[Français](http://www.ontario.ca/fr/lois/loi/06g16)

Metrolinx Act, 2006

[S.o. 2006, chapter 16](https://www.ontario.ca/laws/statute/s06016)

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Definitions

Definitions

**1** (1)  In this Act,

“agencies”, in relation to the City of Toronto, means,

(a) every local board as defined in subsection 3 (1) of the City of Toronto Act, 2006, including, for greater certainty, the Toronto Transit Commission, and

(b) every corporation established by the City of Toronto under section 148 of the City of Toronto Act, 2006, and every secondary corporation as defined in subsection 148 (4) of that Act; (“organismes”)

“Corporation” means the corporation continued under section 2 under the name Metrolinx; (“Régie”)

“First Nations” means the council of a band within the meaning of the Indian Act (Canada); (“Premières Nations”)

“GO Transit”, except as part of the phrases “GO Transit service area” and “GO Transit system”, means the Greater Toronto Transit Authority that was continued under the GO Transit Act, 2001, as it read immediately before August 24, 2006; (“Réseau GO”)

“GO Transit service area” means the area prescribed as the GO Transit service area; (“secteur desservi par le réseau de transport en commun GO”)

“GO Transit system” means the passenger transportation system, including commuter services and excluding local transit systems, that is operated principally within the GO Transit service area; (“réseau de transport en commun GO”)

“local transit system” means a passenger transportation system that is operated principally within an upper-tier, lower-tier or single-tier municipality and includes transportation services for persons with physical disabilities, but does not include transportation by special purpose vehicles such as school buses or ambulances and does not include a prescribed passenger transportation system; (“réseau local de transport en commun”)

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

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

“prescribed passenger transportation system” means a passenger transportation system that is operated or is proposed to be operated in the regional transportation area and is prescribed for the purpose of the definition of regional transit system; (“réseau de transport de passagers prescrit”)

“regional transit system” means,

(a) the GO Transit system,

(a.1) the passenger transportation system between downtown Toronto and Toronto Pearson International Airport that is known as the Union Pearson Express,

(b) the prescribed passenger transportation systems, and

(c) a rapid transit project that is the sole responsibility of the Corporation under subsection 46 (1); (“réseau régional de transport en commun”)

“regional transportation area” means the area comprised of,

(a) the geographic areas of,

(i) the City of Toronto,

(ii) the City of Hamilton,

(iii) the Regional Municipality of Durham,

(iv) the Regional Municipality of Halton,

(v) the Regional Municipality of Peel,

(vi) the Regional Municipality of York,

(vii) the Regional Municipality of Niagara,

(viii) Haldimand County,

(ix) the County of Brant,

(x) the City of Brantford,

(xi) the Regional Municipality of Waterloo,

(xii) the County of Wellington,

(xiii) the City of Guelph,

(xiv) the County of Dufferin,

(xv) the County of Simcoe,

(xvi) the City of Barrie,

(xvii) the City of Orillia,

(xviii) the City of Kawartha Lakes,

(xix) the County of Peterborough,

(xx) the City of Peterborough, and

(xxi) the County of Northumberland, and

(b) any additional prescribed areas; (“secteur régional de transport”)

“security”, except in clauses 8.1 (1) (i) and 29 (1) (a), means security as defined in the Securities Act; (“valeur mobilière”)

“transportation plan” means the transportation plan for the regional transportation area under section 6. (“plan de transport”) 2006, c. 16, s. 1 (1); 2009, c. 14, s. 2; 2018, c. 17, Sched. 25, s. 1 (1-3); 2019, c. 8, Sched. 3, s. 1; 2021, c. 26, Sched. 2, s. 1.

(2)  Repealed: 2018, c. 17, Sched. 25, s. 1 (4).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 51 (1)](http://www.ontario.ca/laws/statute/S06016" \l "s51s1) - no effect - see [2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2009, c. 14, s. 2 (1-8)](http://www.ontario.ca/laws/statute/S09014" \l "s2s1) - 14/05/2009

[2018, c. 17, Sched. 25, s. 1 (1-4)](http://www.ontario.ca/laws/statute/S18017" \l "sched25s1s1) - 06/12/2018

[2019, c. 8, Sched. 3, s. 1 (1, 2)](http://www.ontario.ca/laws/statute/S19008" \l "sched3s1s1) - 06/06/2019

[2021, c. 26, Sched. 2, s. 1](http://www.ontario.ca/laws/statute/S21026" \l "sched2s1) - 03/06/2021

Corporation

Corporation continued

**2** (1)  The corporation without share capital that was established under the name Greater Toronto Transportation Authority in English and Régie des transports du grand Toronto in French is continued under the name Metrolinx in both English and French. 2009, c. 14, s. 3.

Composition

(2)  The Corporation is composed of the members of its board of directors. 2006, c. 16, s. 2 (2).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 3](http://www.ontario.ca/laws/statute/S09014" \l "s3) - 14/05/2009

Crown agency

**3** (1)  The Corporation is a Crown agency within the meaning of the Crown Agency Act. 2006, c. 16, s. 3 (1).

Same

(2)  Any subsidiary corporation of the Corporation is a Crown agency within the meaning of the Crown Agency Act. 2006, c. 16, s. 3 (2).

**4** Repealed: 2009, c. 14, s. 4.

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 51 (2)](http://www.ontario.ca/laws/statute/S06016" \l "s51s2) - no effect - see [2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2009, c. 14, s. 4](http://www.ontario.ca/laws/statute/S09014" \l "s4) - 14/05/2009

Objects

**5** (1)  The objects of the Corporation are,

(a) to provide leadership in the co-ordination, planning, financing, development and implementation of an integrated transit network in the regional transportation area that,

(i) conforms with transportation policies of growth plans prepared and approved under the Places to Grow Act, 2005 applicable in the regional transportation area,

(ii) conforms with other provincial transportation policies and plans applicable in the regional transportation area, and

(iii) supports a high quality of life, a sustainable environment and a strong, prosperous and competitive economy;

(b) to act as the central procurement agency for the procurement of local transit systemvehicles, equipment, technologies and facilities and related supplies and services on behalf of Ontario municipalities;

(c) to be responsible for the operation of the regional transit system and the provision of other transit services; and

(d) to provide other advice and services in accordance with section 8.2. 2018, c. 17, Sched. 25, s. 2.

Conformance with government objectives, plans, policies and strategies

(2)  In carrying out its objects, the Corporation shall conform with the objectives, plans, policies and strategies mentioned in clauses 6 (3) (a) to (c). 2018, c. 17, Sched. 25, s. 2.

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 51 (3)](http://www.ontario.ca/laws/statute/S06016" \l "s51s3) - no effect - see [2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2009, c. 14, s. 5 (1, 2)](http://www.ontario.ca/laws/statute/S09014" \l "s5s1) - 14/05/2009

[2018, c. 17, Sched. 25, s. 2](http://www.ontario.ca/laws/statute/S18017" \l "sched25s2) - 06/12/2018

Duties of Corporation re leadership in regional transit integration

**6** (1)  In carrying out its objects as described in clause 5 (1) (a), the Corporation shall,

(a) subject to the approval of the Minister, make a transportation plan for the regional transportation area;

(b) plan, co-ordinate and set priorities for the implementation of the transportation plan;

(c) fund, or arrange and manage the funding for, an integrated transit network in the regional transportation area;

(d) promote and facilitate co-ordinated decision-making and investment in the regional transportation area among the governments of the municipalities in the regional transportation area and the federal and provincial governments in order to ensure the efficient and cost-effective resolution of matters of shared concern respecting transit, including,

(i) the provision and the optimal use and location of transit infrastructure,

(ii) the integration of transit infrastructure, and

(iii) the integration of routes, fares and schedules of the regional transit system and of local transit systems in the regional transportation area; and

(e) promote the safety, efficiency and protection of transportation corridors. 2018, c. 17, Sched. 25, s. 2.

Minister’s power in approving transportation plan

(2)  The Minister may, in approving the transportation plan, approve it with such amendments as the Minister considers appropriate. 2018, c. 17, Sched. 25, s. 2.

Requirements for transportation plan

(3)  The transportation plan required by clause (1) (a) must,

(a) conform with such objectives for the regional transportation area as may be directed by order of the Lieutenant Governor in Council;

(b) conform with the Minister’s transportation plans, policies and strategies for the province as they apply to the regional transportation area;

(c) conform with the prescribed provincial plans and policies;

(d) conform with the growth plans prepared and approved under the Places to Grow Act, 2005 applicable in the regional transportation area;

(e) promote the integration of local transit systems in the regional transportation area with each other and with the regional transit system;

(f) work towards easing congestion and commute times in the regional transportation area;

(g) promote transit-supportive development to increase transit ridership and to support the viability and optimization of transit infrastructure; and

(h) address such other matters and include such other information as may be prescribed. 2018, c. 17, Sched. 25, s. 2.

Reviews of and amendments to the transportation plan

(4)  The Corporation may, subject to the approval of the Minister, or shall, at the direction of the Minister,

(a) conduct a review of the transportation plan; or

(b) amend the transportation plan. 2018, c. 17, Sched. 25, s. 2.

Minister’s power in approving amendments

(5)  The Minister may, in approving amendments to the transportation plan, approve the amendments with such amendments to the amendments as the Minister considers appropriate, including by adding amendments not made by the Corporation. 2018, c. 17, Sched. 25, s. 2.

Consultation on the transportation plan

(6)  During the development of the transportation plan, during a review of the transportation plan, or prior to an amendment to the transportation plan, the Corporation shall carry out such consultation as the Minister may direct. 2018, c. 17, Sched. 25, s. 2.

Corporation guided by transportation plan

(7)  The Corporation shall be guided in all its decisions and actions by the transportation plan. 2018, c. 17, Sched. 25, s. 2.

