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Consumer Reporting Act

R.S.O. 1990, CHAPTER C.33

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Interpretation and Administration

Definitions and interpretation

**1** (1)  In this Act,

“consumer” means a natural person but does not include a person engaging in a transaction, other than relating to employment, in the course of carrying on a business, trade or profession; (“consommateur”)

“consumer report” means a written, oral or other communication by a consumer reporting agency of credit information or personal information, or both, pertaining to a consumer for consideration in connection with a purpose set out in clause 8 (1) (d); (“rapport sur le consommateur”)

“consumer reporting agency” means a person who for gain or profit or on a regular co-operative non-profit basis furnishes consumer reports; (“agence de renseignements sur le consommateur”)

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 1 (1) of the Act is amended by adding the following definition: (See: 2018, c. 7, s. 2)

“consumer score” means a consumer score as defined in the regulations, or if consumer score is not defined in the regulations, a score, grade or value assigned to a consumer that is generated from information about the consumer maintained by a consumer reporting agency; (“pointage du consommateur”)

Note: On the day section 2 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, the definition of “consumer score” in subsection 1 (1) of the Act is amended by striking out “a consumer score as defined in the regulations, or if consumer score is not defined in the regulations”. (See: 2023, c. 23, Sched. 2, s. 1 (1))

“credit information” means information about a consumer as to name, age, occupation, place of residence, previous places of residence, marital status, spouse’s name and age, number of dependants, particulars of education or professional qualifications, places of employment, previous places of employment, estimated income, paying habits, outstanding debt obligations, cost of living obligations and assets; (“renseignements sur la solvabilité”)

“Director” means the Director under the Ministry of Consumer and Business Services Act; (“directeur”)

“employment purposes” means the purposes of taking into employment, granting promotion, reassigning employment duties or retaining as an employee; (“fins d’emploi”)

“file”, when used as a noun, means all of the information pertaining to a consumer that is recorded and retained by a consumer reporting agency, regardless of the manner or form in which the information is stored; (“dossier”)

“investigator” means an investigator appointed under subsection 17 (1); (“enquêteur”)

“Minister” means the member of the Executive Council to whom the administration of this Act or part of this Act is assigned or transferred under the Executive Council Act; (“ministre”)

“person” means a natural person, an association of natural persons, a partnership or a corporation; (“personne”)

“personal information” means information other than credit information about a consumer’s character, reputation, health, physical or personal characteristics or mode of living or about any other matter concerning the consumer; (“renseignements personnels”)

“personal information investigator” means a person who obtains or reports personal information to a consumer reporting agency for hire or reward; (“enquêteur sur les renseignements personnels”)

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 1 (1) of the Act is amended by adding the following definition: (See: 2018, c. 7, s. 2)

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

“Registrar” means the Registrar of Consumer Reporting Agencies; (“registrateur”)

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

“spouse” means,

(a) a spouse as defined in section 1 of the Family Law Act, or

(b) either of two persons who live together in a conjugal relationship outside marriage; (“conjoint”)

“Tribunal” means the Licence Appeal Tribunal. (“Tribunal”) R.S.O. 1990, c. C.33, s. 1 (1); 1999, c. 6, s. 12; 1999, c. 12, Sched. G, s. 20 (1); 2000, c. 26, Sched. B, s. 8 (1); 2001, c. 9, Sched. D, s. 13; 2002, c. 30, Sched. E, s. 5 (1); 2005, c. 5, s. 12; 2006, c. 34, s. 9 (2); 2023, c. 23, Sched. 2, s. 1 (2).

Agreements to waive

(2)  This Act applies despite any agreement or waiver to the contrary. R.S.O. 1990, c. C.33, s. 1 (2).

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

1999, c. 6, s. 12 (1, 2) - 01/03/2000; 1999, c. 12, Sched. G, s. 20 (1) - 01/04/2000

[2000, c. 26, Sched. B, s. 8 (1)](http://www.ontario.ca/laws/statute/S00026" \l "schedbs8s1) - 06/12/2000

[2001, c. 9, Sched. D, s. 13](http://www.ontario.ca/laws/statute/S01009" \l "schedds13) - 29/06/2001

[2002, c. 30, Sched. E, s. 5 (1)](http://www.ontario.ca/laws/statute/S02030" \l "schedes5s1) - 30/07/2005

[2005, c. 5, s. 12 (1-3)](http://www.ontario.ca/laws/statute/S05005" \l "s12s1) - 09/03/2005

[2006, c. 34, s. 9 (1, 2)](http://www.ontario.ca/laws/statute/S06034" \l "s9s1) - 01/04/2007

[2018, c. 7, s. 2](http://www.ontario.ca/laws/statute/S18007" \l "s2) - not in force

[2023, c. 23, Sched. 2, s. 1 (1)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s1s1) - not in force; [2023, c. 23, Sched. 2, s. 1 (2)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s1s2) - 06/12/2023

Registrar

**2** (1)  The Deputy Minister shall appoint a person as the Registrar of Consumer Reporting Agencies. 1998, c. 18, Sched. E, s. 56.

Duties

(2)  The Registrar may exercise the powers and shall perform the duties conferred or imposed upon the Registrar by or under this Act. R.S.O. 1990, c. C.33, s. 2 (2); 2009, c. 33, Sched. 10, s. 4 (1); 2023, c. 23, Sched. 2, s. 2 (1).

Policies

(3)  The Registrar may establish written policies regarding the interpretation, administration and enforcement of the Act. 2023, c. 23, Sched. 2, s. 2 (2).

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

1998, c. 18, Sched. E, s. 56 - 18/12/1998

[2009, c. 33, Sched. 10, s. 4 (1)](http://www.ontario.ca/laws/statute/S09033" \l "sched10s4s1) - 15/12/2009

[2023, c. 23, Sched. 2, s. 2 (1, 2)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s2s1) - 06/12/2023

Registration

Registration required

**3** No person shall conduct or act as a consumer reporting agency or act as a personal information investigator unless registered by the Registrar under this Act. R.S.O. 1990, c. C.33, s. 3.

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

[2006, c. 34, s. 9 (3)](http://www.ontario.ca/laws/statute/S06034" \l "s9s3) - 01/04/2007

Registration

**4** (1)  An applicant is entitled to registration or renewal of registration as a consumer reporting agency by the Registrar except where,

(a) having regard to the applicant’s financial position, the applicant cannot reasonably be expected to be financially responsible in the conduct of business; or

(b) the past conduct of the applicant affords reasonable grounds for belief that the applicant will not carry on business in accordance with law and with integrity and honesty; or

(c) the applicant is a corporation and,

(i) having regard to its financial position, it cannot reasonably be expected to be financially responsible in the conduct of business, or

(ii) the past conduct of its officers or directors affords reasonable grounds for belief that its business will not be carried on in accordance with law and with integrity and honesty; or

(d) the applicant is carrying on activities that are, or will be, if the applicant is registered, in contravention of this Act or the regulations. R.S.O. 1990, c. C.33, s. 4 (1).

Registration of investigators

(2)  An applicant is entitled to registration or renewal of registration as a personal information investigator by the Registrar except where the past conduct of the applicant affords reasonable grounds for belief that the applicant will not carry out the applicant’s duties in accordance with law and with integrity and honesty. R.S.O. 1990, c. C.33, s. 4 (2).

Conditions of registration

(3)  A registration is subject to such terms and conditions to give effect to the purposes of this Act as are imposed by the Tribunal or prescribed by the regulations. R.S.O. 1990, c. C.33, s. 4 (3); 2018, c. 7, s. 1.

Registration not transferable

(4)  A registration is not transferable. R.S.O. 1990, c. C.33, s. 4 (4).

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

[2018, c. 7, s. 1](http://www.ontario.ca/laws/statute/S18007" \l "s1) - 07/05/2018

Refusal to register

**5** (1)  Subject to section 6, the Registrar may refuse to register an applicant where in the Registrar’s opinion the applicant is disentitled to registration under section 4. R.S.O. 1990, c. C.33, s. 5 (1).

Revocation and refusal to renew

(2)  Subject to section 6, the Registrar may refuse to renew or may suspend or revoke a registration for any reason that would disentitle the registrant to registration under section 4 if the registrant were an applicant, or where the registrant is in breach of a term or condition of the registration. R.S.O. 1990, c. C.33, s. 5 (2).

Notice of proposal to refuse or revoke

**6** (1)  Where the Registrar proposes to refuse to grant or renew a registration or proposes to suspend or revoke a registration, the Registrar shall serve notice of the proposal, together with written reasons therefor, on the applicant or registrant. R.S.O. 1990, c. C.33, s. 6 (1).

Notice requiring hearing

(2)  A notice under subsection (1) shall state that the applicant or registrant is entitled to a hearing by the Tribunal if the applicant or registrant mails or delivers, within fifteen days after service of the notice under subsection (1), notice in writing requiring a hearing to the Registrar and the Tribunal, and the applicant or registrant may so require such a hearing. R.S.O. 1990, c. C.33, s. 6 (2); 2018, c. 7, s. 1.

Powers of Registrar where no hearing

(3)  Where an applicant or registrant does not require a hearing by the Tribunal in accordance with subsection (2), the Registrar may carry out the proposal stated in the notice under subsection (1). R.S.O. 1990, c. C.33, s. 6 (3); 2018, c. 7, s. 1.

