made under section 22, is guilty of an offence and is liable on conviction,

(a) if the person is an individual, to a fine of not more than $10,000 or to a term of imprisonment of not more than 90 days, or to both; or

(b) if the person is a corporation, to a fine of not more than $1,000,000.

Separate offence

(3) A person is guilty of a separate offence on each day that an offence under subsection (2) occurs or continues.

Considerations

(4) In determining a penalty under subsection (2), the court may consider any circumstances that the court considers to be relevant or any circumstances prescribed by the regulations.

Defence

(5) A person shall not be found guilty of an offence under subsection (2) if the person proves that they exercised due diligence to prevent the commission of the offence.

PART VII
REGULATIONS

Regulations, Lieutenant Governor in Council

24 The Lieutenant Governor in Council may make regulations,

(a) providing for anything that this Act contemplates being done by regulation;

(b) defining or clarifying the meaning of any words or expressions used in this Act that are not defined in this Act;

(c) governing the manner in which a reasonable expectation of privacy must be determined by the relevant court for the purposes of subsection 2 (4), including factors the relevant court must consider;

(d) governing consent, including,

  (i) providing for rules respecting capacity to consent or the nature of consent in specified circumstances, and

  (ii) specifying standards for establishing or proving consent;

(e) governing procedures respecting applications and appeals under Part IV, including procedures in relation to,

  (i) the mode and conduct of applications, including requiring the filing of documents,

  (ii) the commencement of applications, representation of parties and service of documents in or outside Ontario,

  (iii) pleadings,

  (iv) the use of documents and other evidence in applications, including requiring the anonymization of documents and specifying the manner and circumstances in which documents must be anonymized,

  (v) appeals and motions for appeal, including their mode and conduct,

  (vi) the mode and conduct of hearings, and

(vii) the disposition of applications, appeals and motions for appeal without a hearing and its effect;

(f) prescribing forms and providing for their use.

PART VIII
COMMENCEMENT AND SHORT TITLE

Commencement

25 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

26 The short title of the Act set out in this Schedule is the *Intimate Images Protection Act, 2026*.

SCHEDULE 11
MINISTRY OF COMMUNITY AND SOCIAL SERVICES ACT

1 The *Ministry of Community and Social Services Act* is amended by adding the following section:

Regulations prohibiting publication of certain locations

13.1 (1) The Lieutenant Governor in Council may make regulations prohibiting the publication or making public of information identifying any location at which services are provided by the Ministry or at which services are provided that are funded, directly or indirectly, by the Ministry.

Same

(2) The regulations under subsection (1) may provide for the specific information to which a prohibition applies, may provide that a prohibition applies to all or certain persons and may provide for exceptions to a prohibition or situations in which a prohibition does not apply.

Offence

(3) Every person who contravenes a provision of the regulations made under subsection (1) that is prescribed by the regulations and every director or officer of a corporation who concurs in such a contravention is guilty of an offence and on conviction is liable to,

(a) in the case of an individual, a fine of not more than $5,000; or

(b) in any other case, a fine of not more than $25,000.

2 Section 17 of the Act is amended by adding the following clause:

(d) for the purposes of subsection 13.1 (3), prescribing provisions of a regulation made under subsection 13.1 (1).

Commencement

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

SCHEDULE 12
MINISTRY OF HEALTH AND LONG-TERM CARE APPEAL AND REVIEW BOARDS ACT, 1998

1 Subsection 3 (1) of the *Ministry of Health and Long-Term Care Appeal and Review Boards Act, 1998* is amended by striking out "and Long-Term Care" at the end.

2 Subsections 7 (2) and (3) of the Act are repealed and the following substituted:

Transition

(2) For greater certainty, a person described in subsection (2) or (3), as those subsections read immediately before the day section 2 of Schedule 12 to the *Protect Ontario Families and Communities Act, 2026* came into force, who was a member of the Board immediately before that day continues as a member of the board until the member's appointment expires or is revoked or the member resigns.

Commencement

3 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

(2) Section 2 comes into force on the later of April 1, 2027 and the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 13
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES ACT

1 Section 4.2 of the *Ministry of Training, Colleges and Universities Act* is repealed and the following substituted:

Crown liability

No personal liability

4.2 (1) No cause of action arises against any current or former member of the Executive Council, deputy minister, inspector, employee, officer or agent of the Crown or advisor to the Crown for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

Crown remains vicariously liable

(2) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

Proceedings barred

(3) No proceeding shall be commenced against any person specified in subsection (1) in respect of a matter referred to in that subsection.

Same

(4) Subsection (3) does not apply with respect to an application for judicial review, any proceeding that is specifically provided for under this Act, or a claim for a constitutional remedy, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

Proceedings by Crown not prevented

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

Extinguishment of causes of action

4.3 (1) Except as may be prescribed by the regulations, no cause of action arises against the Crown or any current or former member of the Executive Council, deputy minister, inspector, employee, officer or agent of the Crown or advisor to the Crown as a direct or indirect result of,

(a) any inspection carried out or report made under section 10 of this Act, or purported to be carried out or made under that section, in respect of the investigation of actual or potential fraud;

(b) any order made under section 11, or purported to be made under that section, as a result of anything referred to in clause (a);

(c) any withdrawal or suspension of approval carried out under subsection 8.3 (3) or purported to be carried out under that subsection;

(d) any establishment, modification, revocation, cessation or termination of contractual or other rights carried out under this Act or any regulation under this Act or purported to be carried out;

(e) the making, amendment or revocation of any provision of any regulation made under this Act or purported to be made;

(f) anything done or not done under a regulation made or purported to be made under this Act;

(g) any representation or other conduct that is related, directly or indirectly, to,

(i) the date that the interest on a student loan referred to in subsection 7.2 (1) starts to accrue,

(ii) the suspension of payments towards loans under subsection 7.3 (2), the suspension of interest accrual on loans under subsection 7.3 (3), (4) or (5) and any revised terms of a loan agreement referred to in subsection 7.3 (10),

(iii) whether an institution is an approved institution for the purposes of grants or student loans, or

(iv) anything referred to in clauses (a) to (f); or

(h) the enactment, amendment or repeal of any provision of this section or section 7.2, 7.3, 9.2, 10 or 13.

No remedy

(2) No costs, compensation or damages, including for loss of revenue or profit or any other alleged loss, whether direct or indirect, are owing or payable to any person by a person referred to in subsection (1), and no remedy, including a remedy in contract, restitution, tort, a remedy for misfeasance, bad faith or a breach of trust or fiduciary obligation, any equitable remedy

or any remedy under any statute, is available to any person against any person referred to in subsection (1) in connection with anything referred to in that subsection.

Proceedings barred

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

Application

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

Retrospective effect

(5) Subsections (1) to (3) apply regardless of whether the cause of action on which a proceeding is purportedly based arose before, on or after the day this subsection came into force.

No costs awarded

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

No expropriation or injurious affection

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

Proceedings by Crown not prevented

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

2 Subsections 7.2 (5) to (11) of the Act are repealed.

3 Subsections 7.3 (11) to (17) of the Act are repealed.

4 (1) Subsection 8.3 (3) of the Act is repealed and the following substituted:

Withdrawal or suspension of approval

(3) The Minister may withdraw or suspend the approval of a university, college of applied arts and technology or other post-secondary institution as an institution whose students are eligible to apply for student loans, awards or grants, if the institution ceases to meet any condition of an agreement entered into under section 8.2 or in accordance with the regulations.

(2) Subsection 8.3 (4) of the Act is amended by adding "or the coming into force of any amendment to this section" at the end.

5 The Act is amended by adding the following section:

Collection of loans in default, joint and several liability

9.2 (1) If the regulations deem an institution to be a party to a loan agreement, as defined in subsection 7.3 (1), and provide that the student and the institution are jointly and severally liable for all or a portion of the amount owed by the student under the loan agreement, any authority under this Act, or any other Act, to take measures to enforce the collection of the loan may be exercised against the student and the institution.

Transition

(2) This section applies with respect to any debts that existed before, on or after the day section 5 of Schedule 13 to the *Protect Ontario Families and Communities Act, 2026* came into force.

Interpretation, institution

(3) In this section,

"institution" means,

(a) a private post-secondary educational institution that is authorized under the *Post-secondary Education Choice and Excellence Act, 2000* to operate or maintain a university or to provide all or part of a program leading to a degree,

(b) a career college registered in Ontario under the *Ontario Career Colleges Act, 2005*, and

(c) any other private post-secondary institution in Ontario.

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

Same

(4.1) For greater certainty, an inspection that commenced during regular business hours or daylight hours, as the case may be, may continue after business hours or daylight hours if is reasonable to do so.

7 (1) Subsection 13 (1) of the Act is amended by adding the following clauses:

(a.2.1) prescribing exceptions for the purposes of subsection 4.3 (1);

. . . . .

(b.0.1) prescribing the circumstances or conditions, including enrolment at specified institutions or classes of institutions or in specified programs of study or specified periods of study, in which an individual who would otherwise be eligible for a student loan, grant or award is ineligible for the loan, grant or award and prescribing exceptions to such circumstances and conditions;

(b.0.2) prescribing that an individual who was otherwise eligible for an Ontario Student Grant in respect of a period of study beginning on or after August 1, 2025 but before August 1, 2026 is no longer eligible;

(b.0.3) authorizing the Minister to refuse to consider an application made by an individual, or class of individuals, for a grant or student loan in specified circumstances and subject to any specified conditions or limitations;

(b.0.4) authorizing the Minister, in specified circumstances and subject to any specified conditions or limitations, to refuse to disburse a grant or student loan despite a determination having been made that the individual is eligible for the grant or student loan;

(b.0.5) modifying or terminating any agreement the Minister entered into with an institution, pursuant to section 8.2;

(b.0.6) requiring a specified institution, or class of institutions, to obtain the written approval of the Minister prior to a change in ownership, prescribing conditions or exceptions to this requirement and defining a change in ownership;

. . . . .