Plan available to the public

(8)  The Corporation shall ensure that the transportation plan is available for public inspection in such manner as the Corporation’s board of directors considers appropriate. 2018, c. 17, Sched. 25, s. 2.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 6 (1-10)](http://www.ontario.ca/laws/statute/S09014" \l "s6s1) - 14/05/2009

[2018, c. 17, Sched. 25, s. 2](http://www.ontario.ca/laws/statute/S18017" \l "sched25s2) - 06/12/2018

Duties of Corporation re unified fare system

**7** (1)  In carrying out its objects as described in clause 5 (1) (a), the Corporation shall plan, design, develop, acquire by purchase, lease, assignment or otherwise, construct, maintain, operate, dispose of, lease, license or sublicense all or any part of a unified fare system applicable to,

(a) the regional transit system;

(b) the local transit systems in the geographic areas of the City of Toronto, the City of Hamilton, the Regional Municipality of Durham, the Regional Municipality of Halton, the Regional Municipality of Peel and the Regional Municipality of York; and

(c) the local transit systems of municipalities outside the areas mentioned in clause (b) that agree to participate. 2018, c. 17, Sched. 25, s. 3.

Protection from liability for participants

(2)  No action or other proceeding for damages shall be brought against the Corporation or against any participant in the unified fare system or against any director, officer or employee of any of them as a result of any act or omission of another participant in the unified fare system, or of a director, officer or employee of another participant, by reason only of their participation in the unified fare system. 2006, c. 16, s. 7 (2).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 7](http://www.ontario.ca/laws/statute/S09014" \l "s7) - 14/05/2009

[2018, c. 17, Sched. 25, s. 3](http://www.ontario.ca/laws/statute/S18017" \l "sched25s3) - 06/12/2018

Duties of Corporation re procurement

**8** (1)  In carrying out its objects as described in clause 5 (1) (b), the Corporation shall,

(a)co-ordinate, negotiate and manage the planning, design, development and acquisition, by purchase, lease or otherwise, of local transit system vehicles, equipment, technologies and facilities and related supplies and services on behalf of any municipality in Ontario;

(b) establish, in consultation with municipalities and other persons that operate local transit systems in Ontario and suppliers, specifications and common standards for local transit system vehicles, equipment, technologies and facilities and related supplies and services; and

(c) facilitate the financing for any of the activities described in clause (a) on behalf of the owners of local transit systems. 2006, c. 16, s. 8 (1); 2009, c. 14, s. 8.

Same

(2)  The Corporation may perform its duty under clause (1) (a) by procuring local transit vehicles, equipment, technologies and facilities and related supplies and services on behalf of a municipality or by facilitating the procurement of such vehicles, equipment, technologies and facilities and related supplies and services by a municipality. 2006, c. 16, s. 8 (2).

Participating municipalities

(3)  Despite any other Act, a municipality in Ontario may enter into an agreement with the Corporation for the Corporation to procure local transit system vehicles, equipment, technologies and facilities and related supplies and services on its behalf and, if it does so, it shall agree to pay the Corporation for local transit system vehicles, equipment, technologies and facilities and related supplies and services procured by the Corporation on its behalf. 2006, c. 16, s. 8 (3).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 8](http://www.ontario.ca/laws/statute/S09014" \l "s8) - 14/05/2009

Duties of Corporation re regional transit system and other transit services

**8.1**(1)  In carrying out its objects as described in clause 5 (1) (c), the Corporation shall,

(a) maintain andoperate the regional transit system;

(b) design, develop and construct the prescribed passenger transportation systems, if necessary;

(c) design, develop and construct any alterations, extensions and expansions to the regional transit system;

(d) subject to the approval of the Minister, operate local transit systems under agreements with municipalitieswithin and outside the regional transportation area;

(e) subject to the approval of the Minister, provide transit services to municipalities outside the GO Transit service area under agreements with those municipalities;

(f) provide the transit services outside the GO Transit service area that were being provided by GO Transit as of the date this section comes into force;

(g) establish, construct, manage and operate parking lots within or outside the regional transportation area in connection with the regional transit system;

(h) conduct studies in respect of,

(i) the design, construction,maintenance and operation of the regional transit systemand any alterations, extensions and expansions to it,

(ii) the fare structure and service schedules of the regional transit system, and

(iii) the operational integration of the regional transit system with local transit systems within and outside the regional transportation area; and

(i) develop an emergency and security plan for the regional transit system in co-ordination with the local transit systems in the regional transportation area. 2009, c. 14, s. 9.

Ownership of prescribed systems

(2)  All of the assets of a prescribed passenger transportation system must be owned by the Corporation, by a subsidiary corporation of the Corporation, or by the Corporation and one or more of its subsidiary corporations,as specified by regulation. 2009, c. 14, s. 9.

By-laws re transit services

(3)  The board of directors of the Corporation shall pass by-laws in respect of the services delivered by the regional transit system or any local transit system provided by agreement with a municipality under subclause 16 (2) (b) (iii) to,

(a) establish the approximate location, routes and frequencies of the transit services;

(b) establish the fares charged for the transit services; and

(c) establish the fees charged for parking on parking lots operated in connection with the transit services. 2009, c. 14, s. 9.

Notice of changes to transit services

(4)  The Corporation shall give written notice to the Minister before it passes a by-law under subsection (3) respecting,

(a) the location, route or frequency of a transit service;

(b) a fare charged for a transit service;

(c) a fee charged for parking;

(d) the termination of a transit service; or

(e) the closing of a parking lot. 2018, c. 17, Sched. 25, s. 4.

Use of former names

(5)  Any usage of the name Greater Toronto Transit Authority, Régie des transports en commun du grand Toronto, Greater Toronto Transportation Authority, Régie des transports du grand Toronto, GO Transit or Réseau GO on any document or sign is deemed to be a reference to Metrolinx and a document or sign is not invalid or ineffective by reason only that it uses such name. 2009, c. 14, s. 9.

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 51 (4)](http://www.ontario.ca/laws/statute/S06016" \l "s51s4) - no effect - see [2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2009, c. 14, s. 9](http://www.ontario.ca/laws/statute/S09014" \l "s9) - 14/05/2009

[2018, c. 17, Sched. 25, s. 4](http://www.ontario.ca/laws/statute/S18017" \l "sched25s4) - 06/12/2018

Duties of Corporation re other advice and services

Advice

**8.2**(1)  The Corporation shall provide the Government with advice on such matters related to transportation as the Minister directs the Corporation to advise on. 2018, c. 17, Sched. 25, s. 5.

Services

(2)  The Corporation shall provide the Government with services in respect of such matters related to transportation as the Minister directs. 2018, c. 17, Sched. 25, s. 5.

**Section Amendments with date in force (d/m/y)**

[2018, c. 17, Sched. 25, s. 5](http://www.ontario.ca/laws/statute/S18017" \l "sched25s5) - 06/12/2018

Board of directors

**9** (1)  Subject to any directives issued under section 31, the business and affairs of the Corporation shall be managed by its board of directors. 2006, c. 16, s. 9 (1); 2018, c. 17, Sched. 25, s. 6 (1).

Composition

(2)  The board shall be composed of not more than 15 persons appointed by the Lieutenant Governor in Council on the recommendation of the Minister. 2009, c. 14, s. 10 (1).

Same

(3)  The following are not eligible to be a director:

1. A Member of Parliament.

2. A Member of the Assembly.

3. A member of a municipal council in Ontario.

4. A person appointed under Part III of the Public Service of Ontario Act, 2006.

5. A person who is employed by or in a board, commission or agency of the provincial government, excluding persons appointed to such board, commission or agency by the Lieutenant Governor in Council and excluding the chief executive officer of the Corporation.

6. An employee of the federal government or of a municipality in Ontario or of a board, commission or agency of the federal government or of a municipality in Ontario. 2009, c. 14, s. 10 (1).

(4)  Repealed: 2018, c. 17, Sched. 25, s. 6 (2).

Quorum

(5)  A majority of the directors, which must include the chair or vice-chair, constitutes a quorum. 2006, c. 16, s. 9 (5).

Resignation

(6)  If a director resigns from office before the expiration of his or her term, he or she continues as a director until the earlier of,

(a) the appointment of another director in his or her place for the remainder of the term; and

(b) the expiration of 90 days after the director submitted his or her resignation. 2006, c. 16, s. 9 (6).

Remuneration and expenses

(7)  The Corporation shall pay remuneration and expenses to the directors as is determined by the Lieutenant Governor in Council. 2009, c. 14, s. 10 (2).

(8), (9)  Repealed: 2006, c. 16, s. 9 (11).

(10)  Repealed: 2018, c. 17, Sched. 25, s. 6 (3).

(11)  Repealed: 2009, c. 16, s. 9 (11).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 9 (11)](http://www.ontario.ca/laws/statute/S06016" \l "s9s11) - 15/05/2010; [2006, c. 35, Sched. C, s. 50 (1)](http://www.ontario.ca/laws/statute/S06035" \l "schedcs50s1) - 20/08/2007

[2009, c. 14, s. 10 (1, 2)](http://www.ontario.ca/laws/statute/S09014" \l "s10s1) - 14/05/2009

[2018, c. 17, Sched. 25, s. 6 (1-3)](http://www.ontario.ca/laws/statute/S18017" \l "sched25s6s1) - 06/12/2018

Provincial representative

**9.1**(1)  The Lieutenant Governor in Council, on the recommendation of the Minister, may appoint a representative and an alternate representative. 2018, c. 17, Sched. 25, s. 7.

Role of provincial representative

(2)  The representative is entitled to,

(a) receive notice of all meetings of the board;

(b) receive all documents provided to the directors in connection with all meetings of the board; and

(c) be present and participate throughout all meetings of the board. 2018, c. 17, Sched. 25, s. 7.

Role of alternate representative

(3)  If the representative is unable to act, the alternate representative has all the entitlements of the representative. 2018, c. 17, Sched. 25, s. 7.

Clarification, in-camera meetings

(4)  For greater certainty, the entitlements of the representative extend to all in-camera meetings of the board. 2018, c. 17, Sched. 25, s. 7.

**Section Amendments with date in force (d/m/y)**

[2018, c. 17, Sched. 25, s. 7](http://www.ontario.ca/laws/statute/S18017" \l "sched25s7) - 06/12/2018

Chair, vice-chair

**10** (1)  The Lieutenant Governor in Council, on the recommendation of the Minister, shall designate a chair and vice-chair from among the members of the Corporation’s board of directors. 2009, c. 14, s. 11.

(1.1)-(1.3)  Repealed: 2006, c. 16, s. 10 (1.3).