Powers of Tribunal

(4)  Where an applicant or registrant requires a hearing by the Tribunal in accordance with subsection (2), the Tribunal shall appoint a time for and hold the hearing and, on the application of the Registrar at the hearing, may by order direct the Registrar to carry out the Registrar’s proposal or refrain from carrying it out and to take such action as the Tribunal considers the Registrar ought to take in accordance with this Act and the regulations, and for such purposes the Tribunal may substitute its opinion for that of the Registrar. R.S.O. 1990, c. C.33, s. 6 (4); 2018, c. 7, s. 3.

Conditions of order

(5)  The Tribunal may attach such terms and conditions to its order or to the registration as it considers proper to give effect to the purposes of this Act. R.S.O. 1990, c. C.33, s. 6 (5); 2018, c. 7, s. 3.

Parties

(6)  The Registrar, the applicant or registrant who has required the hearing and such other persons as the Tribunal may specify are parties to proceedings before the Tribunal under this section. R.S.O. 1990, c. C.33, s. 6 (6); 2018, c. 7, s. 1.

Voluntary cancellation

(7)  The Registrar may cancel a registration upon the request in writing of the registrant and this section does not apply to the cancellation. 2009, c. 33, Sched. 10, s. 4 (2).

Continuance pending renewal

(8)  Where, within the time prescribed therefor or, if no time is prescribed, before expiry of the registration, a registrant has applied for renewal of a registration and paid the prescribed fee, the registration shall be deemed to continue,

(a) until the renewal is granted; or

(b) where the registrant is served with notice that the Registrar proposes to refuse to grant the renewal, until the time for giving notice requiring a hearing has expired and, where a hearing is required, until the Tribunal has made its order. R.S.O. 1990, c. C.33, s. 6 (8); 2018, c. 7, s. 1.

Appeal

(9)  Even if a registrant appeals an order of the Tribunal under section 11 of the Licence Appeal Tribunal Act, 1999, the order takes effect immediately but the Tribunal may grant a stay until the disposition of the appeal. 1999, c. 12, Sched. G, s. 20 (2).

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

1999, c. 12, Sched. G, s. 20 (2) - 01/04/2000

[2009, c. 33, Sched. 10, s. 4 (2)](http://www.ontario.ca/laws/statute/S09033" \l "sched10s4s2) - 15/12/2009

[2018, c. 7, s. 1, 3](http://www.ontario.ca/laws/statute/S18007" \l "s1) - 07/05/2018

Further applications

**7** A further application for registration may be made upon new or other evidence or where it is clear that material circumstances have changed. R.S.O. 1990, c. C.33, s. 7.

Duties and Investigations

To whom reports may be given

**8** (1)  No consumer reporting agency and no officer or employee thereof shall knowingly furnish any information from the files of the consumer reporting agency except,

(a) in response to the order of a court having jurisdiction to issue such an order;

(b) in accordance with the written instructions of the consumer to whom the information relates;

(c) in response to an order or direction made under this Act; or

(d) in a consumer report given to a person who it has reason to believe,

(i) intends to use the information in connection with the extension of credit to or the purchase or collection of a debt of the consumer to whom the information pertains,

(ii) intends to use the information in connection with the entering into or renewal of a tenancy agreement,

(iii) intends to use the information for employment purposes,

(iv) intends to use the information in connection with the underwriting of insurance involving the consumer,

(v) intends to use the information to determine the consumer’s eligibility for any matter under a statute or regulation where the information is relevant to the requirement prescribed by law,

(vi) otherwise has a direct business need for the information in connection with a business or credit transaction involving the consumer, or

(vii) intends to use the information for the purpose of up-dating the information in a consumer report previously given to the person for one of the reasons referred to in subclauses (i) to (vi). R.S.O. 1990, c. C.33, s. 8 (1); 1997, c. 24, s. 210.

Idem

(2)  No person shall knowingly obtain any information from the files of a consumer reporting agency respecting a consumer except for the purposes referred to in subsection (1). R.S.O. 1990, c. C.33, s. 8 (2).

Information as to identities

(3)  Despite subsections (1) and (2), a consumer reporting agency may furnish identifying information respecting any consumer, limited to his or her name, address, former addresses, places of employment, or former places of employment, to the Government of Ontario or of Canada or any province thereof or of any agency of such government or the government of any municipality in Canada or any agency thereof or to any police officer acting in the course of his or her duties, even though such information is not to be used for a purpose mentioned in subsection (1). R.S.O. 1990, c. C.33, s. 8 (3).

Sale of files

(4)  No person who is or has been registered as a consumer reporting agency shall sell, lease or transfer title to its files or any of them except to a consumer reporting agency registered under this Act. R.S.O. 1990, c. C.33, s. 8 (4).

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

1997, c. 24, s. 210 - 17/06/1998

[2006, c. 34, s. 9 (4)](http://www.ontario.ca/laws/statute/S06034" \l "s9s4) - 01/04/2007

Procedures of agencies

**9** (1)  Every consumer reporting agency shall adopt all procedures reasonable for ensuring accuracy and fairness in the contents of its consumer reports. R.S.O. 1990, c. C.33, s. 9 (1).

Information included in consumer report

(2)  A consumer reporting agency shall not report,

(a) any information that is not stored in a form capable of being produced under section 12;

(b) any information that is not extracted from information appearing in files stored or collected in a repository located in Canada regardless of whether or not the information was obtained from a source outside Canada, except where the consumer report is in writing and contains the substance of any prior information orally acquired that conforms to the requirements of this Act. R.S.O. 1990, c. C.33, s. 9 (2).

Idem

(3)  A consumer reporting agency shall not include in a consumer report,

(a) any credit information based on evidence that is not the best evidence reasonably available;

(b) any unfavourable personal information unless it has made reasonable efforts to corroborate the evidence on which the personal information is based, and the lack of corroboration is noted with and accompanies the information;

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 9 (3) of the Act is amended by adding the following clause: (See: 2023, c. 16, s. 1)

(b.1) information respecting any coerced debt within the meaning of section 18 of the Prevention of, Remedies for and Measures to Support Recovery from Human Trafficking Act, 2017;

(c) information as to judgments after seven years after the judgment was given, unless the creditor or the creditor’s agent confirms that it remains unpaid in whole or in part, and such confirmation appears in the file;

(d) information as to any judgment against the consumer unless mention is made of the name and, where available, the address of the judgment creditor or the creditor’s agent as given at the date of entry of the judgment and the amount;

(e) information as to the bankruptcy of the consumer after seven years from the date of the discharge except where the consumer has been bankrupt more than once;

(f) information regarding any debt or collection if,

(i) more than seven years have elapsed since the date of last payment on the debt or collection, or

(ii) where no payment has been made, more than seven years have elapsed since the date on which the default in payment or the matter giving rise to the collection occurred,

unless the creditor or the creditor’s agent confirms that the debt or collection is not barred by statute and the confirmation appears in the file;

(g) information as to the payment or non-payment of taxes or lawfully imposed fines after seven years;

(h) information as to convictions for crimes, after seven years from the date of conviction or, where the conviction resulted in imprisonment, from the date of release or parole, provided information as to convictions for crimes shall not be reported if at any time it is learned that after a conviction an absolute discharge or a full pardon has been granted;

(i) information regarding writs or actions that are more than seven years old or writs that were issued or actions commenced against the consumer more than twelve months prior to the making of the report unless the consumer reporting agency has ascertained the current status of the writ or action and has a record of this on file;

(j) information regarding any criminal charges against the consumer where the charges have been dismissed, set aside or withdrawn;

(k) any other adverse item of information where more than seven years have expired since the information was acquired or last reaffirmed;

(l) information as to race, creed, colour, sex, ancestry, ethnic origin, or political affiliation; or

(m) any information given orally in the consumer report unless the content of the oral report is recorded in the file. R.S.O. 1990, c. C.33, s. 9 (3); 2002, c. 24, Sched. B, s. 29; 2004, c. 19, s. 9 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 9 (3) (m) of the Act is repealed and the following substituted: (See: 2018, c. 7, s. 4)

(m) any other information that may be prescribed.

Maintenance of files

(4)  Every consumer reporting agency shall maintain in its file respecting a person all the material and information of which the person is entitled to disclosure under section 12. R.S.O. 1990, c. C.33, s. 9 (4).

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

[2002, c. 24, Sched. B, s. 29](http://www.ontario.ca/laws/statute/S02024" \l "schedbs29) - 01/01/2004

[2004, c. 19, s. 9 (1)](http://www.ontario.ca/laws/statute/S04019" \l "s9s1) - 31/03/2007

[2018, c. 7, s. 4](http://www.ontario.ca/laws/statute/S18007" \l "s4) - not in force

[2023, c. 16, s. 1](http://www.ontario.ca/laws/statute/S23016" \l "s1s1) - not in force

Disclosure of report on request

**10** (1)  Every person shall, where requested by a consumer in writing or personally, inform the consumer whether or not a consumer report respecting him or her has been or is to be referred to in connection with any specified transaction or matter in which such person is engaged, and, if so, of the name and address of the consumer reporting agency supplying the report. R.S.O. 1990, c. C.33, s. 10 (1).

Notice of intention to get consumer report

(2)  No person shall request or obtain a consumer report,

(a) containing personal information about a consumer; or

(b) on the basis that the person is considering extending credit to a consumer who has not, at the time of the request, made application for credit,

unless that person first gives written notice of the fact to the consumer and, where the consumer so requests, informs the consumer of the name and address of the consumer reporting agency supplying the report. R.S.O. 1990, c. C.33, s. 10 (2).