(c.1) deeming one or more institutions to be a party to a loan agreement of a student of the institution, modifying the terms of that agreement and prescribing terms of the agreement, including terms under which the student and the institution are jointly and severally liable for all or a portion of the amount owed by the student under the loan agreement;

. . . . .

(f.1) prescribing the provisions to be included in agreements between borrowers and financial institutions related to student loans guaranteed under section 8;

(f.2) prescribing, in the event of default in the repayment of a student loan guaranteed under section 8, the measures to be taken by a financial institution and the procedures to be followed for the collection of the amount of the loan outstanding and the accrued interest;

(f.3) prescribing procedures to be followed by a financial institution with respect to a student loan guaranteed under section 8, including making a claim under the guarantee;

(f.4) prescribing the method of determining the amount of any loss sustained by a financial institution as a result of a student loan guaranteed under section 8;

(f.5) governing the subrogation of the Government of Ontario to the rights of a financial institution with respect to a student loan guaranteed under section 8;

. . . . .

(v) providing for any transitional matter relating to the implementation of the amendments made to this Act by the *Protect Ontario Families and Communities Act, 2026*.

(2) Subsection 13 (3.1) of the Act is repealed and the following substituted:

Same, withdrawal or suspension of approval

(3.1) A regulation made under clause (1) (b) may,

(a) authorize the Minister to withdraw or suspend the approval of an institution, or class of institutions, as approved institutions despite any agreement the Minister may have entered into with the institution pursuant to section 8.2;

(b) authorize the Minister to specify the period of a suspension of approval;

(c) provide that the withdrawal or suspension of approval applies in respect of a period before the withdrawal or suspension was imposed; and

(d) authorize the Minister to refuse to consider any application made by an institution to be approved as an approved institution or to provide an approved program of study.

(3) Section 13 of the Act is amended by adding the following subsections:

Joint and several liability

(3.3) A regulation made under clause (1) (b.1) or (c.1) may provide that an institution is a party to a loan agreement, as defined in subsection 7.3 (1), and that it is a term of the loan agreement that the student and the institution are jointly and severally liable for all or a portion of the amount owed by the student under the loan agreement.

Application to existing agreements

(3.4) If it so provides, a regulation may apply to an agreement even if the agreement was entered into before the day the regulation was filed.

Modification, extinguishment of rights

(3.5) For clarity, a regulation that provides that it applies to an agreement that was entered into before the day the regulation is filed, may, if the regulation so provides, have the effect of adding a new party to the agreement, modifying or extinguishing any right, obligation or interest acquired or accrued under the agreement or establishing a new right, obligation or interest.

. . . . .

Interpretation, institution

(5) For the purposes of clauses (1) (b.0.1), (b.0.5), (b.0.6) and (c.1) and (3.1) (a) and (d) and subsection (3.3),

"institution" means,

(a) a private post-secondary educational institution that is authorized under the *Post-secondary Education Choice and Excellence Act, 2000* to operate or maintain a university or to provide all or part of a program leading to a degree,

(b) a career college registered in Ontario under the *Ontario Career Colleges Act, 2005*, and

(c) any other private post-secondary institution in Ontario.

Regulations, retroactive

(6) A regulation made under subsection (1) is, if it so provides, effective with respect to a period before it is filed.

Commencement

8 This Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

SCHEDULE 14
ONTARIO CAREER COLLEGES ACT, 2005

1 (1) Subsection 1 (1) of the *Ontario Career Colleges Act, 2005* is amended by adding the following definition:

"campus" means a physical location at which a career college offers one or more vocational programs; ("campus")

(2) The definition of "Minister" in subsection 1 (1) of the Act is repealed and the following substituted:

"Minister" means the Minister of Colleges, Universities, Research Excellence and Security or such other member of the Executive Council to whom the administration of this Act may be assigned or transferred under the *Executive Council Act*; ("ministre")

(3) The definition of "vocational program" in subsection 1 (1) of the Act is repealed and the following substituted:

"vocational program" means a program of instruction that prepares a person to obtain employment in a prescribed vocation. ("programme de formation professionnelle")

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

Interpretation re fees

(2) In this Act, a reference to a fee in relation to a vocational program includes any fee charged by a career college.

2 (1) Subsection 2 (2) of the Act is amended by striking out "him or her" and substituting "the Superintendent".

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

Interests of students and prospective students

(2.1) In exercising the powers and performing the duties of the Superintendent, the Superintendent shall consider the protection of the interests of career college students, including prospective and former students.

(3) Subsection 2 (3) of the Act is amended by striking out "his or her" and substituting "their".

3 Section 3 of the Act is repealed and the following substituted:

Training Completion Assurance Fund

3 (1) The fund known as the Training Completion Assurance Fund in English and Fonds d'assurance pour l'achèvement de la formation in French is continued.

Public Accounts

(2) The Fund shall be reported as an account in the Public Accounts.

Amounts recorded in the Fund

(3) The following amounts shall be recorded in the Fund:

1. The amount of any balance in the Fund immediately before the day section 3 of Schedule 14 to the *Protect Ontario Families and Communities Act, 2026* came into force.
2. The amounts of any premiums and levies payable by career colleges under this Act.
3. All expenditures of public money incurred under subsection (4).
4. The amount of any interest charged under this Act on late payments of premiums and levies or credited to the Fund in accordance with subsection (6).
5. Any amounts related to the administration of the Fund.
6. Any other prescribed amounts.

Authorized charges

(4) Amounts not exceeding the balance in the Fund may be charged to the Fund and paid out of the Consolidated Revenue Fund for the following purposes:

1. In the event a career college ceases to operate, to give students enrolled in a vocational program at the college,
    i. the opportunity to complete an equivalent program provided by another career college or by another institution, agency or entity, or
    ii. a refund of that portion of the fees they paid in relation to the program for which they did not receive instruction or another benefit.
2. Any amounts related to the administration of the Fund.
3. Any other prescribed purposes.

Same

(5) Amounts described in subsection (4) may be paid out in respect of charges incurred by the Crown before the day section 3 of Schedule 14 to the *Protect Ontario Families and Communities Act, 2026* came into force.

Interest credited to Fund

(6) Interest may be credited to the Fund at such rate, at such times and computed in such manner as determined by the Lieutenant Governor in Council.

Administration of Fund

(7) The Fund shall be administered and managed by the Superintendent in accordance with the regulations.

4 (1) Clause 14 (1) (e) of the Act is amended by adding "reasonable" before "grounds".

(2) Subsection 14 (3) of the Act is repealed.

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

(a) striking out "his or her" and substituting "the Superintendent's"; and

(b) striking out "he or she" and substituting "the Superintendent".

6 Subsection 18 (1) of the Act is amended by striking out "he or she" and substituting "the Superintendent".

7 (1) Subsection 19 (1) of the Act is amended by striking out "he or she" in the portion before clause (a) and substituting "the Superintendent".

(2) Section 19 of the Act is amended by adding the following subsection:

Considerations

(6.1) In making a decision under subsection (6), the Tribunal shall consider the protection of the interests of career college students, including prospective and former students, and whether it is in the public interest to carry out the proposal specified in the notice.

8 The Act is amended by adding the following sections:

Approval for campus

22.1 (1) Every career college shall maintain at least one campus for which it has received the approval of the Superintendent under this section.

Application

(2) An application for the approval of a campus shall be in a form approved by the Superintendent and shall contain such information as the Superintendent may require.

Same

(3) The Superintendent shall approve the campus if the Superintendent is satisfied that all of the prescribed requirements are satisfied.

Conditions

(4) The Superintendent may approve a campus subject to such conditions as the Superintendent may specify.

Changes to campus

(5) A career college shall not make a substantial change to or move the location of a campus that has been approved by the Superintendent without the further approval of the Superintendent under this section.

Revocation of campus approval

22.2 (1) The Superintendent may revoke the approval of a career college's campus if the Superintendent believes that the career college or campus have failed to meet any prescribed requirements or conditions of the approval.

Notice

(2) The Superintendent shall give a registrant notice in writing of the revocation of approval.

Effective date

(3) The revocation of approval is effective upon the registrant being served with the notice or on such other date specified in the notice.

Vocational programs at the campus

(4) If the Superintendent revokes the approval of a campus, the Superintendent's approval of any vocational program that is provided at that campus is deemed to be revoked under section 24.

9 (1) Section 23 of the Act is amended by adding the following subsection:

Changes to conditions

(4.1) The Superintendent may at any time, at the written request of the registrant or on the Superintendent's own initiative, add a condition to a program's approval or change or remove a condition of program approval that was previously specified.

(2) Subsection 23 (5.1) of the Act is repealed.

(3) Paragraph 2 of subsection 23 (7) of the Act is repealed.

10 The Act is amended by adding the following section:

Review of vocational program

23.1 (1) The Superintendent may conduct a review of a vocational program approved under section 23 at any time to determine whether the vocational program continues to meet the requirements for approval.

Same

(2) The Superintendent may require a career college to take any step specified by the Superintendent or any prescribed step to facilitate the review of the vocational program.

11 Subsection 24 (1) of the Act is repealed and the following substituted:

Revocation of vocational program approval

(1) The Superintendent may revoke a career college's approval to provide a specified vocational program if the Superintendent believes that,

(a) the program fails to meet the conditions of the approval;

(b) the program no longer meets the requirements described in subsection 23 (3); or

(c) the college has failed to comply with a provision of the regulations respecting vocational programs.