Acting chair

(2)  If the chair is absent or unable to act or if the office of chair is vacant, the vice-chair shall act as chair. 2006, c. 16, s. 10 (2).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 10 (1.3)](http://www.ontario.ca/laws/statute/S06016" \l "s10s1p3) - 15/05/2010

[2009, c. 14, s. 11](http://www.ontario.ca/laws/statute/S09014" \l "s11) - 14/05/2009

Meetings of board

**11** (1)  The Corporation’s board of directors shall meet at the call of the chair or of a majority of the directors and, in any event, at least four times a year. 2006, c. 16, s. 11 (1).

Voting rights

(1.1)  Subject to subsection (2), each director, including the chair of the board of directors, has one vote. 2009, c. 14, s. 12 (1).

Casting vote

(2)  The chair has a second or casting vote in the event of a tie. 2006, c. 16, s. 11 (2).

Open to the public

(3)  Meetings of the board shall be open to the public on the following occasions:

1. On any occasion determined by the board.

2. When the board is deliberating in respect of a transportation plan or in respect of a review of or amendment to the transportation plan.

3. Repealed: 2018, c. 17, Sched. 25, s. 8 (2).

4. When the Corporation’s annual report is being presented to the board.

5. When the board is considering a by-law to change the fares charged for a transit service provided by the regional transit system. 2009, c. 14, s. 12 (2); 2018, c. 17, Sched. 25, s. 8.

Improper conduct

(4)  The chair may expel or exclude from any meeting any person, including a director, for improper conduct at the meeting. 2006, c. 16, s. 11 (4).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 51 (5)](http://www.ontario.ca/laws/statute/S06016" \l "s51s5) - no effect - see [2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2009, c. 14, s. 12 (1, 2)](http://www.ontario.ca/laws/statute/S09014" \l "s12s1) - 14/05/2009

[2018, c. 17, Sched. 25, s. 8 (1, 2)](http://www.ontario.ca/laws/statute/S18017" \l "sched25s8s1) - 06/12/2018

By-laws, resolutions of board

**12** (1)  The Corporation’s board of directors may make by-laws and resolutions governing its proceedings and generally for the conduct and management of the business and affairs of the Corporation, including by-laws governing the holding of electronic meetings such that all persons participating in the electronic meeting may communicate with each other simultaneously and instantaneously. 2006, c. 16, s. 12 (1).

By-laws, resolutions that need Minister’s approval

(2)  A by-law or resolution of a prescribed class is effective only when approved in writing by the Minister. 2006, c. 16, s. 12 (2).

Formal requirements

(3)  Every by-law made by the board,

(a) shall have the Corporation’s seal affixed to it; and

(b) shall be signed by the chair and secretary who were present at the meeting at which the by-law was passed. 2006, c. 16, s. 12 (3).

Saving

(4)  A by-law is not valid until the Corporation’s seal is affixed to it, but the seal may be affixed to a by-law at any time after it was made. 2006, c. 16, s. 12 (4).

By-laws, resolutions are not regulations

(5)  Part III (Regulations) of the Legislation Act, 2006 does not apply to by-laws or resolutions made by the Corporation. 2006, c. 16, ss. 12 (5), 52 (3).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 52 (3)](http://www.ontario.ca/laws/statute/S06016" \l "s52s3) - 25/07/2007

Advisory committees

**13** (1)  The Corporation’s board of directors shall by by-law establish one or more advisory committees. 2006, c. 16, s. 13 (1).

Composition

(2)  A by-law establishing an advisory committee shall provide for the committee’s composition and may require that the committee include persons who use or are otherwise affected by transportation in the regional transportation area, including students, seniors, persons with disabilities and representatives of labour organizations and industry. 2006, c. 16, s. 13 (2).

Functions, etc.

(3)  A by-law establishing an advisory committee shall provide for the committee’s functions and for the committee members’ terms of appointment, remuneration and payment of expenses. 2006, c. 16, s. 13 (3).

Chief executive officer

**14** (1)  The Lieutenant Governor in Council, on the recommendation of the Minister, shall appoint a chief executive officer of the Corporation who shall be an employee of the Corporation. 2009, c. 14, s. 13 (1).

Duties

(2)  The chief executive officer of the Corporation is responsible for the operation of the Corporation, subject to the supervision and direction of the Corporation’s board of directors. 2006, c. 16, s. 14 (2).

(3), (4)  Repealed: 2006, c. 16, s. 14 (6).

Remuneration and benefits

(5)  The Corporation shall pay remuneration and benefits to the chief executive officer as is determined by the Lieutenant Governor in Council. 2009, c. 14, s. 13 (2).

(6)  Repealed: 2006, c. 16, s. 14 (6).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 14 (6)](http://www.ontario.ca/laws/statute/S06016" \l "s14s6) - 15/11/2010

[2009, c. 14, s. 13 (1, 2)](http://www.ontario.ca/laws/statute/S09014" \l "s13s1) - 14/05/2009

Employees, officers

**15** (1)  The Corporation may hire such employees and appoint such officers as are considered necessary for the proper conduct of its business and affairs. 2006, c. 16, s. 15 (1).

Other persons

(2)  The Corporation may engage persons other than those hired under subsection (1) to provide professional, technical or other assistance to or on behalf of the Corporation. 2006, c. 16, s. 15 (2).

Agreements to provide services

(3)  Despite any other Act, the Corporation and any minister of the Crown or chair of a Crown agency may enter into agreements with each other providing that employees of the Crown or of the Crown agency will provide services to the Corporation. 2006, c. 16, s. 15 (3).

Pensions

(4)  The Corporation may provide pensions for its permanent staff and full-time probationary staff and for that purpose the Corporation is deemed to be an employer under the Ontario Municipal Employees Retirement System Act, 2006. 2006, c. 16, s. 15 (4); 2006, c. 16, s. 53.

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 53](http://www.ontario.ca/laws/statute/S06016" \l "s53) - 24/08/2006

Powers

Powers

**16** (1)  Except as limited by this Act, the Corporation has the capacity, rights, powers and privileges of a natural person for carrying out its objects. 2006, c. 16, s. 16 (1).

Same

(2)  Without limiting the generality of subsection (1), the Corporation has the power,

(a) to acquire, hold, lease or dispose of an interest in real or personal property for a purpose consistent with the Corporation’s objects, including for the construction, alteration, extension or expansion of a transportation infrastructure project;

(b) to hold, manage, operate, fund and deliver,

(i) the regional transit system, and

(ii) Repealed: 2018, c. 17, Sched. 25, s. 9.

(iii) any local transit system or other transportation servicewithin or outside the regional transportation area or the GO Transit service area by agreement with the municipalities to be served by the system or service;

(c) to develop and implement management strategies and programs relating to transit and transportation demand; and

(d) to enter into commercial arrangements with municipalities in the regional transportation area or other persons or entities for a purpose consistent with the Corporation’s objects, including for designing, developing, constructing, maintaining or operating a prescribed passenger transportation system. 2009, c. 14, s. 14 (1); 2018, c. 17, Sched. 25, s. 9.

Delegation to subsidiaries

(3)  The Corporation may, subject to the approval of the Lieutenant Governor in Council, delegate any of its powers under subsection (2) to a subsidiary corporation established under section 17. 2009, c. 14, s. 14 (2).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 51 (6)](http://www.ontario.ca/laws/statute/S06016" \l "s51s6) - no effect - see [2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2009, c. 14, s. 14 (1, 2)](http://www.ontario.ca/laws/statute/S09014" \l "s14s1) - 14/05/2009

[2018, c. 17, Sched. 25, s. 9](http://www.ontario.ca/laws/statute/S18017" \l "sched25s9) - 06/12/2018

Limitation re subsidiaries

**17** (1)  Subject to subsections (2) and (3), the Corporation may establish and dissolve subsidiary corporations within or outside Ontario. 2009, c. 14, s. 15.

Same

(2)  The establishment of a subsidiary corporation under subsection (1), the structure, powers, duties, governance, constitution and management of such subsidiary corporation, the dissolution of such subsidiary corporation and the terms of its dissolution shall be subject to the approval of the Lieutenant Governor in Council. 2009, c. 14, s. 15.

Same

(3)  A subsidiary corporation may be established for the purpose of designing, developing, constructing, holding, managing, funding, maintaining, operating or delivering a prescribed passenger transportation system only if the Corporation controls the subsidiary corporation at the time it is established and afterwards. 2009, c. 14, s. 15.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 15](http://www.ontario.ca/laws/statute/S09014" \l "s15) - 14/05/2009

Grants, loans and other financial assistance

**18** (1)  The Corporation may pass by-laws, in the prescribed circumstances and manner, authorizing payments of grants, loans and other financial assistance to any person, including the council of a band within the meaning of the Indian Act (Canada), a municipality or a public body, for a purpose consistent with the Corporation’s objects. 2006, c. 16, s. 18.

Definition, “public body”

(2)  In this section,

“public body” means a corporation establishedby a municipality, a local board, a ministry, department, board, commission, agency or official of the provincial or federal government. 2009, c. 14, s. 16.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 16](http://www.ontario.ca/laws/statute/S09014" \l "s16) - 14/05/2009

Agreements

**19** (1)  The Corporation or any of its subsidiary corporations may enter into agreements with other persons, including municipalities in Ontario, the Crown in right of Ontario and the Crown in right of Canada, for a purpose consistent with the Corporation’s objects. 2006, c. 16, s. 19 (1).

Same

(2)  Where the Corporation enters into an agreement with a person in a jurisdiction outside of Ontario, it may, in respect of such agreement and with the approval of the Minister of Finance, waive any immunity outside of Ontario to which it may be entitled as a Crown agency and submit to the jurisdiction of a court outside of Ontario. 2006, c. 16, s. 19 (2).

Municipal obligations re agreements

(3)  Despite any other Act, a municipality may enter into an agreement with the Corporation or a subsidiary of the Corporation and, if it does so, it shall agree to pay to the Corporation or the subsidiary corporation all or any portion of the operating or capital expenditures required to meet the terms of the agreement, including any lease arrangements. 2006, c. 16, s. 19 (3).