Idem

(3)  Where a person proposes to extend credit to a consumer and a consumer report containing credit information only is being or may be referred to in connection with the transaction, the person shall give notice of the fact to the consumer in writing at the time of the application for credit, or if the application is made orally, orally at the time of the application for credit. R.S.O. 1990, c. C.33, s. 10 (3).

Assignee as creditor

(4)  Where, before extending credit, the proposed creditor obtains the acceptance or refusal of an assignment or proposed assignment of the credit transaction by an assignee or proposed assignee, subsection (3) applies to the assignee or proposed assignee in the same manner as to the person proposing to extend credit, but the giving of a notice under subsection (3) by a person proposing to extend credit or under this subsection by the person’s assignee or proposed assignee shall be deemed to be sufficient notice by both. R.S.O. 1990, c. C.33, s. 10 (4).

Limitation on divulgence of information

(5)  No person extending credit to a consumer shall divulge to other credit grantors or to a consumer reporting agency any personal information respecting the consumer except with the consent of the consumer or on the consumer’s referral unless the person notifies the consumer in writing at the time of the application for credit that the person intends to do so. R.S.O. 1990, c. C.33, s. 10 (5).

Form of notice

(6)  Any notice referred to in this section shall be clearly set forth in bold type or underlined and in letters not less than ten point in size. R.S.O. 1990, c. C.33, s. 10 (6).

Adverse action

(7)  Where a benefit is denied to a consumer or a charge to a consumer is increased either wholly or partly because of information received from a consumer reporting agency or a person other than a consumer reporting agency, the user of such information shall deliver to the consumer at the time such action is communicated to the consumer notice of the fact and, upon the request of the consumer made within sixty days after such notice, shall inform the consumer,

(a) of the nature and source of the information where the information is furnished by a person other than a consumer reporting agency; or

(b) of the name and address of the consumer reporting agency, where the information is furnished by a consumer reporting agency,

and the notice required to be given by the user under this subsection shall contain notice of the consumer’s right to request the information referred to in clauses (a) and (b) and the time limited therefor. R.S.O. 1990, c. C.33, s. 10 (7).

Supplying list of names

**11** (1)  No person shall,

(a) supply a list of names and criteria to a consumer reporting agency in order to obtain an indication of the names of the persons named in the list who meet the criteria; or

(b) in any way other than as described in clause (a), obtain information about a consumer from a consumer reporting agency,

without first notifying in writing each person named on the list or about whom information is being obtained that such a list is being submitted or that information is being requested and, where any person affected so requests, informing that person of the name and address of the agency involved. R.S.O. 1990, c. C.33, s. 11 (1).

Exception where compliance with subs. 10 (3)

(2)  Clause (1) (b) does not apply to a person obtaining information about a consumer under subsection 10 (3) where the person has complied with subsection 10 (3). R.S.O. 1990, c. C.33, s. 11 (2).

Restriction on consumer reporting agency

(3)  No consumer reporting agency shall provide information about any person entitled to be notified under subsection (1) or subsection 10 (2) unless the agency has reasonable grounds to believe that the person requesting the information is not in contravention of subsection (1) or 10 (2), as the case may be. R.S.O. 1990, c. C.33, s. 11 (3).

Supplying list of criteria

(4)  No consumer reporting agency that receives,

(a) a list of criteria and a request to provide the names of persons who meet the criteria; or

(b) a request for names of persons so that information may be inferred about those persons,

shall provide the name of any person without first notifying that person in writing of the request and the name and address of the person making the request. R.S.O. 1990, c. C.33, s. 11 (4).

Non-application

(5)  This section does not apply where information is requested or provided for the purposes referred to in clause 8 (1) (a), (b) or (c) or in the circumstances set out in subsection 8 (3). R.S.O. 1990, c. C.33, s. 11 (5).

Right of consumer to disclosure

**12** (1)  Every consumer reporting agency shall, at the written request of a consumer and during normal business hours, clearly and accurately disclose to the consumer, without charge,

(a) the nature and substance of all information in its files pertaining to the consumer at the time of the request;

(b) the sources of credit information;

(c) the name and, at the option of the consumer reporting agency, either the address or telephone number of every person on whose behalf the file has been accessed within the three-year period preceding the request;

(d) the names of the recipients of any consumer report pertaining to the consumer that it has furnished,

(i) containing personal information, within the one year period preceding the request, and

(ii) containing credit information, within the six month period preceding the request;

(e) copies of any written consumer report pertaining to the consumer made to any other person or, where the report was oral, particulars of the content of such oral report, furnished,

(i) where the report contains personal information, within the one year period preceding the request, and

(ii) where the report contains credit information, within the six month period preceding the request,

and shall inform the consumer of his or her right to protest any information contained in the file under sections 13 and 14 and the manner in which a protest may be made. R.S.O. 1990, c. C.33, s. 12 (1); 2000, c. 26, Sched. B, s. 8 (2).

Exception for certain medical information

(2)  A consumer reporting agency shall withhold from the disclosures required by subsection (1) any medical information obtained with the written consent of the consumer which the consumer’s own physician has specifically requested in writing be withheld from the consumer in his or her own best interest. R.S.O. 1990, c. C.33, s. 12 (2).

Method of disclosure

(3)  The disclosures required under this section shall be made to the consumer,

(a) in person if he or she appears in person and furnishes proper identification;

(b) by telephone if he or she has made a written request, with sufficient identification, for telephone disclosure and the toll charge, if any, for the telephone call is prepaid by or charged directly to the consumer. R.S.O. 1990, c. C.33, s. 12 (3).

Idem

(4)  Every consumer reporting agency shall provide trained personnel to explain to the consumer any information furnished to him or her under this section. R.S.O. 1990, c. C.33, s. 12 (4).

Consumer’s adviser

(5)  The consumer shall be permitted to be accompanied by one other person of his or her choosing to whom the consumer reporting agency may be required by the consumer to disclose his or her file. R.S.O. 1990, c. C.33, s. 12 (5); 1993, c. 27, Sched.

Abstract

(6)  At the request of the consumer, the consumer reporting agency shall give the consumer a copy of the information required to be disclosed under this section. 1994, c. 27, s. 77.

Plain language

(6.1)  The copy of the information given to the consumer must be in writing and easily readable and the information must be in understandable language. 1994, c. 27, s. 77.

Identification

(7)  A consumer reporting agency shall require reasonable identification of the consumer and a person accompanying him or her before making disclosures under this section. R.S.O. 1990, c. C.33, s. 12 (7).

No conditions

(8)  A consumer reporting agency shall not require a consumer to give any undertaking or waive or release any right as a condition precedent to access to his or her file under this section. R.S.O. 1990, c. C.33, s. 12 (8).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 12 of the Act is repealed and the following substituted: (See: 2018, c. 7, s. 5)

Right of consumer to request disclosure

**12** (1)  A consumer may, in writing, request a consumer reporting agency to provide,

(a) the consumer’s consumer report; or

(b) the consumer’s current consumer score and consumer report. 2018, c. 7, s. 5.

Electronic requests

(2)  A consumer may make a request under subsection (1) electronically. 2018, c. 7, s. 5.

Content of disclosure under cl. (1) (a)

(3)  If a consumer makes a request under clause (1) (a), the consumer reporting agency shall, in accordance with this section, section 12.0.1 and any prescribed requirements, disclose to the consumer the following information:

1. The nature and substance of all information in the consumer reporting agency’s files pertaining to the consumer at the time of the request.

2. The sources of credit information.

3. The name and contact information, including the address and the telephone number or email address, of every person on whose behalf the file has been accessed within the three-year period preceding the request.

4. If the agency furnished a consumer report pertaining to the consumer within the one-year period preceding the request,

i. the names and contact information, including the address and the telephone number or email address, of the recipients of that report, and

ii. a copy of the consumer report if it was furnished in writing or the particulars of the content of the report if it was furnished orally.

5. If the agency generated and furnished a consumer score, furnished a consumer score generated by another entity or furnished any other information evaluating the credit or personal information of the consumer within the one-year period preceding the request,

i. the names and contact information, including the address and the telephone number or email address, of the recipients of that score or information, and

ii. the score and the particulars of any other information evaluating the credit or personal information of the consumer.

6. Any other information relating to the consumer score that may be prescribed. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12 (3) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 3 (1))

Content of disclosure under cl. (1) (a)

(3)  If a consumer makes a request under clause (1) (a), the consumer reporting agency shall, in accordance with this section, section 12.0.1 and any prescribed requirements, disclose to the consumer the following information:

1. The nature and substance of all information in the consumer reporting agency’s files pertaining to the consumer at the time of the request.

2. The sources of credit information.

3. The name, telephone number and email address of every person on whose behalf the file has been accessed within the three-year period preceding the request.

4. If the consumer reporting agency furnished a consumer report pertaining to the consumer within the one-year period preceding the request,

i. the names, telephone numbers and email addresses of the recipients of that report, and

ii. a copy of the consumer report if it was furnished in writing or the particulars of the content of the report if it was furnished orally or by telephone or other means of telecommunication.