12 The Act is amended by adding the following section:

No waiver of rights

28.1 (1) A career college shall not, in any contract with a student or otherwise, purport to restrict or eliminate any student right or protection under this Act.

Same

(2) Any waiver or release of any student right or protection under this Act is void.

13 (1) Subsections 29 (1) and (2) of the Act are repealed and the following substituted:

Fee refund policy

(1) Every career college shall adopt a policy relating to refunds of all fees paid by students to the college.

Content of policy

(2) The fee refund policy shall include the prescribed provisions and any information required by the regulations, including prescribed provisions respecting the refund of fees paid by international students.

(2) Subsection 29 (3) of the Act is amended by striking out "in" and substituting "with".

14 Subsection 30 (1) of the Act is amended by striking out "his or her" and substituting "their".

15 Subsection 31 (3) of the Act is amended by striking out "in" and substituting "with".

16 Section 32 of the Act is amended by striking out "in" and substituting "with".

17 Subsection 32.1 (4) of the Act is amended by striking out "in" and substituting "with".

18 Section 36 of the Act is repealed and the following substituted:

Rescission of contract

36 Any person who enters into a written contract with a career college to receive instruction in a vocational program may rescind the contract in accordance with the regulations.

19 (1) Subsection 37 (1) of the Act is amended by striking out "his or her" and substituting "their".

(2) Subsection 37 (2) of the Act is amended by striking out "his or her" and substituting "their".

20 (1) Subsection 38 (2) of the Act is repealed and the following substituted:

Of other persons

(2) If, in the opinion of the Superintendent or the Superintendent's designate, a person that is not a registrant is or was required to be registered, the Superintendent or designate may make such inquiries and conduct such examinations of the person's affairs as the Superintendent or designate considers appropriate in the circumstances.

(2) Section 38 of the Act is amended by adding the following subsection:

Same

(5.1) For greater certainty, an inspection that commenced during regular business hours or daylight hours, as the case may be, may continue after regular business hours or daylight hours if is reasonable to do so.

(3) Subsection 38 (7) of the Act is amended by striking out "he or she removes" and substituting "they remove".

(4) Subsection 38 (8) of the Act is amended by striking out "his or her" and substituting "their".

(5) Subsections 38 (10) and (11) of the Act are repealed and the following substituted:

Report to Superintendent

(11) A designate shall report to the Superintendent or designate on the results of each inquiry or examination.

21 The Act is amended by adding the following section:

Obstruction, etc.

38.1 (1) No person shall, or shall attempt to, hinder, obstruct or interfere with the Superintendent or designate in the exercise of their powers or the performance of their duties under this Act, including by refusing to answer questions on matters relevant to the inquiry or examination.

False information

(2) No person shall orally, in writing or electronically, give or submit false or misleading information in any statement or document to the Superintendent or designate conducting an inquiry or examination.

Same

(3) No person shall include false or misleading information in any record required to be created, stored or submitted under this Act.

22 (1) Subsection 39 (1) of the Act is amended by striking out "his or her" and substituting "their".

(2) Subsection 39 (4) of the Act is amended by striking out "his or her" and substituting "their".

(3) Clause 39 (5) (c) of the Act is amended by striking out "his or her" and substituting "their".

23 Subsection 47 (2) of the Act is amended by striking out "him or her" and substituting "the judge".

24 (1) Clause 49 (1) (a) of the Act is amended by striking out "refusal to renew" and substituting "refusal to register or renew".

(2) Clause 49 (1) (b) of the Act is amended by striking out "his or her decision" and substituting "a decision".

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

Orders

(2) The Superintendent may publish particulars of,

(a) any order made under section 46 or 47;

(b) any finding of guilt made under section 48;

(c) any notice of proposal to revoke or refuse to renew registration under subsection 19 (1); and

(d) any revocation of program approval under subsection 24 (1).

(4) Subsection 49 (4) of the Act is repealed and the following substituted:

Performance indicators, objectives

(4) The Superintendent shall publish such information respecting performance indicators and performance objectives for every career college as the Superintendent considers appropriate.

Same

(4.1) The Superintendent shall ensure that the information is published in an aggregate form so that individuals cannot be identified.

(5) Subsection 49 (5) of the Act is repealed and the following substituted:

Policy directives, statement of students' rights and responsibilities

(5) The Superintendent shall publish the policy directives issued under section 53 and the statement of students' rights and responsibilities developed under section 54.

(6) Subsection 49 (6) of the Act is amended by striking out "on the Ministry of Training, Colleges and Universities website" and substituting "on a Government of Ontario website".

25 The Act is amended by adding the following section:

Publication of loss of registration, etc.

49.1 (1) Every career college and former career college shall notify the public of,

(a) every refusal to renew and every expiry, revocation or suspension of the college's registration; and

(b) any prescribed enforcement actions.

Notice

(2) The notice shall be in the manner and form and for the period of time specified by the Superintendent.

26 (1) Subsection 50 (1) of the Act is amended by,

(a) striking out "his or her" and substituting "the Superintendent's"; and

(b) striking out "students" and substituting "students, former students".

(2) Subsections 50 (2) and (3) of the Act are repealed and the following substituted:

Same, limitations

(2) The Superintendent shall not require a career college to,

(a) provide personal information in accordance with subsection (1) if other information will serve the purpose of the collection or use; or

(b) provide more personal information than is reasonably necessary to meet the purpose of the collection or use.

Student notice

(3) Every career college shall include in every contract for the provision of a vocational program the prescribed wording for providing notice that students' personal information may be disclosed to the Superintendent in accordance with subsection (1).

27 Paragraph 3 of subsection 52 (1) of the Act is amended by striking out "his or her" and substituting "their".

28 (1) Subsection 55 (1) of the Act is amended by adding the following paragraph:

1.1 further defining or clarifying the meaning of "campus" in subsection 1 (1);

(2) Paragraph 4 of subsection 55 (1) of the Act is repealed and the following substituted:

4. governing the Training Completion Assurance Fund, including,

i. governing its establishment, functions, form, term and all matters necessary and incidental to its administration and management under this Act, and

ii. prescribing rules governing its investment powers, including the securities in which it may and may not invest;

(3) Subsection 55 (1) of the Act is amended by adding the following paragraphs:

8.2 governing applications for the approval of a campus and the revocation of such approval;

8.3 prescribing changes to a campus that constitute a substantial change and those that do not constitute a substantial change for the purpose of subsection 22.1 (5);

(4) Subsection 55 (1) of the Act amended by adding the following paragraph:

11.1 prescribing requirements for career colleges respecting the provision of vocational programs;

(5) Paragraph 14 of subsection 55 (1) of the Act is repealed.

(6) Subsection 55 (1) of the Act is amended by adding the following paragraph:

17.1 governing the rescission of contracts entered into by students and career colleges;

(7) Paragraphs 22 and 23 of subsection 55 (1) of the Act are repealed and the following substituted:

22. governing fees that may be charged or collected by career colleges, including maximum fees and approval of fees, and governing the fee refund policy career colleges are required to adopt under section 29;

23. governing the change of ownership of a registrant and requiring the Superintendent to approve a change of ownership;

(8) Subsection 55 (1) of the Act is amended by adding the following paragraph:

29. with respect to registering an applicant to operate a career college or approving a specified vocational program,

    i. prohibiting the Superintendent from registering an applicant to operate a career college, or any class of them, or from approving a specified vocational program, or any class of them,

    ii. exempting career colleges and vocational programs, or any class of them, from the prohibition,

    iii. specifying periods of time during which a prohibition under subparagraph i applies, and

    iv. prescribing rules or criteria the Superintendent must apply to determine whether to consider an application to operate a career college or provide a vocational program that was submitted to, but not yet decided by, the Superintendent before the day a regulation imposing a prohibition under this paragraph came into force;

(9) Subsection 55 (1) of the Act is amended by adding the following paragraph:

30. with respect to approvals of campuses,

    i. prohibiting the Superintendent from approving a campus, or any class of them,

    ii. exempting career colleges or campuses, or any class of them, changes of campus locations and substantial changes from the prohibition,

    iii. specifying periods of time during which a prohibition under subparagraph i applies, and

    iv. prescribing rules or criteria the Superintendent must apply to determine whether to consider an application for campus approval that was submitted to, but not yet decided by, the Superintendent before the day a regulation imposing a prohibition under this paragraph came into force;

(10) Subsection 55 (1) of the Act is amended by adding the following paragraph:

31. providing for any transitional matter relating to the implementation of the amendments made to this Act by the *Protect Ontario Families and Communities Act, 2026*.

(11) Section 55 of the Act is amended by adding the following subsections:

Conflicts re regulations under par. 29 of subs. (1)

(6) If there is a conflict between a regulation made under paragraph 29 of subsection (1) and any Act or any regulation, the regulation made under paragraph 29 of subsection (1) prevails.

Retroactive

(7) A regulation imposing prohibitions made under paragraph 29 of subsection (1) is, if it so provides, effective with respect to a period before it is filed.

(12) Section 55 of the Act is amended by adding the following subsection:

Conflicts re regulations under par. 30 of subs. (1)

(8) If there is a conflict between a regulation made under paragraph 30 of subsection (1) and any Act or any regulation, the regulation made under paragraph 30 of subsection (1) prevails.

29 (1) The Act is amended by adding the following sections:

Crown liability

No personal liability

55.1 (1) No cause of action arises against any current or former member of the Executive Council, deputy minister, Superintendent, designate of the Superintendent, employee, officer or agent of the Crown or advisor to the Crown for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

Crown remains vicariously liable

(2) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in subsection (1).

Proceedings barred

(3) No proceeding shall be commenced against any person specified in subsection (1), in respect of a matter referred to in that subsection.