Expropriation

**20** The Corporation may expropriate land for the purpose of carrying out its objects. 2006, c. 16, s. 20.

By-laws regulating use of regional transit system, local transit systems

**21** (1)  The Corporation’s board of directors may pass by-laws with respect to the regional transit system or any local transit system or other transportation service provided by agreement with a municipality under subclause 16 (2) (b) (iii),

(a) prohibiting or regulating the use of any land owned, leased, used or occupied by the Corporation and prohibiting or regulating vehicular and pedestrian traffic on any such land;

(b) prescribing the fees or rentals payable for a permit, licence or right issued or granted with respect to any of the land owned, leased, used or occupied by the Corporation;

(c) governing the terms and conditions upon which tickets may be sold;

(d) governing the conduct of passengers and governing the refusal of passage to persons who do not comply with the by-laws or the terms and conditions upon which tickets are sold;

(e) requiring and providing for the issuance of permits and licences and providing for the granting of rights with respect to the use of any of its land and providing for the revocation of such a permit, licence or right. 2006, c. 16, s. 21 (1); 2009, c. 14, s. 17 (1, 2).

Offence

(2)  A by-law passed under subsection (1) may provide that any person who contravenes the by-law is guilty of an offence. 2006, c. 16, s. 21 (2).

Motor vehicle owner and driver liable for penalties

(3)  A by-law passed under clause (1) (a) prohibiting or regulating vehicular traffic may provide that the owner of a motor vehicle may be charged with and convicted of a contravention of the by-law for which the driver of the vehicle is subject to be so charged unless, at the time of the contravention, the vehicle was in the possession of some person other than the owner without the owner’s consent, and, on conviction, the owner is liable to the penalty for the offence set out in the by-law. 2006, c. 16, s. 21 (3).

Voluntary payment of penalties

(4)  A by-law passed under clause (1) (a) or (d) may provide a procedure for the voluntary payment of penalties out of court with respect to an alleged contravention of the by-law. 2006, c. 16, s. 21 (4).

Appointment of officers

(5)  Officers for the purpose of administering and enforcing the by-laws passed under subsection (1) may be appointed as follows:

1. The Corporation may appoint one or more of the following:

i. The Corporation’s employees, for the purpose of administering and enforcing in relation to transportation services operated by the Corporation or operated on behalf of the Corporation.

ii. The employees of a subsidiary of the Corporation, but only for the purpose of administering and enforcing in relation to transportation services operated by the subsidiary or operated on behalf of the subsidiary.

iii. The employees of a municipality or local board within the meaning of the Municipal Act, 2001, but only for the purpose of administering and enforcing in relation to transportation services that the municipality or local board operates on behalf of the Corporation or operates on behalf of one of the Corporation’s subsidiaries.

2. A subsidiary of the Corporation may appoint one or more of the following:

i. The subsidiary’s employees, but only for the purpose of administering and enforcing in relation to transportation services operated by the subsidiary or operated on behalf of the subsidiary.

ii. The employees of a municipality or local board within the meaning of the Municipal Act, 2001, but only for the purpose of administering and enforcing in relation to transportation services that the municipality or local board operates on behalf of the subsidiary. 2018, c. 17, Sched. 25, s. 10 (1).

Same

(5.1)  A person appointed under subsection (5) is a constable at common law for the purposes of administering and enforcing the by-laws passed under subsection (1). 2009, c. 14, s. 17 (3); 2018, c. 17, Sched. 25, s. 10 (2).

Same

(5.2)  A person appointed under subsection (5) is deemed to be an officer appointed for carrying out the provisions of the Highway Traffic Act for the purposes of section 33 of that Act while the person is on land owned, leased, used or occupied by the Corporation or its subsidiary corporationfor the purpose of the regional transit system or any local transit system or other transportation service provided by the Corporation or its subsidiary corporation by agreement with a municipality. 2009, c. 14, s. 17 (3).

Certificate of appointment

(6)  A person appointed under subsection (5) shall, while carrying out his or her duties under the appointment, have in his or her possession a certificate of the appointment and shall produce the certificate upon request. 2006, c. 16, s. 21 (6).

Municipal Act, 2001

(7)  Sections 433 and 441 of the *Municipal Act, 2001* apply with necessary modifications to by-laws passed under this section. 2009, c. 14, s. 17 (4).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 17 (1-4)](http://www.ontario.ca/laws/statute/S09014" \l "s17s1) - 14/05/2009

[2018, c. 17, Sched. 25, s. 10 (1, 2)](http://www.ontario.ca/laws/statute/S18017" \l "sched25s10s1) - 06/12/2018

Administrative fees for contravention of parking and fare by-laws

**21.1**(1)  The Corporation’s board of directors may pass by-laws establishing a system of administrative fees under which a person is liable to pay an administrative fee to the Corporation if the Corporation is satisfied that the person contravened,

(a) a by-law passed under clause 21 (1) (a) respecting the stopping, standing or parking of vehicles on land owned, used or occupied by the Corporation; or

(b) a by-law passed under clause 21 (1) (d) respecting the payment of fares by passengers. 2009, c. 14, s. 18.

Same

(2)  A by-law passed under subsection (1) may also provide for the enforcement of the payment of the administrative fee, including when and how the fee is payable, and that an unpaid fee becomes a debt due to the Corporation enforceable in a court of competent jurisdiction. 2009, c. 14, s. 18.

Penalties for by-law contravention not affected

(3)  The imposition or collection of an administrative fee for contravention of a by-law described in clause (1) (a) or (b) is in addition to and does not preclude the person who is liable to pay the fee from,

(a) being charged with and convicted of an offence for contravention of the same by-law; or

(b) agreeing to pay the penalty out of court as provided by subsection 21 (4) for contravention of the same by-law. 2009, c. 14, s. 18.

Limitation

(4)  Despite subsection (1), the Corporation does not have the power to enforce a by-law passed under that subsection until a regulation is made under subsection (5). 2009, c. 14, s. 18.

Regulations

(5)  Upon the recommendation of the Attorney General, the Lieutenant Governor in Council may make regulations providing for any matters which, in the opinion of the Lieutenant Governor in Council, are necessary or desirable for the purposes of this section,including,

(a) granting the Corporation powers with respect to the establishment of a system of administrative fees and with respect to other matters necessary for a system of administrative fees, including requiring that there be, and governing, a review or appeal, or both, from the imposition of an administrative fee; and

(b) imposing conditions and limitations on the Corporation’s powers with respect to administrative fees, including requiring that the fees be imposed and used for specified purposes and prescribing a maximum fee. 2009, c. 14, s. 18.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 18](http://www.ontario.ca/laws/statute/S09014" \l "s18) - 14/05/2009

Financial Matters

Fiscal year

**22** The fiscal year of the Corporation is April 1 to March 31 of the following year. 2006, c. 16, s. 22.

Assets and revenue not part of Consolidated Revenue Fund

**23** Despite Part I of the Financial Administration Act, the assets and revenues of the Corporation or of any of the Corporation’s subsidiary corporations do not form part of the Consolidated Revenue Fund. 2006, c. 16, s. 23.

Rolling five-year capital plan

**23.1**The Corporation’s board of directors shall annually prepare a rolling five-year capital plan for the regional transportation area that includes,

(a) the Corporation’s plans for the allocation of its funds; and

(b) the priorities assigned by the Corporation to the projects and programs set out in its plans. 2009, c. 14, s. 19.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 19](http://www.ontario.ca/laws/statute/S09014" \l "s19) - 14/05/2009

Budget and other financial information

**24** (1)  On or before August 31 in each year, or another date specified by the Minister, the Corporation shall submit its budget for the following fiscal year, or for any other period of time specified by the Minister, to the Minister for his or her approval. 2006, c. 16, s. 24 (1).

Form and content of budget

(2)  The budget shall be in the form required by the Minister and shall include the rolling five-year capital plan prepared under section 23.1 and any other information required by the Minister. 2009, c. 14, s. 20.

(3)  Repealed: 2018, c. 17, Sched. 25, s. 11.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 20](http://www.ontario.ca/laws/statute/S09014" \l "s20) - 14/05/2009

[2018, c. 17, Sched. 25, s. 11](http://www.ontario.ca/laws/statute/S18017" \l "sched25s11) - 06/12/2018

Annual financial statements

**25** The Corporation shall prepare financial statements annually for the previous fiscal year. 2006, c. 16, s. 25.

Audit

**26** (1)  The Corporation’s board of directors shall appoint one or more licensed public accountants to audit the accounts and transactions of the Corporation and of its subsidiary corporations for the previous fiscal year. 2006, c. 16, s. 26 (1).

Auditor General

(2)  The Auditor General may also audit the accounts and transactions of the Corporation or of any of the Corporation’s subsidiary corporations for any fiscal year. 2006, c. 16, s. 26 (2).

Minister-appointed auditor

(3)  The Minister may at any time appoint a licensed public accountant, other than the person appointed under subsection (1), to audit the accounts and transactions of the Corporation or of any of its subsidiary corporations for any period of time specified by the Minister. 2006, c. 16, s. 26 (3).

Borrowing and investing

**27** (1)  The power of the Corporation and its subsidiary corporations to borrow, issue securities, make short-term investments of funds, manage risk associated with financing and investment or incur liabilities in order to facilitate financing by others may only be exercised under the authority of a by-law that has been approved in writing by the Minister of Finance. 2006, c. 16, s. 27 (1).

Co-ordination of financing activities

(2)  All borrowing, financing, short-term investment of funds and financial risk management activities of the Corporation and its subsidiary corporations shall be co-ordinated and arranged by the Ontario Financing Authority, unless the Minister of Finance approves otherwise. 2006, c. 16, s. 27 (2).

Agreement for transferring property

**28** (1)  Despite any other Act, but subject to section 11.1 of the Financial Administration Act, real or personal property owned, leased, used or occupied by the Crown in right of Ontario in connection with an activity carried out by the Corporation or any of its subsidiary corporations may be transferred to the Corporation or its subsidiary corporation, with or without consideration, upon the terms approved in writing by Treasury Board. 2006, c. 16, s. 28 (1); 2009, c. 34, Sched. J, s. 31.

Same

(2)  The Crown in right of Ontario may incur non-cash expenses within the meaning of the Financial Administration Act in connection with a transfer under subsection (1). 2006, c. 16, s. 28 (2); 2009, c. 33, Sched. 26, s. 4.