5. Any other information relating to the consumer score that may be prescribed. 2023, c. 23, Sched. 2, s. 3 (1).

Content of disclosure under cl. (1) (b)

(4)  If a consumer makes a request under clause (1) (b), the consumer reporting agency shall, in accordance with this section, section 12.0.1 and any prescribed requirements, generate the consumer’s current consumer score and disclose the following information to the consumer:

1. The consumer score.

2. The date on which the consumer score was generated.

3. The range of possible consumer scores under the method used.

4. The primary factors used by the agency in generating consumer scores under the method used.

5. The information listed in subsection (3).

6. Any other information that may be prescribed. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, section 12 of the Act is amended by adding the following subsection: (See: 2023, c. 23, Sched. 2, s. 3 (2))

Same, exemption

(4.1)  A consumer reporting agency is exempt from the requirements set out in subsection (4) unless,

(a) the agency has been prescribed by the regulations; or

(b) the agency is part of a class of consumer reporting agencies that has been prescribed by the regulations. 2023, c. 23, Sched. 2, s. 3 (2).

Disclosure of right to dispute

(5)  When a consumer reporting agency discloses information under this section, the agency shall inform the consumer of his or her right to dispute any information contained in the file under section 13 and the manner in which a dispute may be made. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12 (5) of the Act is amended by striking out “his or her” and substituting “the consumer’s” (See: 2023, c. 23, Sched. 2, s. 3 (3))

Request for disclosure

(6)  When making a request for disclosure under this section, a consumer shall,

(a) provide the consumer reporting agency with a copy of any prescribed identification and a copy of any other identification the agency may reasonably require to verify the consumer’s identity;

(b) indicate to the consumer reporting agency by which of the methods referred to in subsection (7) the consumer chooses to receive the disclosure; and

(c) provide the consumer reporting agency with any other prescribed information. 2018, c. 7, s. 5.

Method of disclosure

(7)  A consumer reporting agency shall disclose information in whichever of the following methods the consumer chooses in the consumer’s request:

1. In person, if the consumer attends personally at the agency’s premises during normal business hours for that purpose.

2. By telephone.

3. By mail.

4. Electronically.

5. By a prescribed method of disclosure. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12 (7) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 3 (4))

Method of disclosure

(7)  A consumer reporting agency shall disclose information in whichever of the following methods the consumer chooses in the consumer’s request:

1. By telephone or other means of telecommunication.

2. By mail.

3. Electronically.

4. By a prescribed method of disclosure. 2023, c. 23, Sched. 2, s. 3 (4).

Timing of disclosure

(8)  The consumer reporting agency shall make disclosures required under this section in accordance with the following rules respecting timing:

1. If a consumer chooses to receive the disclosure in person, by telephone or by mail, the consumer reporting agency shall have the information available or mail the information, as applicable,

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, paragraph 1 of subsection 12 (8) of the Act is amended by striking out “in person, by telephone or by mail” in the portion before subparagraph i and substituting “by telephone or other means of telecommunication or by mail”. (See: 2023, c. 23, Sched. 2, s. 3 (5))

i. on or before the prescribed deadline, or

ii. if no deadline is prescribed, within a reasonable time in the circumstances after the consumer provides everything required under subsection (6).

2. If a consumer chooses to receive the disclosure electronically, the consumer reporting agency shall send the electronic copy,

i. on or before the prescribed deadline, or

ii. if no deadline is prescribed, on or before the day that is two business days after the consumer provides everything required under subsection (6).

3. If the consumer chooses to receive the disclosure by a prescribed method the consumer reporting agency shall provide the disclosure on or before the prescribed deadline. 2018, c. 7, s. 5.

Plain language

(9)  A disclosure made under this section must be in understandable language and if it is made in writing it must be easily readable. 2018, c. 7, s. 5.

Consumer’s adviser

(10)  A consumer who chooses to receive a disclosure in person shall be permitted to be accompanied by one other person of his or her choosing to whom the consumer reporting agency may be required by the consumer to disclose the consumer’s information. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12 (10) of the Act is repealed. (See: 2023, c. 23, Sched. 2, s. 3 (6))

Trained personnel

(11)  Every consumer reporting agency shall provide trained personnel to explain to the consumer any information disclosed to him or her under this section. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12 (11) of the Act is amended by striking out “him or her” and substituting “the consumer”. (See: 2023, c. 23, Sched. 2, s. 3 (7))

Explanation of consumer score

(12)  If a consumer who received a disclosure under subsection (4) makes a request in accordance with any prescribed requirements to the consumer reporting agency that made the disclosure, the agency shall explain to the consumer how the consumer’s credit or personal information has affected the consumer’s consumer score. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12 (12) of the Act is amended by striking out “a disclosure under subsection (4)” and substituting “a disclosure of information set out in subsection (4)”. (See: 2023, c. 23, Sched. 2, s. 3 (8))

Fees

(13)  A consumer reporting agency shall not charge a fee for making a disclosure under this section unless the agency is permitted to do so by the regulations. 2018, c. 7, s. 5.

Same, exception for electronic disclosure

(14)  Despite subsection (13), if the consumer requests the electronic disclosure of a consumer report or a consumer score and consumer report and the consumer reporting agency has already made an electronic disclosure to the consumer two or more times during the calendar year in which the request is made, the agency may charge a fee for the disclosure, subject to any prescribed limitations. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsections 12 (14) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 3 (9))

Same, exception for electronic disclosure

(14)  Despite subsection (13), if the consumer requests the electronic disclosure of a consumer report or a consumer score and consumer report and the consumer reporting agency has already made an electronic disclosure to the consumer one or more times during the same month of the same calendar year in which the request is made, the agency may charge a fee for the disclosure, subject to any prescribed limitations. 2023, c. 23, Sched. 2, s. 3 (9).

Same, exception for disclosure under cl. (1) (b)

(15)  Despite subsection (13), if the consumer requests the disclosure, by any method, of a consumer score and consumer report under clause (1) (b) and the consumer reporting agency has already made a disclosure by any method under subsection (4) to the consumer two or more times during the calendar year in which the request is made, the agency may charge a fee for the disclosure, subject to any prescribed limitations. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsections 12 (15) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 3 (9))

Same, exception for disclosure under cl. (1) (b)

(15)  Despite subsection (13), if the consumer requests the disclosure, by any method other than electronically, of a consumer score and consumer report under clause (1) (b) and the consumer reporting agency has already made a disclosure, by any method other than electronically, of information set out in subsection (4) to the consumer two or more times during the calendar year in which the request is made, the agency may charge a fee for the disclosure, subject to any prescribed limitations. 2023, c. 23, Sched. 2, s. 3 (9).

No conditions

(16)  A consumer reporting agency shall not require a consumer to give any undertaking or waive or release any right as a condition of receiving a disclosure under this section. 2018, c. 7, s. 5.

Exception for certain medical information

(17)  A consumer reporting agency shall withhold from the disclosures required under this section any medical information obtained with the written consent of the consumer which the consumer’s own physician has specifically requested in writing be withheld from the consumer in his or her own best interest. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12 (17) of the Act is amended by striking out “his or her” and substituting “the consumer’s”. (See: 2023, c. 23, Sched. 2, s. 3 (10))

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

1993, c. 27, Sched. - 31/12/1991; 1994, c. 27, s. 77 - 09/12/1994

[2000, c. 26, Sched. B, s. 8 (2)](http://www.ontario.ca/laws/statute/S00026" \l "schedbs8s2) - 06/12/2000

[2018, c. 7, s. 5](http://www.ontario.ca/laws/statute/S18007" \l "s5) - not in force

[2023, c. 23, Sched. 2, s. 3 (1-10)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s3s1) - not in force

Consumer scores

**12.0.1**(1)  Subject to subsection (2), when generating a consumer score, a prescribed consumer reporting agency shall use the method that is most commonly used by the agency to generate scores. 2018, c. 7, s. 5.

Note: On the day section 5 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12.0.1 (1) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 4)

Consumer scores

(1)  Subject to subsection (2), the method used to generate a consumer score in response to a request from a consumer shall be a method that is similar to the method that the consumer reporting agency would most commonly use if a creditor had requested the score in respect of the consumer. 2023, c. 23, Sched. 2, s. 4.

Prescribed method of generating consumer score

(2)  If the regulations prescribe a method of generating a consumer score to be used for a prescribed purpose or in a prescribed circumstance, the consumer reporting agency shall use that method when generating a consumer score for the purpose or in the circumstances, as the case may be. 2018, c. 7, s. 5.

Previous requests not a factor

(3)  The consumer reporting agency shall ensure that the fact that a consumer has made a request for disclosure under section 12, or exercised any other right under this Act, is not used in the generation of a consumer score with respect to that consumer. 2018, c. 7, s. 5.

Publication of information about consumer scores

(4)  The consumer reporting agency shall, in accordance with any prescribed requirements, publish any prescribed information about consumer scores on a website maintained by the agency. 2018, c. 7, s. 5.

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

[2018, c. 7, s. 5](http://www.ontario.ca/laws/statute/S18007" \l "s5) - not in force

[2023, c. 23, Sched. 2, s. 4](http://www.ontario.ca/laws/statute/S23023" \l "sched2s4) - not in force

Alert to verify identity of consumer

**12.1**(1)  A consumer may require a consumer reporting agency to include, in the consumer’s file, an alert warning persons to verify the identity of any person purporting to be the consumer. 2006, c. 34, s. 9 (5).

Consumer must provide contact information

(2)  A consumer who requires a consumer reporting agency to include an alert in the consumer’s file shall provide, for inclusion in the alert, a telephone number or other method, prescribed by the regulations, of contacting the consumer to verify the identity of any person purporting to be the consumer. 2006, c. 34, s. 9 (5).

