[Français](http://www.ontario.ca/fr/lois/loi/12a10)

Attracting Investment and Creating Jobs Act, 2012

[S.O. 2012, CHAPTER 10](https://www.ontario.ca/laws/statute/s12010)

**Consolidation Period:** From December 31, 2022 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: See [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](http://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006).

Legislative History: [2017, c. 34, Sched. 46, s. 6](http://www.ontario.ca/laws/statute/S17034" \l "sched46s6) (But see [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](http://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006)).

Definitions

**1** In this Act,

“Minister” means the Minister of Economic Development and Innovation or such other member of the Executive Council to whom responsibility for the administration of the Ministry of Economic Development and Trade Act may be assigned or transferred under the Executive Council Act; (“ministre”)

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

“program” means the Eastern Ontario Development Fund or the Southwestern Ontario Development Fund. (“programme”) 2012, c. 10, s. 1.

Continuation and establishment of development funds

**2** The Minister shall, pursuant to the Minister’s powers under section 6 of the Ministry of Economic Development and Trade Act,

(a) continue the program known in English as the Eastern Ontario Development Fund and in French as Fonds de développement de l’Est de l’Ontario, which was established by the Minister under that Act; and

(b) establish and continue a program to be known in English as the Southwestern Ontario Development Fund and in French as Fonds de développement du Sud-Ouest de l’Ontario. 2012, c. 10, s. 2.

Purpose of programs

**3** (1)  The purpose of the programs is to provide financial assistance and incentives to promote regional economic development in eastern Ontario and southwestern Ontario and thereby enhance Ontario’s overall economic competitiveness and opportunities for the Ontario labour force. 2012, c. 10, s. 3 (1).

Same

(2)  For the purpose of subsection (1), the promotion of regional economic development includes the following:

1. Attracting and retaining investment.

2. Creating and retaining jobs.

3. Promoting innovation, collaboration and cluster development. 2012, c. 10, s. 3 (2).

Announcements

(3)  If a public announcement is to be made about the provision of financial assistance or incentives within eastern Ontario or southwestern Ontario, as the case may be, the MPP who represents the affected area within the region must be given the opportunity to participate in the announcement. 2012, c. 10, s. 3 (3).

**4** Repealed. See: [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006).

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

2012, c. 10, s. 4 - see: [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2022

[2017, c. 34, Sched. 46, s. 6](http://www.ontario.ca/laws/statute/S17034" \l "sched46s6) - no effect - see: [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2022

Accountability mechanisms

**5** (1)  The Minister shall ensure that guidelines for each program are available to the public, setting out the performance standards to be satisfied by participants in the program with respect to the creation of jobs and other economic development targets. 2012, c. 10, s. 5 (1).

Agreement

(2)  Before receiving financial assistance or incentives under a program, a person or entity must enter into an agreement with the Minister that includes the details of the performance standards to be met and other accountability measures that apply with respect to the funding. 2012, c. 10, s. 5 (2).

Clawback

(3)  The agreement must provide for the repayment to the applicable Fund of the financial assistance or the amount of the incentive if the performance standards are not satisfied. 2012, c. 10, s. 5 (3).

Public inspection

(4)  Each agreement between the Minister and a person or entity receiving financial assistance or incentives under a program must be available for inspection by the public. However, commercially-sensitive information in an agreement may be redacted from the version made available to the public. 2012, c. 10, s. 5 (4).

Initial review of programs

**6** (1)  The Minister shall conduct a review of the programs one year after the date on which section 2 comes into force. 2012, c. 10, s. 6 (1).

Same

(2)  The review must consider the following matters and such other matters as the Minister considers appropriate:

1. The geographic areas within which each program operates and whether to revise them.

2. The types of financial assistance and incentives that have been provided under each program, their effectiveness and options for other types of financial assistance and incentives.

3. The accountability measures in effect under each program, their effectiveness and options for strengthening them. 2012, c. 10, s. 6 (2).

Review

**7** The Minister shall conduct a review of the effectiveness of the programs in achieving their purpose by the fifth anniversary of the day section 2 comes into force. 2012, c. 10, s. 7.

Minister retains powers, duties, functions

**8** Subject to the duties imposed on the Minister by this Act, the Minister retains the powers, duties and functions of the Minister under the Ministry of Economic Development and Trade Act. 2012, c. 10, s. 8.

Money

**9** The money required for the programs shall be paid out of the money appropriated for the Ministry by the Legislature. 2012, c. 10, s. 9.

10Omitted (provides for coming into force of provisions of this Act). 2012, c. 10, s. 10.

11Omitted (enacts short title of this Act). 2012, c. 10, s. 11.

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