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 26, s. 4](http://www.ontario.ca/laws/statute/S09033" \l "sched26s4) - 15/12/2009; [2009, c. 34, Sched. J, s. 31](http://www.ontario.ca/laws/statute/S09034" \l "schedjs31) - 15/12/2009

Asset sales

**29** (1)  The Corporation or any of its subsidiary corporations shall not sell or otherwise dispose of all or substantially all of its assets unless the sale or disposition is approved by the Lieutenant Governor in Council and is,

(a) for the purpose of providing security for money loaned to the Corporation;

(b) part of a financing transaction that entitles the Corporation or its subsidiary corporation, on fulfilling the terms and conditions of the transaction, to reacquire the assets sold or disposed of;

(c) for a purpose consistent with the Corporation’s objects; or

(d) for a prescribed purpose. 2006, c. 16, s. 29 (1).

Exception

(2)  Subsection (1) does not apply to a sale or disposition to the Crown in right of Ontario or to a Crown agency. 2006, c. 16, s. 29 (2).

Provincial funding of Corporation and subsidiaries

**30** (1)  The Lieutenant Governor in Council may raise by way of loan in the manner provided by the Financial Administration Act such sums as the Lieutenant Governor in Council considers necessary for the purposes of this Act. 2006, c. 16, s. 30 (1).

Province may make loans

(2)  The Lieutenant Governor in Council may by order authorize the Minister of Finance to make loans to the Corporation or to any of its subsidiary corporations, including loans of the sums raised under subsection (1), on the terms and conditions that the Minister of Finance may determine. 2006, c. 16, s. 30 (2).

Province may purchase securities

(3)  The Lieutenant Governor in Council may by order authorize the Minister of Finance to purchase securities of the Corporation’s subsidiary corporations at the times and on the terms and conditions that the Minister of Finance may determine. 2006, c. 16, s. 30 (3).

Payment from Consolidated Revenue Fund

(4)  The Minister of Finance shall pay from the Consolidated Revenue Fund any amount required for the purpose of subsection (2) or (3). 2006, c. 16, s. 30 (4).

Limits

(5)  The total of theamounts of loans made under subsection (2) and of securities purchased under subsection (3) shall not exceed the amount that may be specified by the Lieutenant Governor in Council as the maximum principal amount that may be advanced, purchased or outstanding at any time and shall be subject to any other terms and conditions that may be specified by the Lieutenant Governor in Council. 2006, c. 16, s. 30 (5).

Transitional matters respecting GO Transit and development charges

**30.1**(1)  Amounts that were deemed, by section 69 of the Greater Toronto Services Board Act, 1998, as it read immediately before January 1, 2002, to be capital costs for the purposes of subsection 5 (3) of the Development Charges Act, 1997 are deemed to be capital costs for the purposes of subsection 5 (3) of the Development Charges Act, 1997 and may be collected by a municipality under a development charge by-law passed before, or after, January 1, 2002. 2009, c. 14, s. 21.

Same

(2)  Despite subsection 9 (1) of the Development Charges Act, 1997, a development charge by-law described in subsection (1) that would, if not for subsection 35 (1.1) of the GO Transit Act, 2001, as it read immediately before its repeal, have expired on December 31, 2003 shall remain in force until the earlier of,

(a) the day it is repealed; and

(b) a prescribed date. 2009, c. 14, s. 21.

Deemed capital costs

(3)  If a municipality agrees to pay a capital cost that is required for the purposes of this Act, the amount that the municipality agrees to pay is deemed to be a capital cost for the purposes of subsection 5 (3) of the Development Charges Act, 1997 and may be collected by the municipality under a development charge by-law described in subsection (1) or under another development charge by-law passed for the purpose. 2009, c. 14, s. 21.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 21](http://www.ontario.ca/laws/statute/S09014" \l "s21) - 14/05/2009

Accountability

Ministerial directives

**31** (1)  The Minister may issue directives in writing to the Corporation in respect of any matter under this Act. 2006, c. 16, s. 31 (1).

(1.1)  Repealed: 2018, c. 17, Sched. 25, s. 12.

Implementation

(2)  The Corporation’s board of directors shall ensure that the directives are implemented promptly and efficiently. 2006, c. 16, s. 31 (2).

Directive not a regulation

(3)  A directive is not a regulation within the meaning of Part III (Regulations) of the Legislation Act, 2006. 2006, c. 16, ss. 31 (3), 52 (4).

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 52 (4)](http://www.ontario.ca/laws/statute/S06016" \l "s52s4) - 25/07/2007

[2009, c. 14, s. 22](http://www.ontario.ca/laws/statute/S09014" \l "s22) - 14/05/2009

[2018, c. 17, Sched. 25, s. 12](http://www.ontario.ca/laws/statute/S18017" \l "sched25s12) - 06/12/2018

Minister’s transportation planning policy statements

**31.1**(1)  The Minister may issue policy statements that have been approved by the Lieutenant Governor in Council on matters relating to transportation planning in the regional transportation area. 2009, c. 14, s. 23.

Preparation of policy statement

(2)  In developing a transportation planning policy statement, the Minister shall,

(a) consult with any person or body whom the Minister considers may have an interest in the policy statement, including the relevant provincial ministers of the Crown and provincial agencies, relevant federal ministers of the Crown and federal agencies, the Corporation, the public, First Nations in the regional transportation area, municipalities in the regional transportation area and planning authorities having jurisdiction in the regional transportation area, as and in the manner that the Minister considers appropriate;

(b) have regard to the transportation plan; and

(c) ensure that the transportation planning policy statement conforms with the growth plans prepared and approved under the Places to Grow Act, 2005 applicable in the regional transportation area. 2009, c. 14, s. 23; 2018, c. 17, Sched. 25, s. 13 (1).

Designated policies

(3)  A transportation planning policy statement issued by the Minister may designate one or more policies in the policy statement as designated policies. 2009, c. 14, s. 23.

Effect of designated policies

(4)  A decision under the Planning Act or the Condominium Act, 1998 made by a municipal council, local board, minister of the Crown or ministry, board, commission or agency of the Government of Ontario, including the Ontario Land Tribunal, that applies in the regional transportation area shall be consistent with the designated policies set out in a transportation planning policy statement. 2009, c. 14, s. 23; 2021, c. 4, Sched. 6, s. 61.

Comments, advice

(5)  Comments, submissions or advice relating to a decision or matter described in subsection (4), that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government, shall,

(a) be consistent with the designated policies set out in a transportation planning policy statement; and

(b) have regard to the other policies set out in a transportation planning policy statement. 2009, c. 14, s. 23.

Exception

(6)  Subsection (4) does not apply to a policy statement issued under section 3 of the Planning Act or to a minister’s order under section 47 of the Planning Act. 2009, c. 14, s. 23.

Municipal public works and by-laws

(7)  Despite any Act, no municipality in the regional transportation area or agency, board or commission of a municipality in the regional transportation area may undertake a public work or pass a by-law that conflicts with a transportation planning policy statement issued by the Minister. 2009, c. 14, s. 23.

Municipalities’ transportation master plan

(8)  The municipal council of every single-tier and upper-tier municipality in the regional transportation area, and the municipal council of any lower-tier municipality in the regional transportation area designated by the Minister, shall adopt a transportation master plan governing transportation planning matters in the municipality in accordance with and within the time required by the regulations. 2009, c. 14, s. 23.

Same

(9)  A municipality that is required by subsection (8) to have a transportation master plan shall ensure that its transportation master plan is and remains consistent with the Minister’s transportation planning policy statements. 2009, c. 14, s. 23.

Same

(10)  A municipality that is required by subsection (8) to have a transportation master plan shall be guided in all transportation planning matters by its transportation master plan. 2009, c. 14, s. 23.

Same

(11)  A transportation plan adopted by a municipality before the Minister issues his or her first transportation planning policy statement under subsection (1) does not constitute the transportation master plan required by this section. 2009, c. 14, s. 23.

Consultation and public meeting

(12)  In the course of the preparation of a transportation master plan, a municipal council shall ensure that,

(a) the Minister, the Corporation and such other persons and bodies as the municipal council considers appropriate are consulted on the preparation of the plan and given an opportunity to review all supporting information and material and any other prescribed information and material;

(b) adequate information and material, including a copy of the proposed plan, is made available to the public in the manner that the municipal council considers appropriate; and

(c) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed plan. 2009, c. 14, s. 23.

Conflicts re official plans, by-laws

(13)  Despite any Act, a designated policy in a transportation planning policy statement prevails in the case of conflict between the designated policy and an official plan or a zoning by-law. 2009, c. 14, s. 23.

Guidelines re relationship to growth plans

(14)  The Minister, in conjunction with the Minister of Infrastructure, or such other member of the Executive Council to whom responsibility for the administration of the Places to Grow Act, 2005 may be assigned or transferred under the Executive Council Act, may issue guidelines to clarify the relationship between a policy in a transportation planning policy statement and a policy in a growth plan prepared and approved under the Places to Grow Act, 2005. 2009, c. 14, s. 23; 2011, c. 9, Sched. 27, s. 31 (1).

Minister may amend policy statement

(15)  The Minister may issue an amended policy statement under subsection (1) if he or she considers it necessary to do so for any reason, including if the Corporation amends the transportation plan for the regional transportation area. 2009, c. 14, s. 23; 2018, c. 17, Sched. 25, s. 13 (2).

Notice

(16)  Upon issuing a transportation planning policy statement or an amended transportation planning policy statement, the Minister shall cause it to be published in The Ontario Gazette and shall give such further notice of it, in such manner as the Minister considers appropriate, to all members of the Assembly and to any other persons or public bodies that the Minister considers to have an interest in the statement. 2009, c. 14, s. 23.

Duties of Minister unaffected

(17)  Except as provided in subsection (4), nothing in this section affects or restricts the Minister in carrying out the Minister’s duties and responsibilities under this or any other Act. 2009, c. 14, s. 23.

(18)  Repealed: 2020, c. 18, Sched. 6, s. 59 (1).

Non-application of *Legislation Act, 2006*,Part III

(19)  Part III (Regulations) of the Legislation Act, 2006 does not apply to a transportation planning policy statement or a guideline issued under this section. 2009, c. 14, s. 23.