Time limit for including alert in file

(3)  The consumer reporting agency shall include the alert in the consumer’s file as soon as practicable after being required to do so under subsection (1). 2006, c. 34, s. 9 (5).

No obligation if contact information not provided

(4)  The consumer reporting agency is not required to include an alert if the consumer has not complied with subsection (2). 2006, c. 34, s. 9 (5).

Amendment or removal

(5)  The consumer may require the consumer reporting agency to amend the alert or remove it from the consumer’s file. 2006, c. 34, s. 9 (5).

Time limit for amendment or removal

(6)  The consumer reporting agency shall amend the alert or remove it from the consumer’s file as soon as practicable after being required to do so under subsection (5). 2006, c. 34, s. 9 (5).

Verification of identity by agency

(7)  Before including an alert in a consumer’s file or amending or removing such an alert, the consumer reporting agency shall take reasonable steps to verify that the person requiring the inclusion, amendment or removal is the consumer. 2006, c. 34, s. 9 (5).

Expiry

(8)  An alert expires at the end of the prescribed period, if any. 2006, c. 34, s. 9 (5).

Information about expiry

(9)  When a consumer reporting agency includes an alert in a consumer’s file, the agency shall inform the consumer of the date, if any, that the alert will expire under subsection (8). 2006, c. 34, s. 9 (5).

Fees

(10)  Subject to the regulations, a consumer reporting agency may require a fee to be paid before including an alert in a consumer’s file, or amending or removing an alert. 2006, c. 34, s. 9 (5).

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

[2006, c. 34, s. 9 (5)](http://www.ontario.ca/laws/statute/S06034" \l "s9s5) - 01/01/2008

When alert to be given

**12.2**If a consumer’s file includes an alert under section 12.1 that has not expired, the consumer reporting agency shall give the alert to every person to whom any information from the file is disclosed. 2006, c. 34, s. 9 (6).

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

[2006, c. 34, s. 9 (6)](http://www.ontario.ca/laws/statute/S06034" \l "s9s6) - 01/01/2008

If person receives an alert

**12.3**(1)  This section applies if a person receives an alert from a consumer’s file under section 12.2 in connection with a transaction, described in subsection (3), involving a person purporting to be the consumer. 2006, c. 34, s. 9 (7).

Duty to verify identity

(2)  The person who received the alert shall not proceed with the transaction without taking reasonable steps to verify that the person involved in the transaction is the consumer. 2006, c. 34, s. 9 (7).

Transactions covered

(3)  A transaction referred to in subsection (1) is,

(a) the extension of credit or the loaning of money, as defined in the regulations; or

(b) any other transaction prescribed by the regulations. 2006, c. 34, s. 9 (7).

Exception for transactions covered

(4)  Clause (3) (a) does not include an advance under a credit agreement for open credit unless the credit agreement is amended to provide for the advance. 2006, c. 34, s. 9 (7).

Definitions

(5)  In subsection (4),

“credit agreement” means a credit agreement as defined in section 66 of the Consumer Protection Act, 2002; (“convention de crédit”)

Note: On a day to be named by proclamation of the Lieutenant Governor, the definition of “credit agreement” in subsection 12.3 (5) of the Act is amended by striking out “a credit agreement as defined in section 66 of the Consumer Protection Act, 2002” and substituting “a credit agreement as defined in subsection 1 (1) of the Consumer Protection Act, 2023”. (See: 2023, c. 23, Sched. 1, s. 112 (1))

“open credit” means open credit as defined in section 1 of the Consumer Protection Act, 2002. (“crédit en blanc”) 2006, c. 34, s. 9 (7).

Note: On a day to be named by proclamation of the Lieutenant Governor, the definition of “open credit” in subsection 12.3 (5) of the Act is amended by striking out “as defined in section 1 of the Consumer Protection Act, 2002” and substituting “as defined in subsection 1 (1) of the Consumer Protection Act, 2023”. (See: 2023, c. 23, Sched. 1, s. 112 (2))

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

[2006, c. 34, s. 9 (7)](http://www.ontario.ca/laws/statute/S06034" \l "s9s7) - 01/01/2008

[2023, c. 23, Sched. 1, s. 112 (1, 2)](http://www.ontario.ca/laws/statute/S23023" \l "sched1s112s1) - not in force

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2018, c. 7, s. 6)

Security freeze

**12.4**(1)  A prescribed consumer reporting agency shall place a security freeze on the file of a consumer on or before the prescribed deadline if,

(a) the consumer has, in accordance with this section and any prescribed requirements, required the agency to place a security freeze on the file; and

(b) the consumer has complied with subsection (9) and any prescribed requirements. 2018, c. 7, s. 6.

Effect of security freeze

(2)  During the period that a security freeze on a consumer’s file is in effect, the consumer reporting agency shall not disclose any credit or personal information about the consumer maintained by the agency, including any consumer scores, to any person. 2018, c. 7, s. 6.

Note: On the day section 6 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12.4 (2) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 5 (1))

Effect of security freeze

(2)  During the period that a security freeze on a consumer’s file is in effect, the consumer reporting agency shall not disclose any credit or personal information about the consumer maintained by the agency, including any consumer scores, to any person, for any of the following purposes:

1. Entering into a new credit agreement.

2. Increasing credit under an existing credit agreement.

3. Entering into a mortgage for real property.

4. Entering into a motor vehicle lease.

5. Entering into an agreement or a transaction of a prescribed type. 2023, c. 23, Sched. 2, s. 5 (1).

Suspending a security freeze

(3)  The consumer reporting agency shall suspend a security freeze on or before the prescribed deadline if,

(a) the consumer whose file is subject to the security freeze requires the suspension in accordance with this section and any prescribed requirements; and

(b) the consumer has complied with subsection (9) and any prescribed requirements, including any requirements respecting the duration of a suspension. 2018, c. 7, s. 6.

Same, duration

(4)  If the consumer reporting agency is required to suspend a security freeze under subsection (3), the suspension shall be for the duration specified by the consumer. 2018, c. 7, s. 6.

Same, effect

(5)  A security freeze that is suspended is not in effect. 2018, c. 7, s. 6.

Terminating a security freeze

(6)  The consumer reporting agency shall terminate a security freeze on or before the prescribed deadline if,

Note: On the day section 6 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12.4 (6) of the Act is amended by striking out “on or before the prescribed deadline” in the portion before clause (a). (See: 2023, c. 23, Sched. 2, s. 5 (2))

(a) the consumer whose file is subject to the security freeze requires the termination in accordance with this section and any prescribed requirements; and

(b) the consumer has complied with subsection (9) and any prescribed requirements. 2018, c. 7, s. 6.

Expiry

(7)  Unless terminated earlier, a security freeze expires at the end of the prescribed period, if any. 2018, c. 7, s. 6.

Note: On the day section 6 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsections 12.4 (7) of the Act is repealed. (See: 2023, c. 23, Sched. 2, s. 5 (3))

Disclosure despite a security freeze

(8)  Despite subsection (2), the consumer reporting agency may, in accordance with any prescribed requirements, disclose to prescribed persons and entities such information as may be maintained by the agency about a consumer, if the information is prescribed. 2018, c. 7, s. 6.

Note: On the day section 6 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsections 12.4 (8) of the Act is repealed. (See: 2023, c. 23, Sched. 2, s. 5 (3))

Identification

(9)  A consumer who requires a consumer reporting agency to place, suspend or terminate a security freeze shall provide the agency with a copy of any prescribed identification and a copy of any other identification the agency may reasonably require to verify the consumer’s identity. 2018, c. 7, s. 6.

Fees

(10)  A consumer reporting agency shall not charge the consumer a fee for placing, suspending or terminating a security freeze unless the agency is permitted to do so by regulations. 2018, c. 7, s. 6.

Information

(11)  When a consumer requires that a security freeze be placed on his or her file, the consumer reporting agency shall provide the consumer with the information referred to in section 12.5 and the name and telephone number or email address of a person the consumer can contact for an explanation of the information. 2018, c. 7, s. 6.

Note: On the day section 6 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, subsection 12.4 (11) of the Act is amended by striking out “his or her” and substituting “the consumer’s”. (See: 2023, c. 23, Sched. 2, s. 5 (4))

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

[2018, c. 7, s. 6](http://www.ontario.ca/laws/statute/S18007" \l "s6) - not in force

[2023, c. 23, Sched. 2, s. 5 (1-4)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s5s1) - not in force

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2018, c. 7, s. 6)

Publication of information re alerts and freezes

**12.5**Every prescribed consumer reporting agency shall, in accordance with any prescribed requirements, publish the following information on a website maintained by the agency:

1. A description of alerts and their implications.

2. A description of security freezes and their implications.

3. Information respecting how a consumer may request an alert or security freeze.

4. Information respecting how a consumer may remove an alert and terminate a security freeze.

5. Repealed: 2023, c. 23, Sched. 2, s. 6.

6. Any other prescribed information respecting consumer alerts and security freezes. 2018, c. 7, s. 6.

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

[2018, c. 7, s. 6](http://www.ontario.ca/laws/statute/S18007" \l "s6) - not in force

[2023, c. 23, Sched. 2, s. 6](http://www.ontario.ca/laws/statute/S23023" \l "sched2s6) - 06/12/2023

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2023, c. 23, Sched. 2, s. 7)

Explanatory statements

**12.6**(1)  A consumer may deliver to a consumer reporting agency a written explanatory statement of no more than 200 words pertaining to any information in the consumer’s file. 2023, c. 23, Sched. 2, s. 7.