Same

(4) Subsection (3) does not apply with respect to an application for judicial review, any proceeding that is specifically provided for under this Act or a claim for a constitutional remedy, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

Proceedings by Crown not prevented

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

Extinguishment of causes of action

55.2 (1) Except as may be prescribed, no cause of action arises against the Crown or any current or former member of the Executive Council, deputy minister, Superintendent, designate of the Superintendent, employee, officer or agent of the Crown or advisor to the Crown as a direct or indirect result of,

(a) any inquiry or examination carried out under section 38, or purported to be carried out under that section, in respect of the investigation of actual or potential fraud;

(b) any other enforcement action taken under Part VII, or purported to be taken under that Part, as a result of anything referred to in clause (a);

(c) any revocation or suspension of registration or refusal to renew registration under subsection 18 (2), or purported revocation, suspension or refusal to renew under that subsection, as a result of anything referred to in clause (a);

(d) the administration or management, or purported administration or management, of the Fund;

(e) any decision or declaration or purported declaration or decision made under section 34 of O. Reg. 414/16 (Training Completion Assurance Fund and Other Financial Matters) made under the Act;

(f) any regulation made or purported to have been made under paragraph 29 of subsection 55 (1);

(g) anything done or not done under any provision of a regulation referred to in clause (f), including any decision or purported decision made by the Superintendent under any such provision;

(h) any representation or other conduct that is related, directly or indirectly, to anything referred to in clauses (a) to (g); or

(i) the enactment, amendment or repeal of any provision of this section.

No remedy

(2) No costs, compensation or damages, including for loss of revenue or profit or any other alleged loss, whether direct or indirect, are owing or payable to any person by a person referred to in subsection (1), and no remedy, including a remedy in contract, restitution, tort, a remedy for misfeasance, bad faith or a breach of trust or fiduciary obligation, any equitable remedy or any remedy under any statute, is available to any person against any person referred to in subsection (1), in connection with anything referred to in that subsection.

Proceedings barred

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

Application

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

Retrospective effect

(5) Subsections (1) to (3) apply regardless of whether the cause of action on which a proceeding is purportedly based arose before, on or after the day this subsection came into force.

No costs awarded

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

No expropriation or injurious affection

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

Proceedings by Crown not prevented

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

(2) Clause 55.2 (1) (f) of the Act, as enacted by subsection (1), is amended by adding "or 30" after "paragraph 29".

Commencement

30 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

(2) Subsections 1 (1) and (4), section 3, subsection 4 (2), section 8, subsection 13 (1), sections 18 and 25 and subsections 28 (1), (3), (6), (9) and (12) and 29 (2) come into force on a day to be named by order of the Lieutenant Governor in Council.

SCHEDULE 15
OPTOMETRY ACT, 1991

1 Section 4 of the *Optometry Act, 1991* is amended by adding the following paragraphs:

2.2 Dispensing drugs designated in the regulations.

. . . . .

4. Performing a prescribed procedure in or below the surface of the cornea or below the surface of the mucous membrane of the eye.

2 The Act is amended by adding the following section:

Additional requirements for authorized acts

4.1 (1) A member is not authorized to perform a procedure under the authority of paragraph 4 of section 4 unless the member performs the procedure in accordance with the regulations.

Professional misconduct

(2) In addition to the grounds set out in subsection 51 (1) of the Health Professions Procedural Code, a panel of the Discipline Committee shall find that a member has committed an act of professional misconduct if the member contravenes subsection (1) of this section.

3 (1) Clause 12 (1) (b) of the Act is repealed and the following substituted:

(b) designating the drugs that may be prescribed by members in the course of engaging in the practice of optometry;

(2) Subsection 12 (1) of the Act is amended by adding the following clause:

(b.1) designating the drugs that may be dispensed by members in the course of engaging in the practice of optometry;

(3) Clause 12 (1) (c) of the Act is repealed and the following substituted:

(c) regulating and governing the prescribing, using or dispensing of drugs by members and ancillary matters, including, without limiting the generality of the foregoing,

(i) governing the purposes for which, or the circumstances under which, drugs may be prescribed, used or dispensed,

(ii) setting requirements respecting the prescribing, using or dispensing of drugs, and

(iii) setting prohibitions.

(4) Subsection 12 (1) of the Act is amended by adding the following clause:

(d) governing the performance of the procedures described in paragraph 4 of section 4, including establishing requirements for performing the procedures and the circumstances in which the procedures may be performed.

Commencement

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

SCHEDULE 16
PERSONAL HEALTH INFORMATION PROTECTION ACT, 2004

1 Clause 1 (a) of the *Personal Health Information Protection Act, 2004* is amended by adding "and health system administration" at the end.

2 (1) The definition of "agent" in section 2 of the Act is repealed and the following substituted:

"agent" means, subject to section 2.1,

(a) in relation to a health information custodian, a person that, with the authorization of the custodian, acts for or on behalf of the custodian in respect of personal health information for the purposes of the custodian, and not the agent's own purposes, whether or not the agent has the authority to bind the custodian, whether or not the agent is employed by the custodian and whether or not the agent is being remunerated,

(b) in relation to the Agency, a person that, with the authorization of the Agency, acts for or on behalf of the Agency in respect of personal health information for the purposes of the Agency, and not the agent's own purposes, whether or not the agent has the authority to bind the Agency, whether or not the agent is employed by the Agency and whether or not the agent is being remunerated, or

(c) in relation to the prescribed organization, a person that, with the authorization of the prescribed organization, acts for or on behalf of the prescribed organization in respect of personal health information for the purposes of the prescribed organization, and not the agent's own purposes, whether or not the agent has the authority to bind the prescribed organization, whether or not the agent is employed by the prescribed organization and whether or not the agent is being remunerated; ("mandataire")

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

"electronic health record" means the electronic systems that are developed and maintained by the prescribed organization for the purpose of enabling the collection, use and disclosure of personal health information by means of the systems in accordance with this Act and the regulations; ("dossier de santé électronique")

(3) The definition of "health care practitioner" in section 2 of the Act is amended by adding the following clause:

(b) Indigenous midwives who provide traditional midwifery services to Indigenous persons or members of an Indigenous community,

(4) Section 2 of the Act is amended by adding the following definitions:

"health system administration purpose" means one of the following purposes:

1. Compiling or maintaining a registry of personal health information for the purpose of facilitating or improving the provision of health care or that relates to the storage or donation of body parts or bodily substances.
2. Conducting analysis or compiling statistical information with respect to the management of, evaluation or monitoring of, the allocation of resources to or planning for all or part of the health system, including the delivery of services.
3. Any purpose related to an object of the Agency that is set out in subclauses 6 (b) (i), (ii), (iii) or (iv) or clause 6 (g) of the *Connecting Care Act, 2019*.
4. A prescribed purpose that is related to the object of the Agency that is set out in subclause 6 (b) (vii) of the *Connecting Care Act, 2019*.
5. Any other prescribed purpose; ("fin liée à l'administration du système de santé")

"indirectly", in relation to the collection of personal health information, means that the information is collected from a person who is not the individual to whom the personal health information relates or the individual's substitute decision-maker; ("indirectement")

(5) The definitions of "Minister" and "Ministry" in section 2 of the Act are repealed and the following substituted:

"Minister" means the Minister of Health 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")

3 The Act is amended by adding the following section:

Meaning of "agent"

2.1 For greater certainty regarding the definition of "agent" set out in section 2, the provision of goods or services to a health information custodian, the Agency or a prescribed organization for the purpose of enabling the collection, use, modification, disclosure, retention or disposal of personal health information by electronic means does not, by itself, make the provider of those goods or services an agent for the purposes of the Act.

4 (1) Paragraphs 1 and 2 of subsection 3 (4) of the Act are repealed and the following substituted:

1. An Indigenous healer who provides traditional healing services to Indigenous persons or members of an Indigenous community.
2. An Indigenous midwife who provides traditional midwifery services to Indigenous persons or members of an Indigenous community.

(2) Paragraph 2 of subsection 3 (4) of the Act, as re-enacted by subsection (1), is repealed.

5 Section 6 of the Act is amended by adding the following subsection:

Same, Agency and prescribed organization

(1.1) Subsection (1) applies with necessary modifications to the Agency and its agents and to the prescribed organization and its agents.

6 Subsection 8 (2) of the Act is repealed and the following substituted:

Exceptions

(2) Sections 11, 12, 15, 16, 17, 33 and 34, subsection 35 (2) and section 36 of the *Freedom of Information and Protection of Privacy Act* and sections 5, 9, 10, 25 and 26 of the *Municipal Freedom of Information and Protection of Privacy Act* apply in respect of records of personal health information in the custody or under the control of a health information custodian that is an institution within the meaning of either of those Acts, as the case may be, or that is acting as part of such an institution.

7 (1) Subsection 11.2 (1) of the Act is amended by striking out "Subject to subsection (2)" at the beginning and substituting "Subject to subsections (2) and (3)".

(2) Section 11.2 of the Act is amended by adding the following subsection:

Same

(3) The limitation in subsection (1) does not prevent the Agency from using information that it de-identified, either alone or with other information, to identify an individual if the information was collected under subsection 50.4 (1) or created under subsection 50.5 (2).

8 The Act is amended by adding the following section:

Agents of the Agency or the prescribed organization

17.0.1 (1) Subject to any prescribed requirements, the Agency and the prescribed organization may permit their agents to,

(a) collect, use, disclose, retain or dispose of personal health information on behalf of the Agency or prescribed organization, as applicable; and

(b) carry out the powers or duties of the Agency or of the prescribed organization under this Act, as applicable.

Application of s. 17

(2) Section 17 applies to the Agency, the prescribed organization and their agents as if the Agency and the prescribed organization were health information custodians, subject to the regulations, if any, and to any necessary modifications.