Definition, “public body”

(20)  In subsection (16),

“public body” means a municipality, a corporation establishedby a municipality, a local board, First Nations or a ministry, department, board, commission, agency or official of the provincial or federal government. 2009, c. 14, s. 23.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 23](http://www.ontario.ca/laws/statute/S09014" \l "s23) - 14/05/2009

[2011, c. 9, Sched. 27, s. 31 (1)](http://www.ontario.ca/laws/statute/S11009" \l "sched27s31s1) - 06/06/2011

[2018, c. 17, Sched. 25, s. 13 (1, 2)](http://www.ontario.ca/laws/statute/S18017" \l "sched25s13s1) - 06/12/2018

[2020, c. 18, Sched. 6, s. 59 (1)](http://www.ontario.ca/laws/statute/S20018" \l "sched6s59s1) - 22/02/2024

[2021, c. 4, Sched. 6, s. 61](http://www.ontario.ca/laws/statute/S21004" \l "sched6s61) - 01/06/2021

Business plan

**32** (1)  The Corporation’s board of directors shall adopt a business plan for each fiscal year. 2018, c. 17, Sched. 25, s. 14.

Rolling five-year capital plan

(2)  The business plan shall include the rolling five-year capital plan prepared under section 23.1. 2018, c. 17, Sched. 25, s. 14.

Submission to Minister

(3)  The board shall submit a copy of the business plan to the Minister for approval. 2018, c. 17, Sched. 25, s. 14.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 24](http://www.ontario.ca/laws/statute/S09014" \l "s24) - 14/05/2009

[2018, c. 17, Sched. 25, s. 14](http://www.ontario.ca/laws/statute/S18017" \l "sched25s14) - 06/12/2018

**32.1**Repealed: 2018, c. 17, Sched. 25, s. 15.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 25](http://www.ontario.ca/laws/statute/S09014" \l "s25) - 14/05/2009

[2018, c. 17, Sched. 25, s. 15](http://www.ontario.ca/laws/statute/S18017" \l "sched25s15) - 06/12/2018

Annual report

**33** (1)  The Corporation shall prepare an annual report, provide it to the Minister no later than 120 days after the end of the Corporation’s fiscal year and make it available to the public. 2017, c. 34, Sched. 46, s. 24.

Same

(2)  The Corporation shall comply with such directives as may be issued by the Management Board of Cabinet with respect to,

(a) the form and content of the annual report; and

(b) when and how to make it available to the public. 2017, c. 34, Sched. 46, s. 24.

Same

(3)  The Corporation shall include such additional content in the annual report as the Minister may require. 2017, c. 34, Sched. 46, s. 24.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 26](http://www.ontario.ca/laws/statute/S09014" \l "s26) - 14/05/2009

[2017, c. 34, Sched. 46, s. 24](http://www.ontario.ca/laws/statute/S17034" \l "sched46s24) - 01/01/2018

Tabling of annual report

**33.1**The Minister shall table the Corporation’s annual report in the Assembly no later than 30 days after determining that the annual report meets the requirements of section 33 and shall comply with such directives as may be issued by the Management Board of Cabinet with respect to when and how to make that determination. 2017, c. 34, Sched. 46, s. 24.

**Section Amendments with date in force (d/m/y)**

[2017, c. 34, Sched. 46, s. 24](http://www.ontario.ca/laws/statute/S17034" \l "sched46s24) - 01/01/2018

Other reports

**33.2**  (1)  The Corporation and its subsidiary corporations shall provide the Minister with such information on any aspect of their business and affairs or on any matter respecting transportation or transit as the Minister may at any time request, including but not limited to information about,

(a) contract management;

(b) consultant assignments;

(c) sponsorship agreements;

(d) staffing;

(e) salaries; and

(f) any other financial or organizational matter. 2018, c. 17, Sched. 25, s. 16.

Reports by third parties

(2)  The Minister may appoint one or more persons to review any of the activities or proposed activities of the Corporation or of any of its subsidiary corporations and to report on them to the Minister. 2017, c. 34, Sched. 46, s. 24.

**Section Amendments with date in force (d/m/y)**

[2017, c. 34, Sched. 46, s. 24](http://www.ontario.ca/laws/statute/S17034" \l "sched46s24) - 01/01/2018

[2018, c. 17, Sched. 25, s. 16](http://www.ontario.ca/laws/statute/S18017" \l "sched25s16) - 06/12/2018

Corporation, subsidiary may declare it is not acting as a Crown agency

**34** (1)  The Corporation or any of its subsidiary corporations may, with the approval of the Minister, declare in writing in any contract, security or instrument that it is not acting as a Crown agency for the purpose of that contract, security or instrument. 2006, c. 16, s. 34 (1).

Same

(2)  Despite section 3 and the Crown Agency Act, where the Corporation or any of its subsidiary corporations makes a declaration under subsection (1) in a contract, security or instrument, the Corporation or subsidiary corporation is deemed not to be acting as a Crown agency for the purposes of that contract, security or instrument and the Crown is not liable for any liabilities or obligations incurred by the Corporation or the subsidiary corporation under that contract, security or instrument. 2006, c. 16, s. 34 (2).

No proceeding against the Crown

**35** (1)  No proceeding shall be commenced against the Crown as a result of any act or omission of the Corporation or any of its subsidiary corporations or of an officer, employee or director of the Corporation or any of its subsidiary corporations. 2006, c. 16, s. 35 (1).

Exception

(2)  Subsection (1) does not apply to a proceeding to enforce against the Crown its obligations under a written contract to which it is a party. 2006, c. 16, s. 35 (2).

Unpaid judgments against the Corporation

(3)  The Minister of Finance shall pay from the Consolidated Revenue Fund the amount of any judgment against the Corporation or any of its subsidiary corporationsthat remains unpaid after the Corporation or subsidiary corporationhas made all reasonable efforts, including liquidating its assets, to pay the amount of the judgment. 2006, c. 16, s. 35 (3).

Exception

(4)  Subsection (3) does not apply to any judgment in respect of a contract, security or instrument in which a declaration referred to in subsection 34 (1) is made. 2006, c. 16, s. 35 (4).

Protection from personal liability

**36** (1)  No action or other proceeding for damages shall be brought against a director, officer or employee of the Corporation or of any of its subsidiary corporations as a result of any act done in good faith in the performance or intended performance of any duty under this Act, or in the exercise or intended exercise of any power under this Act, or as a result of any neglect or default in the performance or exercise in good faith of such duty or power. 2006, c. 16, s. 36 (1).

Corporation not relieved of liability

(2)  Subsection (1) does not relieve the Corporation or a subsidiary corporation of any liability to which it would otherwise be subject in respect of a cause of action arising from any act, neglect or default referred to in that subsection. 2006, c. 16, s. 36 (2).

Application of Other Acts

Non-application of corporate Acts

**37** (1)  Except as provided in subsections (2) and (3), the Business Corporations Act, the Not-for-Profit Corporations Act, 2010 and the Corporations Information Act do not apply to the Corporation or its subsidiary corporations. 2017, c. 20, Sched. 8, s. 94 (1).

Sections that apply

(2)  Sections 132 (disclosure: conflict of interest), 134 (standards of care, etc., of directors, etc.) and 136 (indemnification of directors) of the Business Corporations Act apply to the Corporation and its subsidiary corporations and to their directors and officers with necessary modifications. 2006, c. 16, s. 37 (2).

Same

(3)  The Minister may prescribe other provisions of the Business Corporations Act and of the Not-for-Profit Corporations Act, 2010 that apply with necessary modifications to,

(a) the Corporation; or

(b) its subsidiary corporations. 2009, c. 14, s. 27; 2017, c. 20, Sched. 8, s. 94 (2).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 27](http://www.ontario.ca/laws/statute/S09014" \l "s27) - 14/05/2009

[2017, c. 20, Sched. 8, s. 94 (1, 2)](http://www.ontario.ca/laws/statute/S17020" \l "sched8s94s1) - 19/10/2021

Crown Employees Collective Bargaining Act, 1993

**38** The Corporation is an agency of the Crown to which the Crown Employees Collective Bargaining Act, 1993 applies and its employees are Crown employees for the purposes of that Act. 2006, c. 16, s. 38; 2006, c. 35, Sched. C, s. 50 (2).

**Section Amendments with date in force (d/m/y)**

[2006, c. 35, Sched. C, s. 50 (2)](http://www.ontario.ca/laws/statute/S06035" \l "schedcs50s2) - 14/05/2009

**39** (1) Repealed: 2020, c. 18, Sched. 6, s. 59 (2).

(2)  Repealed: 2020, c. 18, Sched. 6, s. 59 (3).

(3)  Repealed: 2020, c. 18, Sched. 6, s. 59 (4).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 28](http://www.ontario.ca/laws/statute/S09014" \l "s28) - 14/05/2009

[2020, c. 18, Sched. 6, s. 59 (2-4)](http://www.ontario.ca/laws/statute/S20018" \l "sched6s59s2) - 22/02/2024

Ministry of Infrastructure Act, 2011

**39.1**(1)  Repealed: 2018, c. 17, Sched. 25, s. 17.

Same

(2)  Section 8 (Procurement policies, Government property) of the Ministry of Infrastructure Act, 2011 does not apply with respect to transportation infrastructure projects undertaken by the Corporation, by one or more subsidiary corporations of the Corporation or by the Corporation and one or more of its subsidiary corporations. 2011, c. 9, Sched. 27, s. 31 (2); 2015, c. 38, Sched. 7, s. 50 (2).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 29](http://www.ontario.ca/laws/statute/S09014" \l "s29) - 14/05/2009

[2011, c. 9, Sched. 27, s. 31 (2)](http://www.ontario.ca/laws/statute/S11009" \l "sched27s31s2) - 06/06/2011

[2015, c. 38, Sched. 7, s. 50 (1, 2)](http://www.ontario.ca/laws/statute/S15038" \l "sched7s50s1) - 10/12/2016

[2018, c. 17, Sched. 25, s. 17](http://www.ontario.ca/laws/statute/S18017" \l "sched25s17) - 06/12/2018

Municipal Act, 2001

**39.2**  (1)  Sections 249 and 273 of the Municipal Act, 2001 apply to the Corporation with necessary modifications. 2009, c. 14, s. 29.