Time period

(2)  A consumer reporting agency in receipt of an explanatory statement referred to in subsection (1) shall include the statement in the consumer’s file within the prescribed time period or, if no such period has been prescribed, within a reasonable time period. 2023, c. 23, Sched. 2, s. 7.

Explanatory statements in reports

(3)  If an explanatory statement has been included in a consumer’s file, the consumer reporting agency shall incorporate the statement in every report furnished by the agency in respect of the consumer so long as the report contains information pertaining to the statement. 2023, c. 23, Sched. 2, s. 7.

Amendments or removals of explanatory statements

(4)  A consumer may request the consumer reporting agency to amend the explanatory statement or remove the statement from the consumer’s file. 2023, c. 23, Sched. 2, s. 7.

Time limit for amendments or removals

(5)  Upon receiving a request made under subsection (4), the consumer reporting agency shall amend the explanatory statement or remove the statement from the consumer’s file within the prescribed time period or, if no such period has been prescribed, within a reasonable time period after receiving the request. 2023, c. 23, Sched. 2, s. 7.

Removal of explanatory statements

(6)  If no request has been made under subsection (4) to remove an explanatory statement from a consumer’s file, the consumer reporting agency shall remove the statement from the consumer’s file,

(a) on the day that is six years after the day on which the statement was included in the consumer’s file; or

(b) if a request has been made under subsection (4) to amend the statement, on the day that is six years after the day on which the statement was last amended. 2023, c. 23, Sched. 2, s. 7.

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

[2023, c. 23, Sched. 2, s. 7](http://www.ontario.ca/laws/statute/S23023" \l "sched2s7) - not in force

Correction of errors

**13** (1)  Where a consumer disputes the accuracy or completeness of any item of information contained in his or her file, the consumer reporting agency within a reasonable time shall use its best endeavours to confirm or complete the information and shall correct, supplement or delete the information in accordance with good practice. R.S.O. 1990, c. C.33, s. 13 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 13 (1) of the Act is repealed and the following substituted: (See: 2018, c. 7, s. 7)

Correction of errors

(1)  Subject to any prescribed limitations, a consumer may, in accordance with any prescribed requirements, dispute the accuracy or completeness of any item of information contained in his or her file and the consumer reporting agency shall, within a reasonable time and in accordance with any prescribed requirements, use its best endeavours to confirm or complete the information and shall correct, supplement or delete the information in accordance with good practice. 2018, c. 7, s. 7.

Idem

(2)  Where a consumer reporting agency corrects, supplements or deletes information under subsection (1), the consumer reporting agency shall furnish notification of the correction, supplement or deletion to,

(a) all persons who have been supplied with a consumer report based on the unamended file within sixty days before the correction, supplement or deletion is made; and

(b) the persons specifically designated by the consumer from among those who have been supplied with a consumer report based on the unamended file,

(i) where the report contains personal information, within the one-year period preceding the correction, supplement or deletion, and

(ii) where the report contains credit information, within the six-month period preceding the correction, supplement or deletion. R.S.O. 1990, c. C.33, s. 13 (2).

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

[2018, c. 7, s. 7](http://www.ontario.ca/laws/statute/S18007" \l "s7) - not in force

**13.1-13.8**  Repealed: 2002, c. 30, Sched. E, s. 5 (2).

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

[2000, c. 26, Sched. B, s. 8 (3)](http://www.ontario.ca/laws/statute/S00026" \l "schedbs8s3) - 06/12/2000

[2002, c. 30, Sched. E, s. 5 (2)](http://www.ontario.ca/laws/statute/S02030" \l "schedes5s2) - 30/07/2005

Order by Registrar re information

**14** (1)  The Registrar may order a consumer reporting agency to amend or delete any information, or by order restrict or prohibit the use of any information, that in the Registrar’s opinion is inaccurate or incomplete or that does not comply with the provisions of this Act or the regulations. R.S.O. 1990, c. C.33, s. 14 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 14 (1) of the Act is repealed and the following substituted: (See: 2018, c. 7, s. 8 (1))

Order by Registrar re proof and documentation

(1)  In connection with a complaint made to the Registrar in respect of a consumer reporting agency or in connection with an inspection or investigation of a consumer reporting agency undertaken under this Act, the Registrar may order a consumer reporting agency to,

(a) obtain proof or documentation of the credit and personal information contained in a consumer file from the source of that information; and

(b) provide a copy of the proof and documentation of the credit and personal information to the Registrar in a reasonable time period and in the form and manner specified by the Registrar. 2018, c. 7, s. 8 (1).

Order by Registrar re information

(1.1)  The Registrar may order a consumer reporting agency to amend or delete credit and personal information or restrict or prohibit the use of credit and personal information if,

(a) the agency failed to comply with an order under subsection (1) with respect to the information; or

(b) in the Registrar’s opinion the information maintained by the agency is inaccurate, incomplete or does not comply with the provisions of this Act or the regulations. 2018, c. 7, s. 8 (1).

Enforcement of order

(2)  The Registrar may order a consumer reporting agency to furnish notification to any person who has received a consumer report of any amendments, deletions, restrictions or prohibitions imposed by the Registrar. R.S.O. 1990, c. C.33, s. 14 (2).

Hearing by Tribunal

(3)  Where the consumer or consumer reporting agency considers themself aggrieved by a decision of the Registrar under this section, the consumer or consumer reporting agency may apply to the Tribunal for a hearing and section 6 applies with necessary modifications to the decision in the same manner as to a proposal by the Registrar under section 6 and as if the consumer and the consumer reporting agency each were an applicant or registrant, except that an order of the Registrar may be issued and take effect immediately, but the Tribunal may grant a stay until the order becomes final. R.S.O. 1990, c. C.33, s. 14 (3); 1993, c. 27, Sched; 2018, c. 7, s. 8 (2).

Disclosure of sources

(4)  At a hearing before the Tribunal for the purposes of subsection (3), the Tribunal may require the consumer reporting agency to disclose the source of any information contained in its files. R.S.O. 1990, c. C.33, s. 14 (4); 2018, c. 7, s. 1.

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

1993, c. 27, Sched. - 31/12/1991

[2018, c. 7, s. 1, 8 (2)](http://www.ontario.ca/laws/statute/S18007" \l "s1) - 07/05/2018; [2018, c. 7, s. 8 (1)](http://www.ontario.ca/laws/statute/S18007" \l "s8s1) - not in force

Notice of material changes

**15** Every consumer reporting agency shall, within five days after the event, notify the Registrar in writing of,

(a) any change in its address for service;

(b) any change in the officers in the case of a corporation or of the members in the case of a partnership; and

(c) any commencement or termination of employment of a personal information investigator. R.S.O. 1990, c. C.33, s. 15.

Complaints

**16** (1)  Where the Registrar receives a written complaint in respect of a consumer reporting agency and so directs in writing, the consumer reporting agency shall furnish the Registrar with such information respecting the matter complained of as the Registrar requires. R.S.O. 1990, c. C.33, s. 16 (1).

Idem

(2)  The direction under subsection (1) shall indicate the nature of the inquiry involved. R.S.O. 1990, c. C.33, s. 16 (2).

Idem

(3)  Repealed: 2023, c. 23, Sched. 2, s. 8.

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

[2023, c. 23, Sched. 2, s. 8](http://www.ontario.ca/laws/statute/S23023" \l "sched2s8) - 06/12/2023

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2018, c. 7, s. 9)

Inquiry by Registrar

**16.1**(1)  For the purposes of ensuring compliance with this Act and the regulations, the Registrar, or a person designated by the Registrar in writing, may inquire into, and direct a consumer reporting agency to provide, within such time as the Registrar or designated person may specify, information about the agency’s practices in connection with any of the requirements in this Act and the regulations. 2018, c. 7, s. 9.

Duty to provide information

(2)  If the Registrar or a designated person requires the production of information from a consumer reporting agency under subsection (1), the consumer reporting agency shall provide that information to the Registrar or designated person within the specified time. 2018, c. 7, s. 9.

Orders

(3)  If, after giving the consumer reporting agency an opportunity to be heard, the Registrar determines that a practice of the agency contravenes this Act or the regulations, the Registrar may order the agency to amend or discontinue the practice. 2018, c. 7, s. 9.

Limits on orders

(4)  The Registrar may order no more than what is reasonably necessary to achieve compliance with this Act or the regulations. 2018, c. 7, s. 9.

Appeal

(5)  If a consumer reporting agency considers itself aggrieved by an order of the Registrar under this section, the agency may apply to the Tribunal for a hearing in accordance with the prescribed procedures and section 6 applies with necessary modifications except as otherwise specified by the regulations. 2018, c. 7, s. 9.

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

[2018, c. 7, s. 9](http://www.ontario.ca/laws/statute/S18007" \l "s9) - not in force

Inspection powers

**16.2**(1)  The Registrar or any person designated in writing by the Registrar may conduct an inspection and may, as part of the inspection, enter and inspect at any reasonable time the business premises of a registrant, other than any part of the premises used as a dwelling, for the purpose of,

(a) ensuring the registrant’s compliance with this Act and the regulations;

(b) responding to a complaint made against the registrant under section 16; or

(c) ensuring the registrant remains entitled to be registered. 2023, c. 23, Sched. 2, s. 9.

Use of force

(2)  An inspector is not entitled to use force to enter and inspect the business premises of a registrant. 2023, c. 23, Sched. 2, s. 9.

