[Français](http://www.ontario.ca/fr/lois/loi/22b02)

Building Ontario Businesses Initiative Act, 2022

[S.o.](https://www.ontario.ca/laws/statute/s22002" \l "BK4) 2022, chapter 2  
Schedule 2

**Consolidation Period:** From January 1, 2024 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

No amendments.

Purpose

**1** The purpose of this Act is to contribute to the growth of Ontario businesses by providing for circumstances in which public sector entities are required to give those businesses preference when conducting procurement processes for goods and services under a specified threshold amount.

Definitions

**2** In this Act,

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

“public sector entity” means,

(a) a government entity as defined in the Supply Chain Management Act (Government, Broader Public Sector and Health Sector Entities), 2019, and

(b) a designated broader public sector organization as defined in the Broader Public Sector Accountability Act, 2010; (“entité du secteur public”)

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

Requirement to give preference to Ontario businesses

**3** A public sector entity shall give preference to Ontario businesses, in accordance with the regulations, when conducting a procurement process for prescribed goods and services the value of which are under the prescribed threshold amount.

Deemed part of agreement

**4** Every requirement under this Act of a public sector entity that is a designated broader public sector organization is deemed to be a requirement with which it must comply under the terms of every agreement or other funding arrangement between itself and the Crown in right of Ontario or an agency of the Crown in right of Ontario.

Conflict

**5** For greater certainty, in the event of a conflict between a requirement under this Act and a directive made by the Management Board of Cabinet, the requirement under this Act prevails.

Regulations

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

(a) governing when a business is considered to be an Ontario business for the purpose of this Act;

(b) for the purpose of section 3,

(i) prescribing goods and services,

(ii) providing for and governing threshold amounts for prescribed goods and services, including providing for different amounts for different goods and services or with respect to different public sector entities,

(iii) specifying and governing the manner in which preference shall be given to Ontario businesses in procurement processes;

(c) exempting a procurement process or public sector entity from a requirement under this Act, subject to any conditions that the regulations may specify;

(d) governing any transitional matters that may arise in connection with the application of this Act or the regulations.

7 Omitted (provides for coming into force of provisions of this Act).

8Omitted (enacts short title of this Act).

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