9 (1) Subsection 24 (1) of the Act is amended by striking out "50 (1) (e) shall" in the portion before clause (a) and substituting "50 (1) (e) or subsection 55.10.1 (2) shall".

(2) Subsection 24 (2) of the Act is amended by striking out "50 (1) (e) and" and substituting "50 (1) (e) or subsection 55.10.1 (2) and".

10 (1) Clause 34 (2) (e) of the Act is amended by striking out "developed and maintained by the prescribed organization".

(2) Subsection 34 (5) of the Act is amended by striking out "or" at the end of clause (b), by adding "or" at the end of clause (c) and by adding the following clause:

(d) the Agency's collection, use or disclosure of personal health information under Part IV.1.

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

PART IV.1
POWERS AND DUTIES OF THE AGENCY

GENERAL REQUIREMENTS

Requirements

50.1 (1) The Agency may only indirectly collect personal health information for a health system administration purpose under this Part if the Agency has in place practices and procedures that meet the requirements of section 50.2.

Restriction

(2) Unless otherwise permitted under this Act or another Act, the Agency may only indirectly collect, use and disclose personal health information in accordance with this Part.

Practices and procedures of the Agency

50.2 (1) The Agency shall have in place practices and procedures,

(a) that are for the purpose of protecting the privacy of the individuals whose personal health information it collects under this Part and for maintaining the confidentiality of the information;

(b) that comply with the prescribed requirements, if any; and

(c) are approved by the Commissioner.

Commissioner's review

(2) The Commissioner shall review the practices and procedures referred to in subsection (1) three years after they are first approved and every three years thereafter, or at such other frequency as may be prescribed, to determine if the practices and procedures continue to meet the requirements of this section and any regulations made under it.

Renewal

(3) After the review, the Commissioner may renew the approval.

Notice

(4) The Commissioner shall advise the Minister and the Agency of the results of their review.

Publication

(5) The Agency shall publish a summary of the practices and procedures established under this section on its website as soon as possible after the practices and procedures have been approved by the Commissioner or after the approval has been renewed.

Compliance

(6) The Agency shall comply with is practices and procedures.

Transition

(7) Despite clause (1) (c), the Agency does not need to get its practices and procedures approved by the Commissioner until the earlier of,

(a) the day that is prescribed; or

(b) the first anniversary of the day this subsection comes into force.

General limitations and requirements

50.3 (1) The Agency shall not collect, use or disclose personal health information about an individual if other information will serve the purpose of the collection, use or disclosure.

Extent of information

(2) The Agency shall not collect, use or disclose more personal health information than is reasonably necessary to meet the purpose of the collection, use or disclosure, as the case may be.

Exception

(3) This section does not apply to personal health information that the Agency is required by law to collect, use or disclose.

(2) Section 50.2 of the Act, as enacted by subsection (1), is amended by adding the following subsection:

Community engagement

(6.1) In order to explain the purposes and benefits of the collection, use and disclosure of personal health information and the measures to protect privacy under this Part, the Agency shall, in accordance with the regulations, if any, establish mechanisms for engaging with patients, families, caregivers, health sector employees and others in respect of the practices and procedures established under this section.

12 (1) The Act is amended by adding the following sections:

INDIRECT COLLECTION AND SUBSEQUENT USE OR DISCLOSURE

Indirect collection of personal health information by the Agency

50.4 (1) The Agency may indirectly collect personal health information about an individual for a health system administration purpose from,

(a) a health information custodian; or

(b) any other person who is permitted or required by law to disclose it.

Related disclosure

(2) Subject to any terms and conditions that may be prescribed, a health information custodian may disclose personal health information to the Agency for a health system administration purpose.

Exceptions

(3) Subsections (1) and (2) do not apply to,

(a) notes of personal health information about an individual that are recorded by a health information custodian and that document the contents of conversations during a private counselling session or a group, joint or family counselling session; or

(b) prescribed information in circumstances that are prescribed.

Use of collected personal health information by the Agency

50.5 (1) The Agency may use personal health information about an individual that it collected under subsection 50.4 (1),

(a) for any health system administration purpose;

(b) for the purpose of risk management or error management;

(c) for activities that improve or maintain the quality of health care provided in the health system or improve or maintain the quality of any related programs or services;

(d) for the purpose of disposing of the information or modifying the information in order to conceal the identity of the individual to whom the information relates; or

(e) for the purposes of using the information for research conducted by the Agency, subject to subsection (3).

Creation of new records

(2) For greater certainty, the use of personal health information described in subsection (1) may include the use of the information to create new records of personal health information for a purpose described in that subsection.

Research

(3) Under clause (1) (e), the Agency may use personal health information that it collected about an individual only if the Agency prepares a research plan and has a research ethics board approve it, and for that purpose subsections 44 (2) to (4) and clauses 44 (6) (a) to (f) apply to the use as if it were a disclosure.

Disclosure of collected personal health information by the Agency

50.6 (1) The Agency may disclose personal health information about an individual in accordance with this section if the information was collected under subsection 50.4 (1) or created under subsection 50.5 (2).

Disclosure to health information custodian that disclosed the information

(2) The Agency may disclose the personal health information to the health information custodian who directly or indirectly disclosed the information to the Agency, regardless of whether the information has been manipulated or altered or contains additional identifying information that was collected from another health information custodian if,

(a) the custodian is described in paragraph 1, 3 or 4 of the definition of "health information custodian" in subsection 3 (1);

(b) the individual to whom the information relates is one to whom the custodian provides health care or assists in the provision of health care or has previously provided health care or assisted in the provision of health care; and

(c) the disclosure is for the purpose of activities to improve or maintain the quality of care provided by the custodian who disclosed the information to the Agency to the individual to whom the information relates or to individuals provided with similar health care.

Same

(3) For greater certainty, subsection (2) applies to a health information custodian that disclosed the information to the Agency by means of the electronic health record or through a prescribed person or prescribed entity.

Disclosure of registry personal health information

(4) If the Agency collects the personal health information to compile or maintain a registry of personal health information for the purpose of facilitating or improving the provision of health care or that relates to the storage or donation of body parts or bodily substances, the Agency may disclose the personal health information for a consistent purpose.

Disclosure as if Agency were health information custodian

(5) The Agency may disclose the personal health information as if it were a health information custodian for the purposes of clause 39 (1) (c) and sections 44, 45 and 47.

Disclosure to governmental institution

(6) The Agency may disclose the personal health information to a governmental institution of Ontario or Canada as if it were a health information custodian for the purposes of clause 43 (1) (h).

Disclosure for electronic master person index

(7) The Agency may disclose the personal health information to the Minister and any person designated by the Minister for the purpose of developing and maintaining an electronic master person index for the Province of Ontario's health sector to accurately identify and organize records of personal health information about an individual.

Disclosure to person outside Ontario

(8) The Agency may disclose the personal health information to a person outside Ontario where,

(a) the disclosure is for the purpose of health planning or health administration;

(b) the information relates to health care provided in Ontario to a person who is a resident of another province or territory of Canada; and

(c) the disclosure is made to a body responsible for the provision, planning, analysis or payment of health care in that province or territory.

Disclosure for prescribed purposes

(9) The Agency may disclose the personal health information for a prescribed purpose in circumstances that are prescribed.

(2) Section 50.4 of the Act, as enacted by subsection (1), is amended by adding the following subsections:

Transition

(4) The following personal health information is deemed to have been collected by the Agency under subsection (1) if it was collected before the day this subsection comes into force:

1. Personal health information that was collected by the Agency in its capacity as a prescribed person under clause 39 (1) (c).
2. Personal health information that was collected by the Agency in its capacity as a prescribed entity under subsection 45 (1).
3. Personal health information that was transferred to the Agency under subsection 41 (1) of the *Connecting Care Act, 2019* and that is prescribed.

Same

(5) An agreement that was entered into by the Agency and another person before the day this subsection comes into force concerning any of the following is continued and deemed to apply, with necessary modifications, to the collection of information under subsection (1):

1. The collection, use or disclosure of personal health information by the Agency in its capacity as a prescribed person under clause 39 (1) (c).
2. The collection, use or disclosure of personal health information by the Agency in its capacity as a prescribed entity under section 45.

13 The Act is amended by adding the following sections:

Security and handling of records

50.7 Sections 12 and 13 apply to the Agency as if it were a health information custodian, subject to the regulations, if any, and to any necessary modifications.

Assessment

50.8 (1) The Agency shall, subject to the regulations, if any, complete an assessment before any new collection of personal health information under this Part or any material change in the scope, nature or purpose for which the personal health information is to be collected, used or disclosed under this Part, with respect to,

(a) threats, vulnerabilities and risks to the security and integrity of the personal health information; and

(b) how the activities may affect the privacy of the individuals to whom the information relates.

Requirements

(2) The assessments must be prepared in accordance with any requirements that are set out in the practices and procedures established under section 50.2.

Publication

(3) The Agency shall, in accordance with the prescribed requirements, if any, make available to the public a summary of the results of the Agency's assessment under clause (1) (b) without disclosing information that could compromise security or identify individuals.

14 The Act is amended by adding the following section:

Transmission into the electronic health record

50.9 The Agency may transmit into the electronic health record personal health information that it collected under subsection 50.4 (1) or created under subsection 50.5 (2) for the purpose of enabling health information custodians to provide or assist in the provision of health care to the individual to whom the information relates.

15 The Act is amended by adding the following sections:

COLLECTION BY MEANS OF THE ELECTRONIC HEALTH RECORD AND SUBSEQUENT USE OR DISCLOSURE

Collection, use and disclosure by means of the electronic health record

50.10 The Agency may only collect an individual's personal health information by means of the electronic health record under subsection 50.4 (1), use it under section 50.5 or disclose it under section 50.6 if, in addition to the requirements of those sections,

(a) the Agency's practices and procedures that are established under section 50.2 have been approved by the Commissioner; and

(b) no instruction has been made under section 55.10.1 instructing the prescribed organization not to provide the individual's personal health information by means of the electronic health record, or such an instruction has been made and has subsequently been revoked.