Identification

(3)  An inspector shall, upon request, produce evidence of the inspector’s authority to carry out an inspection. 2023, c. 23, Sched. 2, s. 9.

Powers of inspector

(4)  An inspector conducting an inspection may,

(a) examine a record or other thing that the inspector thinks may be relevant to the inspection;

(b) require the production of a record or other thing that the inspector thinks may be relevant to the inspection;

(c) remove for review and copying a record or other thing that the inspector thinks may be relevant to the inspection;

(d) in order to produce a record in readable form, use data storage, information processing or retrieval devices or systems that are normally used in carrying on business in the premises; and

(e) question any person on matters the inspector thinks may be relevant to the inspection. 2023, c. 23, Sched. 2, s. 9.

Obligation to produce and assist

(5)  If an inspector demands that a record or other thing be produced, the person who has custody of the record or thing shall produce it and, in the case of a record, shall on request provide any assistance that is reasonably necessary to interpret the record or to produce it in a readable form. 2023, c. 23, Sched. 2, s. 9.

Records and things removed from premises

(6)  An inspector who removes a record or other thing under clause (4) (c) shall provide a receipt and return the record or thing to the person within a reasonable time. 2023, c. 23, Sched. 2, s. 9.

Copy admissible in evidence

(7)  A copy of a record that purports to be certified by an inspector as being a true copy of the original is admissible in evidence to the same extent as the original, and has the same evidentiary value. 2023, c. 23, Sched. 2, s. 9.

Additional contact

(8)  In addition to the power to enter the business premises of a registrant under this section, an inspector may, by any means, contact any person who manages the operations of a registrant and may exercise the powers that the inspector has to conduct an inspection under this section with respect to the registrant or person, without entering any premises, if the inspector establishes that,

(a) the registrant is subject to this Act; and

(b) the person manages the operations of the registrant. 2023, c. 23, Sched. 2, s. 9.

Identification

(9)  An inspector who establishes contact with a person under subsection (8) shall provide a written confirmation to the person of the inspector’s authority to conduct the inspection, whether or not there is a request under subsection (3). 2023, c. 23, Sched. 2, s. 9.

Time for production

(10)  If an inspector establishes contact with a person under subsection (8) and requires the person to produce a record or other thing under clause (4) (b), the person shall provide the record or other thing to the inspector in the manner specified by the inspector and within the time specified by the inspector, which shall not be less than 15 days from the day of the demand to produce. 2023, c. 23, Sched. 2, s. 9.

Duty to assist

(11)  A person who is contacted by an inspector under subsection (8) shall assist the inspector in accordance with subsection (5), subject to the time period mentioned in subsection (10). 2023, c. 23, Sched. 2, s. 9.

Obstruction

(12)  No person shall,

(a) hinder, obstruct or interfere with or attempt to hinder, obstruct or interfere with an inspector conducting an inspection;

(b) refuse to answer questions on matters that an inspector thinks may be relevant to an inspection;

(c) provide an inspector with information on matters the inspector thinks may be relevant to an inspection that the person knows to be false or misleading; or

(d) prevent or attempt to prevent an inspector from making inquiries of any person separate and apart from another person under clause (4) (e). 2023, c. 23, Sched. 2, s. 9.

Inspection of non-registrants

**16.3**(1)  If the Registrar has reasonable grounds to believe that an activity for which registration is required is occurring, the Registrar or a person designated in writing by the Registrar may conduct an inspection and may, as part of the inspection, enter and inspect at any reasonable time the business premises of a person or entity, other than any part of the premises used as a dwelling, for the purpose of determining whether the person or entity is carrying on the activity. 2023, c. 23, Sched. 2, s. 9.

Application of s. 16.2

(2)  Subsections 16.2 (2) to (12) apply to the inspection described in subsection (1) of this section, reading references to a registrant as references to the person or entity whose business premises are subject to the inspection. 2023, c. 23, Sched. 2, s. 9.

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

[2023, c. 23, Sched. 2, s. 9](http://www.ontario.ca/laws/statute/S23023" \l "sched2s9) - 06/12/2023

Appointment of investigators

**17** (1)  The Director may appoint persons to be investigators for the purposes of conducting investigations. 2006, c. 34, s. 9 (8).

Certificate of appointment

(2)  The Director shall issue to every investigator a certificate of appointment bearing his or her signature or a facsimile of the signature. 2006, c. 34, s. 9 (8).

Production of certificate of appointment

(3)  Every investigator who is conducting an investigation, including under section 18, shall, upon request, produce the certificate of appointment as an investigator. 2006, c. 34, s. 9 (8).

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

[2002, c. 30, Sched. E, s. 5 (3)](http://www.ontario.ca/laws/statute/S02030" \l "schedes5s3) - 30/07/2005

[2006, c. 34, s. 9 (8)](http://www.ontario.ca/laws/statute/S06034" \l "s9s8) - 01/04/2007

Search warrant

**18** (1)  Upon application made without notice by an investigator, a justice of the peace may issue a warrant, if he or she is satisfied on information under oath that there is reasonable ground for believing that,

(a) a person has contravened or is contravening this Act or the regulations or has committed an offence under the law of any jurisdiction that is relevant to the person’s fitness for registration under this Act; and

(b) there is,

(i) in any building, dwelling, receptacle or place anything relating to the contravention of this Act or the regulations or to the person’s fitness for registration, or

(ii) information or evidence relating to the contravention of this Act or the regulations or the person’s fitness for registration that may be obtained through the use of an investigative technique or procedure or the doing of anything described in the warrant. 2006, c. 34, s. 9 (9); 2019, c. 14, Sched. 10, s. 5 (1).

Powers under warrant

(2)  Subject to any conditions contained in it, a warrant obtained under subsection (1) authorizes an investigator,

(a) to enter or access the building, dwelling, receptacle or place specified in the warrant and examine and seize anything described in the warrant;

(b) to make reasonable inquiries of any person, orally or in writing, with respect to anything relevant to the investigation;

(c) to require a person to produce the information or evidence described in the warrant and to provide whatever assistance is reasonably necessary, including using any data storage, processing or retrieval device or system to produce, in any form, the information or evidence described in the warrant;

(d) to use any data storage, processing or retrieval device or system used in carrying on business in order to produce information or evidence described in the warrant, in any form; and

(e) to use any investigative technique or procedure or do anything described in the warrant. 2006, c. 34, s. 9 (9); 2019, c. 14, Sched. 10, s. 5 (1, 2).

Entry of dwelling

(3)  Despite subsection (2), an investigator shall not exercise the power under a warrant to enter a place, or part of a place, used as a dwelling, unless,

(a) the justice of the peace is informed that the warrant is being sought to authorize entry into a dwelling; and

(b) the justice of the peace authorizes the entry into the dwelling. 2006, c. 34, s. 9 (9).

Conditions on warrant

(4)  A warrant obtained under subsection (1) shall contain such conditions as the justice of the peace considers advisable to ensure that any search authorized by the warrant is reasonable in the circumstances. 2006, c. 34, s. 9 (9).

Expert help

(5)  The warrant may authorize persons who have special, expert or professional knowledge and other persons as necessary to accompany and assist the investigator in respect of the execution of the warrant. 2006, c. 34, s. 9 (9).

Time of execution

(6)  An entry or access under a warrant issued under this section shall be made between 6 a.m. and 9 p.m., unless the warrant specifies otherwise. 2006, c. 34, s. 9 (9).

Expiry of warrant

(7)  A warrant issued under this section shall name a date of expiry, which shall be no later than 30 days after the warrant is issued, but a justice of the peace may extend the date of expiry for an additional period of no more than 30 days, upon application without notice by an investigator. 2006, c. 34, s. 9 (9).

Use of force

(8)  An investigator may call upon police officers for assistance in executing the warrant and the investigator may use whatever force is reasonably necessary to execute the warrant. 2006, c. 34, s. 9 (9).

No obstruction

(9)  No person shall obstruct an investigator executing a warrant under this section or withhold from him or her or conceal, alter or destroy anything relevant to the investigation being conducted pursuant to the warrant. 2006, c. 34, s. 9 (9).

Compliance

(10)  If an investigator under clause (2) (c) requires a person to produce evidence or information or to provide assistance, the person shall produce the evidence or information or provide the assistance, as the case may be. 2019, c. 14, Sched. 10, s. 5 (3).

Copies of seized items

(11)  An investigator who seizes any thing under this section or section 18.1 may make a copy of it. 2019, c. 14, Sched. 10, s. 5 (3).

Admissibility

(12)  A copy of a document or record certified by an investigator as being a true copy of the original is admissible in evidence to the same extent as the original and has the same evidentiary value. 2006, c. 34, s. 9 (9).

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

[2006, c. 34, s. 9 (9)](http://www.ontario.ca/laws/statute/S06034" \l "s9s9) - 01/04/2007

[2019, c. 14, Sched. 10, s. 5 (1-3)](http://www.ontario.ca/laws/statute/S19014" \l "sched10s5s1) - 10/12/2019

Seizure of things not specified

**18.1**An investigator who is lawfully present in a place pursuant to a warrant or otherwise in the execution of his or her duties may, without a warrant, seize anything in plain view that the investigator believes on reasonable grounds will afford evidence relating to a contravention of this Act or the regulations. 2006, c. 34, s. 9 (9).