Same

(2)  For the purpose of subsection (1), a reference in a provision of the *Municipal Act, 2001* referred to in that subsection to an official of a municipality shall be read as a reference to an employee of the Corporation designated by a by-law of the Corporation for that purpose. 2009, c. 14, s. 29.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 29](http://www.ontario.ca/laws/statute/S09014" \l "s29) - 14/05/2009

**40** Repealed: 2020, c. 34, Sched. 23, s. 9.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 30](http://www.ontario.ca/laws/statute/S09014" \l "s30) - 14/05/2009

[2020, c. 34, Sched. 23, s. 9](http://www.ontario.ca/laws/statute/S20034" \l "sched23s9) - 01/07/2021

**41** Repealed: 2018, c. 17, Sched. 25, s. 18.

**Section Amendments with date in force (d/m/y)**

[2018, c. 17, Sched. 25, s. 18](http://www.ontario.ca/laws/statute/S18017" \l "sched25s18) - 06/12/2018

Regulations

Regulations

**42** (1)  The Minister may make regulations,

(a) prescribing the area that comprises the GO Transit service area;

(b) prescribing additional areas to be included in the regional transportation area;

(c) prescribing a passenger transportation system in the regional transportation area, whether proposed or existing, for the purpose of the definition of “regional transit system” in subsection 1 (1);

(c.1) specifying that a prescribed passenger transportation system is to be held, managed, operated, funded and delivered by, and all its assets owned by, the Corporation, a subsidiary corporation of the Corporation or the Corporation and one or more of its subsidiary corporations;

(d) prescribing provincial plans and policies for the purposes of clause 6 (3) (c);

(e) prescribing other matters to be addressed and other information to be included in the transportation plan for the regional transportation area;

(f) prescribing classes of by-laws and resolutions that require the approval of the Minister;

(g) prescribing additional powers of the Corporation and additional limitations to the Corporation’s powers;

(h) prescribing the circumstances and manner for passing a by-law under section 18;

(i) prescribing purposes for the purpose of clause 29 (1) (d);

(j) prescribing additional matters to be addressed and other information to be included in the Corporation’s business plan;

(k) prescribing provisions of the Business Corporations Act and the Not-for-Profit Corporations Act, 2010 that apply to the Corporation and its subsidiary corporations and prescribing any modifications, if necessary;

(k.1) designating a lower-tier municipality for the purpose of subsection 31.1 (8);

(k.2) prescribing the matters to be included in and other requirements of municipalities’ transportation master plans required by subsection 31.1 (8), including the time within which a municipality must adopt or amend a transportation master plan to be consistent with the Minister’s transportation planning policy statements;

(k.3) prescribing information and material to be made available for review by a municipality and the manner in which information and material, including a copy of a municipality’s proposed transportation master plan, shall be made available to the public for the purpose of subsection 31.1 (12);

(l) respecting any matter that the Minister considers necessary or advisable to carry out effectively the intent and purpose of this Act. 2006, c. 16, s. 42 (1); 2009, c. 14, s. 31 (1-3); 2017, c. 20, Sched. 8, s. 94 (2); 2018, c. 17, Sched. 25, s. 19.

Same

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

(a) prescribing additional objects and duties of the Corporation;

(b) authorizing the Corporation to establish and impose fees and charges and to utilize other mechanisms for revenue generation,

(i) for doing anything the Corporation is required or permitted to do under this or any other Act, subject to any limitations and restrictions set out in the regulation, or

(ii) to generate funding for any purpose that is consistent with the Corporation’s objects;

(c) prescribing a date for the purpose of clause 30.1 (2) (b);

(d) prescribing a date after which no amount is payable in respect of GO Transit under a development charge by-law referred to in section 30.1, and may prescribe different dates for different municipalities;

(e) resolving conflicts between the provisions of a transportation planning policy statement issued by the Minister and other provincial plans and policies, including determining which provisions of a transportation planning policy statement or other provincial plan or policy prevail. 2006, c. 16, s. 42 (2); 2009, c. 14, s. 31 (4).

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 31 (1-4)](http://www.ontario.ca/laws/statute/S09014" \l "s31s1) - 14/05/2009

[2017, c. 20, Sched. 8, s. 94 (2)](http://www.ontario.ca/laws/statute/S17020" \l "sched8s94s2) - 19/10/2021

[2018, c. 17, Sched. 25, s. 19 (1, 2)](http://www.ontario.ca/laws/statute/S18017" \l "sched25s19s1) - 06/12/2018

Dissolution of GO Transit

Dissolution of GO Transit

**43** (1)  GO Transit is hereby dissolved. 2006, c. 16, s. 43 (1).

Members terminated

(2)  The terms of office of the members of GO Transit who are in office immediately before its dissolution are terminated on the day of the dissolution. 2006, c. 16, s. 43 (2).

Final annual report

(3)  Despite the dissolution of GO Transit, the chair and chief executive officer of GO Transit who held office immediately before the dissolution shall prepare and deliver the annual report for the last fiscal year of GO Transit before its dissolution, as required by section 24 of the GO Transit Act, 2001, as it read immediately before the dissolution. 2006, c. 16, s. 43 (3).

Same

(4)  For the purpose of subsection (3), if GO Transit is dissolved in any year on a date other than March 31, its last fiscal year is deemed to be from the preceding April 1 to the date of its dissolution. 2006, c. 16, s. 43 (4).

Other filings

(5)  The chair and chief executive officer of GO Transit who held office immediately before the dissolution shall make any other filings or reports that would have been required of GO Transit under the GO Transit Act, 2001, as it read immediately before the dissolution. 2006, c. 16, s. 43 (5).

By-laws continued

(6)  The by-laws of GO Transit that were made or deemed to be made under the GO Transit Act, 2001 and that are in force immediately before the dissolution of GO Transit are deemed to be by-laws made by the Corporation under this Act and shall remain in force until they are amended or repealed by by-law of the Corporation under this Act or by a regulation made by the Minister. 2006, c. 16, s. 43 (6).

Continued immunity

(7)  No action or other proceeding for damages shall be brought against a former member, officer or employee of the Greater Toronto Services Board or GO Transit as a result of any act done in good faith in the performance or intended performance of any duty under the Greater Toronto Services Board Act, 1998 or the GO Transit Act, 2001, or in the exercise or intended exercise of any power under either Act, or as a result of any neglect or default in the performance or exercise in good faith of such duty or power. 2006, c. 16, s. 43 (7).

Regulations

(8)  The Minister may make regulations for the purposes of subsection (6), and such regulation prevails over a by-law or resolution made or deemed to be made by the Corporation under this Act. 2006, c. 16, s. 43 (8).

Corporation assumes GO Transit’s rights, obligations, etc.

**44** (1)  All assets, liabilities, rights and obligations of GO Transit, including contractual rights, interests, approvals, registrations and entitlements, that exist immediately before the dissolutionof GO Transit continue as the assets, liabilities, rights and obligations of the Corporation, and are hereby transferred to the Corporation, without compensation. 2006, c. 16, s. 44 (1).

Application of s. 69 of *Labour Relations Act, 1995*

(2)  The transfer under subsection (1) is deemed to be a sale of a business under section 69 of the Labour Relations Act, 1995 and section 69 of the Labour Relations Act, 1995 applies to the transfer. 2006, c. 16, s. 44 (2); 2006, c. 35, Sched. D, s. 19.

No change of control

(3)  The dissolution of GO Transit and transfer of its assets, liabilities, rights and obligations to the Corporation shall not constitute a change of control of GO Transit in respect of any asset, liability, right or obligation of GO Transit referred to in subsection (1). 2006, c. 16, s. 44 (3).

No breach, etc.

(4)  The transfer under subsection (1),

(a) is deemed not to constitute a breach, termination, repudiation or frustration of any contract, including a contract of employment or insurance;

(b) is deemed not to constitute a breach of any Act, regulation or municipal by-law;

(c) is deemed not to constitute an event of default or force majeure;

(d) is deemed not to give rise to a breach, termination, repudiation or frustration of any licence, permit or other right;

(e) is deemed not to give rise to any right to terminate or repudiate a contract, licence, permit or other right; and

(f) is deemed not to give rise to any estoppel. 2006, c. 16, s. 44 (4).

No new cause of action

(5)  The transfer under subsection (1) does not create any new cause of action in favour of,

(a) a holder of a debt instrument that was issued by GO Transit and guaranteed by the Province of Ontario before the transfer; or

(b) a party to a contract with GO Transit that was entered into before the transfer. 2006, c. 16, s. 44 (5).

Transfer binding

(6)  Despite any other Act that requires notice or registration of a transfer described in subsection (1), the transfer under subsection (1) is binding on the Corporation and all other persons. 2006, c. 16, s. 44 (6).

Non-application of other Acts

(7)  The Land Transfer Tax Act and the Retail Sales Tax Act do not apply to the transfer under subsection (1). 2006, c. 16, s. 44 (7); 2017, c. 2, Sched. 3, s. 7.

Regulations

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

(a) prescribing contracts to which subsections (4) and (5) do not apply;

(b) prescribing Acts, in addition to those listed in subsection (7), that do not apply to the transfer under subsection (1). 2006, c. 16, s. 44 (8).

**Section Amendments with date in force (d/m/y)**

[2006, c. 35, Sched. D, s. 19](http://www.ontario.ca/laws/statute/S06035" \l "schedds19) - 20/12/2006

[2017, c. 2, Sched. 3, s. 7](http://www.ontario.ca/laws/statute/S17002" \l "sched3s7) - 22/03/2017

Employees continued

**45** (1)  The employees of GO Transit immediately before the dissolution of GO Transit are employees of the Corporation as of the dissolution. 2006, c. 16, s. 45 (1).

Same

(2)  For all purposes, including the purposes of an employment contract, a collective agreement and the Employment Standards Act, 2000, the employment of the employees of GO Transit is not terminated and those employees are not constructively dismissed because of the transfer under subsection (1). 2006, c. 16, s. 45 (2).

Same

(3)  For all purposes, the employment of the employees described in subsection (1) immediately before and after the dissolution of GO Transit is continuous. 2006, c. 16, s. 45 (3).

Same

(4)  The terms and conditions of employment for each of the employees described in subsection (1) immediately before the dissolution of GO Transit continue to be the terms and conditions of their employment with the Corporation as of the dissolution. 2006, c. 16, s. 45 (4).