Data safeguards

50.11 (1) The Agency shall maintain administrative, technical, and organizational safeguards in accordance with the prescribed requirements, if any.

Same

(2) The safeguards must separate personal health information the Agency has collected by means of the electronic health record under subsection 50.4 (1) from the personal health information the prescribed organization manages and integrates for the purposes of developing and maintaining the electronic health record.

Segregation of personal health information

(3) Any personal health information that the Agency collects by means of the electronic health record under this Part shall be segregated through roles-based access permissions and restrictions or by such means as may be otherwise prescribed from any other records of personal health information that the Agency has collected for a health system administration purpose.

Records of access

50.12 (1) The Agency shall maintain electronic records of any use or disclosure of personal health information that the Agency has collected by means of the electronic health record.

Practices and procedures

(2) The electronic records must be maintained in accordance with the practices and procedures established under section 50.2.

Consultation with advisory committee

50.13 (1) The Agency shall consult with the advisory committee established under section 55.11 every six months.

Information to be provided

(2) As part of the consultation process, the Agency shall provide the advisory committee with the following information about any new activities or any significant changes in activities in the previous six-month period in the Agency's collection of personal health information by means of the electronic health record under subsection 50.4 (1), its use of that information under section 50.5 and its disclosure of that information under section 50.6:

1. A description of the scope and purposes of the collection and of any use or disclosure of the personal health information, including the following:
    i. The categories of the personal health information that the Agency collected.
    ii. An explanation about why personal health information is necessary to achieve the purpose of the collection and of any use or disclosure.
    iii. A description of the Agency's retention practices and procedures, including the rationale for retaining any of the personal health information.

2. The anticipated public or scientific benefit from the collection and from any use or disclosure of the personal health information.
3. A description of the populations in Ontario to which the personal health information relates.
4. The administrative, technical and physical safeguards, including any applicable de-identification measures and privacy enhancing technologies, that the Agency has applied to the personal health information.
5. A description of how the Agency's collection and, if applicable, use and disclosure of the personal health information may affect the privacy of the individuals to whom the information relates.

Recommendations

(3) The advisory committee may make recommendations to the Agency regarding its collection, use or disclosure of personal health information that is accessible by means of the electronic health record under this Part, including with respect to,

(a) the scope of the collection, use or disclosure;

(b) administrative, technical or physical safeguards, including any applicable de-identification measures;

(c) equity considerations; and

(d) any other matter the advisory committee considers relevant.

Annual report

50.14 (1) The Agency shall publish an annual report within 120 days after the end of each of its fiscal years.

Contents

(2) The report must include,

(a) a summary of the information that is provided to the advisory committee under subsection 50.13 (2);

(b) any recommendations of the advisory committee that were made in the prior year under subsection 50.13 (3);

(c) a summary of any steps the Agency has taken in response to those recommendations;

(d) a list of the general classes or types of records of personal health information prepared by or in the custody or control of the Agency; and

(e) any other prescribed information.

Provision

(3) The Agency shall provide the report to the Minister and to the Commissioner.

16 The Act is amended by adding the following section:

MISCELLANEOUS

Freedom of information legislation

50.15 (1) Subject to subsection (2), the *Freedom of Information and Protection of Privacy Act* does not apply to personal health information in the custody or under the control of the Agency that has been collected under subsection 50.4 (1) or created under subsection 50.5 (2).

Exceptions

(2) Sections 11, 12, 15, 16, 17, 33 and 34, subsection 35 (2) and section 36 of the *Freedom of Information and Protection of Privacy Act* apply in respect of records of personal health information in the custody or under the control of the Agency that have been collected under subsection 50.4 (1) or created under subsection 50.5 (2).

Access

(3) This Act does not limit a person’s right of access under section 10 of the *Freedom of Information and Protection of Privacy Act* to a record of personal health information in the custody or under the control of the Agency if all the types of information referred to in subsection 4 (1) are reasonably severed from the record.

17 (1) Clause 51 (1) (d) of the Act is repealed and the following substituted:

(d) personal health information of the prescribed type in the custody or under the control of the Agency or a prescribed class or classes of health information custodians.

(2) Subsections 51 (5) and (8) of the Act are amended by striking out “developed and maintained by the prescribed organization” wherever it appears.

18 The Act is amended by adding the following section:

Application to certain records created by the Agency

51.1 (1) Subject to subsections (2) and (3) and to any exceptions or modifications that may be set out in the regulations, this Part applies to the Agency as if it were a health information custodian in respect of records of personal health information that the Agency created under subsection 50.5 (2) and that are in the Agency's custody or under its control.

Modified records

(2) This Part does not apply to a record of personal health information that has been modified by the Agency to conceal the identity of the individual to whom the information relates in accordance with the practices and procedures established under section 50.2.

Request to correct certain records

(3) The following rules apply if an individual makes a request under section 55 for the Agency to correct personal health information in a record described in subsection (1) and the personal health information originated from a health information custodian:

1. The Agency shall not correct the record and shall instead,
   i. redirect the request to the health information custodian, and
   ii. give written notice of the redirection to the person who made the request.
2. Section 55 applies to the health information custodian that originally provided the information to the Agency, either directly or by means of the electronic health record, as if the request were made directly to the custodian.

Request to access or correct record not created by Agency

(4) Subject to the regulations, if any, if the Agency receives a request to access or correct a record that is not described in subsection (1),

(a) the Agency shall,
   (i) redirect the request to the health information custodian that originally created the record, and
   (ii) give written notice of the redirection to the person who made the request; and

(b) this Part applies as if the request were made directly to the custodian.

19 Section 55 of the Act is amended by adding the following subsection:

Transmission into electronic health record

(10.1) A health information custodian that grants a request for correction under subsection (1) for a record that is in the electronic health record shall submit the corrected record into the electronic health record.

20 (1) The definition of "electronic health record" in subsection 55.1 (1) of the Act is repealed.

(2) Subsections 55.1 (2) and (3) of the Act are repealed and the following substituted:

Rules for the electronic health record

(2) Despite anything in section 2, for the purposes of this Part, the following rules apply:

1. When a health information custodian views, handles or otherwise deals with all or part of an individual's personal health information by means of the electronic health record and that information was transmitted into the electronic health record by a different health information custodian or the Agency,
   i. the health information custodian is considered to be collecting the personal health information if it is viewing, handling or otherwise dealing with the information for the first time, and
   ii. the health information custodian is considered to be using the personal health information each time it subsequently views, handles or otherwise deals with the information.
2. When a health information custodian views, handles or otherwise deals with all or part of an individual's personal health information by means of the electronic health record and that information was transmitted into the electronic health record by the custodian, the custodian is considered to be using the personal health information.
3. When a health information custodian transmits personal health information into the electronic health record, the health information custodian is considered to be disclosing the information only when another person collects the information by means of the electronic health record.
4. When the Agency views, handles or otherwise deals with all or part of an individual's personal health information by means of the electronic health record under Part IV.1, the Agency is considered to be collecting the personal health information.

5. When the Agency transmits personal health information into the electronic health record, the Agency is considered to be disclosing the information only when another person collects the information by means of the electronic health record.

Same, where information transmitted into electronic health record

(3) Despite anything in section 2, when a health information custodian or the Agency transmits personal health information into the electronic health record,

(a) the custodian or the Agency is considered to be providing the information to the prescribed organization but is not considered to be disclosing the information within the meaning of this Act; and

(b) the prescribed organization is considered to be receiving the information to carry out its duties under this Part but is not considered to be collecting the information within the meaning of this Act.

21 The Act is amended by adding the following section:

Request to transmit information

55.1.1 (1) The prescribed organization may, in accordance with the prescribed requirements and with the prior approval of the Minister, request that a health information custodian or a class of health information custodians transmit personal health information into the electronic health record.

Compliance

(2) A health information custodian that receives a request under subsection (1) shall transmit the requested personal health information into the electronic health record in accordance with any requirements that are established by the prescribed organization or specified in the regulations and comply with any related ongoing requirements that are set out in the regulations.

22 (1) Paragraph 1 of subsection 55.2 (2) of the Act is repealed and the following substituted:

1. Manage and integrate personal health information it receives from health information custodians and the Agency.

(2) Paragraph 4 of subsection 55.2 (2) of the Act is repealed and the following substituted:

4. Conduct analyses of the personal health information that is accessible by means of the electronic health record in order to,

   i. provide alerts, notifications, reminders and other supports to health information custodians for their use in the provision of health care to individuals, or

   ii. create summaries of personal health information in the electronic health record, or provide other supports, for the individual to whom the information relates.

5. Carry out such other activities as are reasonably necessary for the development and maintenance of the electronic health record, including activities to operate, administer, maintain and secure the electronic health record and to enable custodians to fulfil their obligations in respect of the electronic health record in accordance with this Act and the regulations.

(3) Subsection 55.2 (2) of the Act, as amended by subsections (1) and (2), is amended by adding the following paragraph:

4.1 Request contributions of personal health information in accordance with section 55.1.1.

23 (1) Paragraph 3 of section 55.3 of the Act is amended by striking out "that provides personal health information to it" in the portion before subparagraph i and substituting "that transmits personal health information into the electronic health record".

(2) Paragraphs 11 and 12 of section 55.3 of the Act are repealed and the following substituted:

11. It shall notify, at the first reasonable opportunity, each health information custodian that transmitted personal health information into the electronic health record if the personal health information that the health information custodian transmitted is stolen or lost or if it is collected, used or disclosed without authority.

12. It shall,

   i. make available to each health information custodian that transmitted personal health information into the electronic health record a written copy of the results of the assessments carried out under paragraph 10 that relates to the personal health information the custodian transmitted, and

   ii. make available to the public a summary of the results of the assessments carried out under paragraph 10.

24 Section 55.8 of the Act is repealed and the following substituted:

Health care notifications, reminders and alerts, etc.

55.8 Despite the contents of a consent directive, personal health information may be utilized by the prescribed organization by means of a system that it develops or maintains and that retrieves, processes or integrates personal health information that is accessible by means of the electronic health record for the purpose of providing notifications, reminders, alerts or other supports

to health information custodians for use in their provision of health care to individuals, as long as the notifications, reminders and alerts do not reveal personal health information that is subject to the consent directive.

25 The Act is amended by adding the following section:

Provision to the Agency for purposes related to the *Gift of Life Act*

55.9.2 (1) If the prescribed requirements, if any, are met, the Agency may collect personal health information by means of the electronic health record for purposes related to its duties under the *Gift of Life Act* in accordance with the provisions in that Act or the regulations made under that Act.

Non-application

(2) Sections 55.5, 55.6 and 55.7 do not apply to the collection of personal health information in accordance with subsection (1).

26 Clause 55.10 (1) (b) of the Act is amended by striking out "provided to the prescribed organization under this Part" and substituting "transmitted into the electronic health record".

27 The Act is amended by adding the following section:

Provision of information to Agency

55.10.1 (1) Subject to the requirements and restrictions, if any, that are prescribed, the prescribed organization may provide personal health information that is accessible by means of the electronic health record to the Agency upon request for any purpose for which the Agency is authorized to collect the personal health information under subsection 50.4 (1).

Electronic health record instruction

(2) Subject to the prescribed requirements and limitations, if any, and in accordance with any directions that may be published on the Agency's website, an individual may at any time expressly instruct the prescribed organization, in writing, not to provide their personal health information to the Agency by means of the electronic health record for purposes related to the Agency's powers or duties under Part IV.1.

Compliance

(3) If the prescribed organization receives an instruction under subsection (2), it shall, in accordance with the prescribed requirements, if any, not provide the individual's personal health information to the Agency.

Revocation

(4) Subject to the prescribed requirements and limitations, if any, an individual who has provided an instruction under subsection (2) may revoke it and the prescribed organization shall no longer be prohibited from providing the individual's personal health information to the Agency.

No retroactive effect

(5) An instruction or a revocation of an instruction made under this section shall not have retroactive effect.

Electronic records

(6) The prescribed organization shall maintain electronic records of all instances in which the Agency collects or uses personal health information by means of the electronic health record and ensure that the record identifies,

(a) the individual to whom the information relates;

(b) the type of information that is transmitted to the Agency; and

(c) the date and time that the information was transmitted.

Same

(7) The prescribed organization shall keep an electronic record of all instances where an express instruction under subsection (2) is made or revoked and shall ensure that the record identifies,

(a) the individual who made or revoked the instruction; and

(b) the date and time that the instruction was made or revoked.

28 Section 55.11 of the Act is amended by adding the following subsection:

Advice to the Agency

(1.1) The advisory committee shall make recommendations to the Agency in accordance with section 50.13.

29 Section 55.13 of the Act is repealed and the following substituted:

Protection from liability for health information custodian

55.13 A health information custodian who, acting in good faith, provides personal health information to the prescribed organization by means of the electronic health record is not liable for damages resulting from,

(a) any theft, loss or unauthorized copying, modification or disposal of the provided information;

(b) any unauthorized viewing or handling of the provided information, any unauthorized dealing with the provided information, or any failure to protect the integrity, security or confidentiality of the provided information by the prescribed organization or its agents; or

(c) any unauthorized collection, use or disclosure of the provided information by any other person, including another health information custodian.

30 (1) Clause 55.14 (2) (h) of the Act is repealed and the following substituted:

(h) governing the provision of personal health information by health information custodians to the prescribed organization under section 55.1.1, including specifying,

(i) any terms, conditions or requirements that apply to the transmission, including the process, form and frequency of the transmission by the custodian,

(ii) any ongoing reporting, correction, data security or other requirements that apply to the custodian,

(iii) any requirements that apply to the prescribed organization respecting the transmission of personal health information into the electronic health record;

(2) Section 55.14 of the Act is amended by adding the following subsection:

Subdelegation

(3) A regulation made under subclause (2) (h) (i) or (ii) may permit requirements to be established in policies of the prescribed organization that are published on its website.

31 Section 55.15 of the Act is repealed.

32 Section 55.23 of the Act is repealed.

33 Clause 55.27 (2) (k) of the Act is repealed.

34 Clause 61 (1) (h.0.1) of the Act is repealed and the following substituted:

(h.0.1) make an order directing any person who is an agent of the Agency or of the prescribed organization and whose activities the Commissioner reviewed and that an order made under any of clauses (a.1), (c), (d), or (e) directs to take any action or to refrain from taking any action, to take the action or to refrain from taking the action if the Commissioner considers that it is necessary to make the order against the agent to ensure that the Agency or the prescribed organization, as applicable, will comply with the order made against the Agency or the prescribed organization;

35 (1) Subsection 71 (1) of the Act is amended by striking out "health information custodian or any other person" in the portion before clause (a) and substituting "health information custodian, the Agency, the prescribed organization or any other person".

(2) Subsection 71 (5) of the Act is repealed and the following substituted:

Application to Agency and prescribed organization

(5) Subsection (4) applies to the Agency, to the prescribed organization and to their agents as if the Agency or prescribed organization, as applicable, were a health information custodian.

36 (1) Clause 73 (1) (d.2) of the Act is repealed and the following substituted:

(d.2) prescribing additional powers, duties and functions of the Agency or the prescribed organization;

(2) Clause 73 (1) (d.3) of the Act is repealed and the following substituted:

(d.3) establishing and governing reporting requirements that apply to the Agency or the prescribed organization;

(3) Clause 73 (1) (d.4) of the Act is repealed and the following substituted:

(d.4) prescribing provisions of the *Freedom of Information and Protection of Privacy Act* that apply, subject to any specified conditions or modifications, to personal health information,

(i) in the custody or under the control of the Agency or the prescribed organization, or

(ii) that is described in this Act as being treated as if it were in the custody or under the control of the Agency or the prescribed organization;

(4) Clause 73 (1) (d.5) of the Act is repealed and the following substituted:

(d.5) specifying provisions in this Act that apply to the Agency or prescribed organization as if it were a health information custodian when the Agency or prescribed organization carries out specified activities under this Act, subject to any conditions or modifications that may be prescribed;

(5) Subsection 73 (1) of the Act is amended by adding the following clause:

(d.5.1) governing access or correction requests that are received by the Agency, which may include,

(i) prescribing exceptions, exclusions or additional requirements that apply to the Agency and the records described in subsection 51.1 (1),

(ii) prescribing the format or manner in which records described in subsection 51.1 (1) shall be made available, and

(iii) prescribing the process for responding to the access or correction requests;

(6) Clause 73 (1) (d.6) of the Act is repealed and the following substituted:

(d.6) governing agents of the Agency or of the prescribed organization, which may include,

(i) specifying how section 17 applies to the Agency, the prescribed organization or their agents,

(ii) prescribing terms and conditions that apply to the agents,

(iii) specifying requirements or provisions in this Act that apply to the agents when they carry out activities on behalf of the Agency or the prescribed organization, as applicable;

(7) Clause 73 (1) (d.7) of the Act is repealed and the following substituted:

(d.7) governing the application of Part III of this Act with respect to the Agency or prescribed organization, which may include excluding or modifying the application of the provisions in that Part;

(8) Clause 73 (1) (d.8) of the Act is repealed and the following substituted:

(d.8) governing the application of section 12 or 13 with respect to the Agency, which may include excluding or modifying the application of those sections;

(9) Clause 73 (1) (d.9) of the Act is repealed and the following substituted:

(d.9) prescribing under what circumstances the Agency or the prescribed organization may collect, use and disclose personal health information, the conditions that apply to the collection, use and disclosure of personal health information by the Agency or by the prescribed organization and disclosures of personal health information that may be made by a health information custodian or other person to the Agency or to the prescribed organization;

(10) Subsection 73 (1) of the Act is amended by adding the following clause:

(d.10) prescribing conditions and restrictions that the Agency or the prescribed organization must apply to a person who provides goods or services for the purpose of enabling the Agency or the prescribed organization to use electronic means to collect, use, modify, disclose, retain or dispose of personal health information;

(11) Subsection 73 (1) of the Act is amended by adding the following clause:

(l.2) governing the practices and procedures described in section 50.2, including specifying any requirements or restrictions that apply to them;

(12) Subsection 73 (1) of the Act is amended by adding the following clause:

(l.3) governing the community engagement required by subsection 50.2 (6.1);

(13) Subsection 73 (1) of the Act is amended by adding the following clause:

(l.4) governing the assessments described in section 50.8, which may include prescribing exemptions or exclusions from the assessments;

(14) Subsection 73 (1) of the Act is amended by adding the following clause:

(l.5) governing the safeguards and data segregation requirements in section 50.11;

(15) Subsection 73 (1) of the Act is amended by adding the following clause:

(l.6) governing the provision of information between the prescribed organization and the Agency;

(16) Subsection 73 (1) of the Act is amended by adding the following clause:

(n.6) governing the instructions that may be made under subsection 55.10.1 (2), which may,

(i) specify the process for making the instruction,

(ii) specify any requirements that apply to the instruction,

(iii) require notice of individuals' rights to make an instruction to be provided in accordance with specified requirements;

(17) Subsection 73 (1) of the Act is amended by adding the following clause:

(o.3) governing transitional matters that may arise due to the enactment of Schedule 16 to the *Protect Ontario Families and Communities Act, 2026*.