Interim Measures — Upload of Rapid Transit Projects

Sole Responsibility Project

Sole responsibility project

**46** (1)  The Lieutenant Governor in Council may, by regulation, prescribe a project to design, develop and construct rapid transit or an extension to rapid transit as a rapid transit project that is the sole responsibility of the Corporation. 2019, c. 8, Sched. 3, s. 2.

Prohibition, City of Toronto and its agencies

(2)  The City of Toronto and its agencies shall not design, develop, construct or work on, or cause design, development, construction or work on,

(a) a rapid transit project that is the sole responsibility of the Corporation; or

(b) a rapid transit project that is substantially similar and in close proximity to a rapid transit project that is the sole responsibility of the Corporation. 2019, c. 8, Sched. 3, s. 2.

Minister’s authorization

(3)  Despite subsection (2), the Minister may authorize the City of Toronto and its agencies to do design, development, construction or work described in subsection (2). 2019, c. 8, Sched. 3, s. 2.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 32](http://www.ontario.ca/laws/statute/S09014" \l "s32) - 14/05/2009

[2018, c. 17, Sched. 25, s. 20](http://www.ontario.ca/laws/statute/S18017" \l "sched25s20) - 06/12/2018

[2019, c. 8, Sched. 3, s. 2](http://www.ontario.ca/laws/statute/S19008" \l "sched3s2) - 06/06/2019

Transfer of assets, etc., to Corporation

**47** (1)  The Lieutenant Governor in Council may, by order, transfer to the Corporation, with or without compensation, all or some of the City of Toronto’s and its agencies’ assets, liabilities, rights and obligations with respect to a project prescribed as a rapid transit project that is the sole responsibility of the Corporation, including intellectual property, contractual rights, interests, approvals, registrations and entitlements, originals or copies of reports, documents and data, and any other real or personal property. 2019, c. 8, Sched. 3, s. 2.

Preliminary review of contracts, etc.

(2)  For the purpose of preparing an order under subsection (1), the Minister may order the City of Toronto and its agencies to provide the Minister with copies of contracts and other documents as well as copies of reports and data. 2019, c. 8, Sched. 3, s. 2.

Taking possession

(3)  The City of Toronto and its agencies shall take all such actions as are necessary and practicable to give the Corporation possession of property transferred under subsection (1), except in any case in which the Corporation and the City of Toronto or the agency, as the case may be, agree otherwise. 2019, c. 8, Sched. 3, s. 2.

No change of control

(4)  For the purpose of a provision of an agreement concerning a change of control over an asset, liability, right or obligation of the City of Toronto or its agencies, a transfer under subsection (1) is deemed not to constitute a change of control. 2019, c. 8, Sched. 3, s. 2.

No breach, etc.

(5)  A transfer under subsection (1),

(a) is deemed not to constitute a breach, termination, repudiation or frustration of any contract, including a contract of employment or insurance;

(b) is deemed not to constitute a breach of any Act, regulation or municipal by-law;

(c) is deemed not to constitute an event of default or force majeure;

(d) is deemed not to give rise to a breach, termination, repudiation or frustration of any licence, permit or other right;

(e) is deemed not to give rise to any right to terminate or repudiate a contract, licence, permit or other right; and

(f) is deemed not to give rise to any estoppel. 2019, c. 8, Sched. 3, s. 2.

No new cause of action

(6)  A transfer under subsection (1) does not create any new cause of action in favour of,

(a) a holder of a debt instrument that was issued by the City of Toronto or its agencies; or

(b) a party to a contract with the City of Toronto or its agencies that was entered into before the transfer. 2019, c. 8, Sched. 3, s. 2.

Transfer binding

(7)  A transfer under subsection (1) is binding on the Corporation, the City of Toronto and its agencies and all other persons, and if an obligation of a person to the City of Toronto or its agencies is transferred to the Corporation, the obligation continues and the obligation is to the Corporation, despite any requirement under any other Act or the common law, including a requirement for consent, notice or registration. 2019, c. 8, Sched. 3, s. 2.

No expropriation or injurious affection

(8)  A transfer under subsection (1) does not constitute an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law. 2019, c. 8, Sched. 3, s. 2.

Regulations

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

(a) prescribing contracts to which subsections (5) and (6) do not apply;

(b) prescribing Acts that do not apply to a transfer under subsection (1). 2019, c. 8, Sched. 3, s. 2.

**Section Amendments with date in force (d/m/y)**

[2019, c. 8, Sched. 3, s. 2](http://www.ontario.ca/laws/statute/S19008" \l "sched3s2) - 06/06/2019

Direction and Approval Project

Direction and approval project

**48** The Lieutenant Governor in Council may, by regulation,

(a) prescribe a project to design, develop and construct rapid transit or an extension to rapid transit as a rapid transit project that is subject to the Minister’s direction; and

(b) require that a specified decision with respect to the project be subject to the Minister’s approval. 2019, c. 8, Sched. 3, s. 2.

**Section Amendments with date in force (d/m/y)**

[2019, c. 8, Sched. 3, s. 2](http://www.ontario.ca/laws/statute/S19008" \l "sched3s2) - 06/06/2019

Minister’s direction

**49** (1)  The Minister may issue directives in writing to the City of Toronto and its agencies in respect of a rapid transit project that is subject to the Minister’s direction. 2019, c. 8, Sched. 3, s. 2.

Implementation

(2)  The City of Toronto and its agencies shall comply with the directives. 2019, c. 8, Sched. 3, s. 2.

Directive not a regulation

(3)  A directive is not a regulation within the meaning of Part III (Regulations) of the Legislation Act, 2006. 2019, c. 8, Sched. 3, s. 2.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 33](http://www.ontario.ca/laws/statute/S09014" \l "s33) - 14/05/2009

[2019, c. 8, Sched. 3, s. 2](http://www.ontario.ca/laws/statute/S19008" \l "sched3s2) - 06/06/2019

Minister’s approval

**50** (1)  The City of Toronto and its agencies shall not make a decision that is prescribed under clause 48 (b) as subject to the Minister’s approval, or take any action that would arise from making such a decision, unless the decision is approved by the Minister. 2019, c. 8, Sched. 3, s. 2.

Conditions on approval

(2)  The Minister may impose conditions on an approval and the City of Toronto or agency, as the case may be, shall only make the decision if they also comply with the conditions. 2019, c. 8, Sched. 3, s. 2.

**Section Amendments with date in force (d/m/y)**

[2019, c. 8, Sched. 3, s. 2](http://www.ontario.ca/laws/statute/S19008" \l "sched3s2) - 06/06/2019

No Cause of Action

No cause of action

**51** (1)  No cause of action arises against the persons or entities described in subsection (2) in respect of,

(a) the enactment of section 2 of Schedule 3 to the Getting Ontario Moving Act (Transportation Statute Law Amendment), 2019 or the making of a regulation under subsection 46 (1), 47 (9) or section 48 of this Act;

(b) the authorizing of design, development, construction or work under subsection 46 (3) or the refusing to authorize design, development, construction or work under that subsection;

(c) the making of an order under subsection 47 (1) or (2);

(d) the granting of an approval under a regulation made under clause 48 (b) or the refusing to grant an approval under a regulation made under that clause;

(e) the issuing of a directive under subsection 49 (1);

(f) the imposing of a condition on an approval under subsection 50 (2); or

(g) anything done as required by subsection 47 (3) or subsection 49 (2). 2019, c. 8, Sched. 3, s. 2.

Persons or entities

(2)  The persons and entities referred to in subsection (1) are,

(a) the Crown, any current or former member of the Executive Council and any current or former employee or agent of or adviser to the Crown;

(b) the Corporation, any current or former member of the Corporation and any current or former employee or agent of or adviser to the Corporation;

(c) the City of Toronto, any current or former member of the City of Toronto city council and any current or former employee or agent of or adviser to the City of Toronto; and

(d) the City of Toronto’s agencies, any current or former board member of the agencies and any current or former employee or agent of or adviser to the agencies. 2019, c. 8, Sched. 3, s. 2.

Proceedings barred

(3)  No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation, and any remedy under any statute, that is based on a cause of action described in subsection (1) may be brought or maintained against the persons or entities described in subsection (2). 2019, c. 8, Sched. 3, s. 2.

Application

(4)  Subsection (3) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages, or any other remedy or relief, and includes a proceeding to enforce a judgment or order made by a court or tribunal outside of Canada. 2019, c. 8, Sched. 3, s. 2.

Retrospective effect

(5)  Subsections (3) and (4) apply regardless of whether the cause of action on which the proceeding is purportedly based arose before, on or after the day section 2 of Schedule 3 to the Getting Ontario Moving Act (Transportation Statute Law Amendment), 2019 came into force. 2019, c. 8, Sched. 3, s. 2.

Proceedings set aside

(6)  Any proceeding referred to in subsection (3) or (4) commenced before the day this subsection came into force shall be deemed to have been dismissed, without costs, on the day section 2 of Schedule 3 to the Getting Ontario Moving Act (Transportation Statute Law Amendment), 2019 came into force. 2019, c. 8, Sched. 3, s. 2.

No expropriation or injurious affection

(7)  No making of a regulation under subsection 46 (1), 47 (9) or section 48 and nothing described in clauses (1) (b) to (f) constitutes an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law. 2019, c. 8, Sched. 3, s. 2.

**Section Amendments with date in force (d/m/y)**

[2006, c. 16, s. 51](http://www.ontario.ca/laws/statute/S06016" \l "s51s1) - no effect - see [2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2009, c. 14, s. 34](http://www.ontario.ca/laws/statute/S09014" \l "s34) - 14/05/2009

[2019, c. 8, Sched. 3, s. 2](http://www.ontario.ca/laws/statute/S19008" \l "sched3s2) - 06/06/2019

**52, 53** Omitted (provides for amendments to this Act). 2006, c. 16, ss. 52, 53.

54Omitted (provides for coming into force of provisions of this Act). 2009, c. 14, s. 35.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 35](http://www.ontario.ca/laws/statute/S09014" \l "s35) - 14/05/2009

55Omitted (enacts short title of this Act). 2009, c. 14, s. 1.

**Section Amendments with date in force (d/m/y)**

[2009, c. 14, s. 1](http://www.ontario.ca/laws/statute/S09014" \l "s1) - 14/05/2009

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