(18) Section 73 of the Act is amended by adding the following subsection:

Subdelegation

(3.1) A regulation made under clause (1) (d.3), subclause (1) (d.5.1) (iii) or clause (1) (d.6), (d.8), (d.10) or (l.4) may permit requirements to be established in the practices or procedures of the Agency or of the prescribed organization that are approved by the Commissioner.

(19) Subsection 73 (3.1) of the Act, as enacted by subsection (18), is repealed and the following substituted:

Subdelegation

(3.1) A regulation made under clause (1) (d.3), subclause (1) (d.5.1) (iii) or clause (1) (d.6), (d.8), (d.10), (l.4), (l.5) or (n.6) may permit requirements to be established in the practices or procedures of the Agency or of the prescribed organization that are approved by the Commissioner.

Midwifery Act, 1991

37 Subsection 8 (3) of the *Midwifery Act, 1991* is repealed and the following substituted:

Exception for Indigenous midwives

(3) An Indigenous person who provides traditional midwifery services may,

(a) use the title "Indigenous midwife", a variation or abbreviation or an equivalent in another language; and

(b) hold himself or herself out as a person who is qualified to practise in Ontario as an Indigenous midwife.

Regulated Health Professions Act, 1991

38 Section 35 of the *Regulated Health Professions Act, 1991* is repealed and the following substituted:

Exemption, Indigenous healers and midwives

35 (1) This Act does not apply to,

(a) Indigenous healers providing traditional healing services to Indigenous persons or members of an Indigenous community; or

(b) Indigenous midwives providing traditional midwifery services to Indigenous persons or members of an Indigenous community.

Jurisdictions of Colleges

(2) Despite subsection (1), an Indigenous healer or Indigenous midwife who is a member of a College is subject to the jurisdiction of the College.

Definitions

(3) In this section,

"Indigenous healer" means an Indigenous person who provides traditional healing services; ("guérisseur autochtone")

"Indigenous midwife" means an Indigenous person who provides traditional midwifery services. ("sage-femme autochtone")

Commencement

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

SCHEDULE 17
RETIREMENT HOMES ACT, 2010

1 Subsection 51 (1) of the *Retirement Homes Act, 2010* is amended by adding the following paragraph:

12. The right to ongoing support from individuals who are, as determined in accordance with the regulations, the resident's caregivers to support the resident's physical, mental, social and emotional well-being and quality of life.

2 The Act is amended by adding the following section:

Directions and recommendations re infectious diseases

Definition

60.1 (1) In this section,

"designated senior employee" means a person employed in the ministry of the Minister as a deputy minister, an associate deputy minister, an assistant deputy minister or a director or in a prescribed position.

Direction or recommendation

(2) A designated senior employee may provide direction or recommendations to all or a class of licensees respecting the prevention and management of infectious respiratory diseases or infectious gastrointestinal diseases.

Implementation of directions

(3) A licensee who receives a direction under subsection (2) shall ensure that the direction is implemented in the retirement home.

Consideration of recommendations

(4) A licensee who receives a recommendation under subsection (2) shall ensure that the recommendation is considered and that a decision as to whether to implement the recommendation in the retirement home is made.

Conflict

(5) In the event of a conflict between a direction or recommendation under subsection (2) and any of the following, any of the following prevail to the extent of the conflict:

1. Any applicable advice or recommendations of a local medical officer of health or designate respecting an outbreak of a communicable disease.
2. An order issued under the *Health Protection and Promotion Act*.
3. Anything else that is prescribed.

Non-application of *Legislation Act, 2006*, Part III

(6) Part III of the *Legislation Act, 2006* does not apply to a direction issued under subsection (2).

Commencement

3 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protect Ontario Families and Communities Act, 2026* receives Royal Assent.

(2) Section 1 comes into force on a day to be named by order of the Lieutenant Governor in Council.

SCHEDULE 18
SOCIAL WORK AND SOCIAL SERVICE WORK ACT, 1998

1 Section 1 of the *Social Work and Social Service Work Act, 1998* is amended by adding the following subsections:

Sexual abuse of client

(2) In this Act,

"sexual abuse", with respect to a client by a member of the College means,

(a) sexual intercourse or another form of physical sexual relations between the member and the client,

(b) touching, of a sexual nature, of the client by the member, or

(c) behaviour or remarks of a sexual nature by the member towards the client, other than behaviour or remarks of a nature appropriate to the service provided.

Meaning of "client"

(3) For the purposes of subsection (2), a client of a member of the College includes,

(a) any former client to whom the member did not provide counselling services or in respect of whom the member did not perform the controlled act of psychotherapy and who ceased to be a client of the member less than a year ago; and

(b) any former client to whom the member provided counselling services or in respect of whom the member performed the controlled act of psychotherapy.

2 Subsection 24 (4.1) of the Act is repealed and the following substituted:

Alternative dispute resolution

(4.1) The Complaints Committee may refer a matter not involving an allegation of sexual abuse of a client for alternative dispute resolution if the Committee considers it appropriate to do so and the complainant and the member agree.

3 Section 26 of the Act is amended by adding the following subsections:

Interim suspension of certificate

(3.1) The Discipline Committee shall immediately make an interim order suspending a member's certificate of registration until such time as the panel makes an order under subsection (6.1) if the panel finds that the member has committed an act of professional misconduct consisting of the sexual abuse of a client and the sexual abuse consists of or involves conduct listed in subsection (6.2).

. . . . .

Orders relating to sexual abuse

(6.1) If the Discipline Committee finds a member has committed an act of professional misconduct consisting of the sexual abuse of a client, it shall, in addition to including in the order anything else it may order under subsection (4) or (5), make an order doing the following:

1. Requiring that the member be reprimanded, admonished or counselled by the Committee or its delegate and directing that the fact of the reprimand, admonishment or counselling be recorded on the register for a specified or an unlimited period.
2. Directing the Registrar to revoke the member's certificate of registration or to suspend the certificate for a specified period.

Mandatory revocation

(6.2) The Discipline Committee shall revoke the member's certificate of registration under subsection (6.1) if the sexual abuse consists of or includes any of the following:

1. Sexual intercourse.
2. Genital to genital, genital to anal, oral to genital or oral to anal contact.
3. Masturbation of the member by, or in the presence of, the client.
4. Masturbation of the client by the member.
5. Encouraging the client to masturbate in the presence of the member.
6. Touching of a sexual nature of the client's genitals, anus, breasts or buttocks.
7. Exposing of a sexual nature of the member's genitals, anus, breasts or buttocks to a client.
8. The commission of an offence set out in section 162.1 of the *Criminal Code* (Canada).

9. Other conduct of a sexual nature prescribed in the regulations.

Statement re impact of sexual abuse

(6.3) Before making an order under subsection (6.1), the Discipline Committee shall consider any written statement that has been filed, and any oral statement that has been made to the Committee, describing the impact of the sexual abuse on the client.

Same

(6.4) The statement may be made by the client or by the client's representative.

Same

(6.5) The Discipline Committee shall not consider the statement unless a finding of professional misconduct has been made.

Notice to member

(6.6) When a written statement is filed, the Discipline Committee shall, as soon as possible, have copies of it provided to the member, to the member's counsel and to the College.

4 Subsections 29 (3) and (4) of the Act are repealed and the following substituted:

Time of application

(3) Subject to subsection (4), an application under subsection (1) or (2) shall not be made earlier than,

(a) the expiry of the period fixed for the purpose by the Discipline Committee under subsection 26 (7) or under paragraph 6 of subsection (6), as the case may be; or

(b) if the Discipline Committee did not fix a period under subsection 26 (7) or under paragraph 6 of subsection (6), one year after the date of the order under section 26 or the date of the last order made under this section, as the case may be.

Same, sexual abuse cases

(4) An application under subsection (1) to have a new certificate issued following the revocation of a certificate of registration for sexual abuse of a client shall not be made earlier than,

(a) 10 years after the day on which the certificate of registration was revoked; or

(b) six months after a decision has been made in a previous application under subsection (1).

Notice to complainant

(4.1) The Registrar shall give the complainant in the original proceeding notice of an application for a new certificate of registration made by a person whose certificate of registration had been revoked for sexual abuse of a client.

5 Section 30 of the Act is amended by adding the following subsection:

Exception

(2) Subsection (1) does not apply with respect to a person whose certificate of registration was revoked for sexual abuse of a client.

6 Subsection 38 (1) of the Act is amended by adding the following clause:

(b.1) prescribing other conduct of a sexual nature for the purposes of paragraph 9 of subsection 26 (6.2);

7 (1) The English version of subsection 43 (1) of the Act is amended by striking out "another member has sexually abused a client" at the end and substituting "another member has engaged in the sexual abuse of a client".

(2) Subsection 43 (4) of the Act is repealed.

8 (1) The English version of clause 44 (1) (a) of the Act is amended by striking out "to sexually abuse the client or will sexually abuse other clients" and substituting "to engage in sexual abuse of the client or will engage in sexual abuse of other clients".

(2) Subsection 44 (3) of the Act is amended by striking out "who may have been sexually abused" and substituting "who may have been subjected to sexual abuse".

9 The Act is amended by adding the following section:

Transition, amendments made by the *Protect Ontario Families and Communities Act, 2026*

63 This Act, as amended by Schedule 18 to the *Protect Ontario Families and Communities Act, 2026*, applies, with any modifications that may be necessary, to disciplinary matters involving sexual abuse of a client and reinstatement proceedings where the former member's certificate of registration was revoked for sexual abuse of a client that are ongoing on the day on which section 1 of that Schedule comes into force.

Commencement

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