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

[2006, c. 34, s. 9 (9)](http://www.ontario.ca/laws/statute/S06034" \l "s9s9) - 01/04/2007

Searches in exigent circumstances

**18.2**(1)  An investigator may exercise any of the powers described in subsection 18 (2) without a warrant if the conditions for obtaining the warrant exist but by reason of exigent circumstances it would be impracticable to obtain the warrant. 2006, c. 34, s. 9 (9).

Dwellings

(2)  Subsection (1) does not apply to a building or part of a building that is being used as a dwelling. 2006, c. 34, s. 9 (9).

Use of force

(3)  The investigator may, in executing any authority given by this section, call upon police officers for assistance and use whatever force is reasonably necessary. 2006, c. 34, s. 9 (9).

Applicability of s. 18

(4)  Subsections 18 (5), (9), (10), (11) and (12) apply with necessary modifications to a search under this section. 2006, c. 34, s. 9 (9).

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

[2006, c. 34, s. 9 (9)](http://www.ontario.ca/laws/statute/S06034" \l "s9s9) - 01/04/2007

Report when things seized

**18.3**(1)  An investigator who seizes any thing under the authority of section 18, 18.1 or 18.2 shall bring it before a justice of the peace or, if that is not reasonably possible, shall report the seizure to a justice of the peace. 2019, c. 14, Sched. 10, s. 5 (4).

Procedure

(2)  Sections 159 and 160 of the Provincial Offences Act apply with necessary modifications in respect of a thing seized under the authority of section 18, 18.1 or 18.2 of this Act, reading the reference in subsection 160 (1) of that Act to a document that a person is about to examine or seize under a search warrant as a reference to a thing that an investigator is about to examine or seize under the authority of section 18, 18.1 or 18.2 of this Act. 2019, c. 14, Sched. 10, s. 5 (4).

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

[2019, c. 14, Sched. 10, s. 5 (4)](http://www.ontario.ca/laws/statute/S19014" \l "sched10s5s4) - 10/12/2019

General

Confidentiality

**19** (1)  A person who obtains information in the course of exercising a power or carrying out a duty related to the administration of this Act or the regulations shall preserve secrecy with respect to the information and shall not communicate the information to any person except,

(a) as may be required in connection with a proceeding under this Act or in connection with the administration of this Act or the regulations;

(b) to a ministry, department or agency of a government engaged in the administration of legislation similar to this Act or legislation that protects consumers or to any other entity to which the admin­istration of legislation similar to this Act or legislation that protects consumers has been assigned;

(b.1) as authorized under the Regulatory Modernization Act, 2007;

(c) to an entity or organization prescribed by the regulations, if the purpose of the communication is the protection of consumers to whom this Act applies;

(d) to a law enforcement agency;

(e) to his, her or its counsel; or

(f) with the consent of the person to whom the information relates. 2004, c. 19, s. 9 (2); 2007, c. 4, s. 28.

Testimony

(2)  Except in a proceeding under this Act, no person shall be required to give testimony in a civil proceeding with regard to information obtained in the course of exercising a power or carrying out a duty related to the administration of this Act or the regulations. 2004, c. 19, s. 9 (2).

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

[2004, c. 19, s. 9 (2)](http://www.ontario.ca/laws/statute/S04019" \l "s9s2) - 31/03/2007

[2006, c. 34, s. 9 (10, 11)](http://www.ontario.ca/laws/statute/S06034" \l "s9s10) - 01/04/2007

[2007, c. 4, s. 28](http://www.ontario.ca/laws/statute/S07004" \l "s28) - 17/01/2008

Service

**20** (1)  Any notice or order required to be given, delivered or served under this Act or the regulations is sufficiently given, delivered or served if it is,

(a) delivered personally;

(b) sent by registered mail addressed to the person to whom delivery or service is required to be made at the person’s last known address;

(c) sent by ordinary mail addressed to the person to whom delivery or service is required to be made at the person’s last known address, in the case of a notice that is required to be given, delivered or served under section 10, 13 or 15; or

(d) sent by another manner if the sender can prove receipt of the notice or order. 2019, c. 7, Sched. 14, s. 1.

Idem

(2)  Where service is made by mail, the service shall be deemed to be made on the third day after the day of mailing unless the person on whom service is being made establishes that the person did not, acting in good faith, through absence, accident, illness or other cause beyond the person’s control receive the notice or order until a later date. R.S.O. 1990, c. C.33, s. 20 (2).

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

[2019, c. 7, Sched. 14, s. 1](http://www.ontario.ca/laws/statute/S19007" \l "sched14s1) - 29/05/2019

Restraining order

**21** (1)  Where it appears to the Director that any person does not comply with any provision of this Act, the regulations or an order made under this Act, despite the imposition of any penalty in respect of such non-compliance and in addition to any other rights he or she may have, the Director may apply to the Superior Court of Justice for an order directing such person to comply with such provision, and upon the application, the court may make such order or such other order as the court thinks fit. R.S.O. 1990, c. C.33, s. 21 (1); 2001, c. 9, Sched. D, s. 14.

Appeal

(2)  An appeal lies to the Divisional Court from an order made under subsection (1). R.S.O. 1990, c. C.33, s. 21 (2).

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

[2001, c. 9, Sched. D, s. 14](http://www.ontario.ca/laws/statute/S01009" \l "schedds14) - 29/06/2001

False information

**22** No person shall knowingly supply false or misleading information to another who is engaged in making a consumer report. R.S.O. 1990, c. C.33, s. 22.

Offences

**23** (1)  Every person who,

(a) knowingly, furnishes false information in any application under this Act or in any statement or return required to be furnished under this Act or the regulations;

(b) fails to comply with any order, direction or other requirement made under this Act; or

(c) contravenes any provision of this Act or the regulations,

and every director or officer of a corporation who knowingly concurs in such furnishing, failure or contravention is guilty of an offence and on conviction is liable to a fine of not more than $50,000 or to imprisonment for a term of not more than one year, or to both. R.S.O. 1990, c. C.33, s. 23 (1); 2023, c. 23, Sched. 2, s. 10 (1).

Corporations

(2)  Where a corporation is convicted of an offence under subsection (1), the maximum penalty that may be imposed upon the corporation is $250,000 and not as provided therein. R.S.O. 1990, c. C.33, s. 23 (2); 2023, c. 23, Sched. 2, s. 10 (2).

Limitation

(3)  No proceeding under clause (1) (a) shall be commenced more than one year after the facts upon which the proceeding is based first came to the knowledge of the Director. R.S.O. 1990, c. C.33, s. 23 (3).

Idem

(4)  No proceeding under clause (1) (b) or (c) shall be commenced more than two years after the time when the subject-matter of the proceeding arose. R.S.O. 1990, c. C.33, s. 23 (4).

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

[2023, c. 23, Sched. 2, s. 10 (1, 2)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s10s1) - 06/12/2023

Liability for contravention of Act or regulations

**23.1** (1)  A person who contravenes this Act or the regulations is liable to a consumer for any damages sustained by the consumer as a result of the contravention. 2023, c. 23, Sched. 2, s. 11.

Consumer right of action in Superior Court of Justice

(2)  A consumer has a right to commence an action for the damages referred to in subsection (1) and the consumer may commence the action in the Superior Court of Justice. 2023, c. 23, Sched. 2, s. 11.

Same

(3)  This section applies in addition to any other remedy available by law to the consumer. 2023, c. 23, Sched. 2, s. 11.

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

[2023, c. 23, Sched. 2, s. 11](http://www.ontario.ca/laws/statute/S23023" \l "sched2s11) - 06/12/2023

Certificate as evidence

**24** (1)  A statement as to,

(a) the registration or non-registration of any person;

(b) the filing or non-filing of any document or material required or permitted to be filed with the Registrar;

(c) the time when the facts upon which proceedings are based first came to the knowledge of the Director; or

(d) any other matter pertaining to such registration, non-registration, filing or non-filing,

purporting to be certified by the Director is, without proof of the office or signature of the Director, admissible in evidence as proof, in the absence of evidence to the contrary, of the facts stated therein. R.S.O. 1990, c. C.33, s. 24 (1).

Proof of Minister’s signature

(2)  Any document under this Act purporting to be signed by the Minister, or any certified copy thereof, is admissible in evidence in any action, prosecution or other proceeding as proof, in the absence of evidence to the contrary, that the document is signed by the Minister without proof of the office or signature of the Minister. R.S.O. 1990, c. C.33, s. 24 (2).

Power of Minister

**24.1**  The Minister may by order require the payment of fees for an application for registration or a renewal of registration under this Act and may approve the amount of those fees. 1998, c. 18, Sched. E, s. 57.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 24.1 of the Act is repealed. (See: 2018, c. 7, s. 10)

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

1998, c. 18, Sched. E, s. 57 - 18/12/1998

[2018, c. 7, s. 10](http://www.ontario.ca/laws/statute/S18007" \l "s10) - not in force

Regulations

**25** The Lieutenant Governor in Council may make regulations,

Note: On a day to be named by proclamation of the Lieutenant Governor, section 25 of the Act is amended by adding the following clause: (See: 2018, c. 7, s. 11 (1))

(0.a) prescribing anything that is referred to in this Act as prescribed;

(a) exempting any consumer reporting agency or class of consumer reporting agencies, or any other person or class of persons, from this Act or the regulations or any provision thereof;

Note: On a day to be named by proclamation of the Lieutenant Governor, section 25 of the Act is amended by adding the following clause: (See: 2018, c. 7, s. 11 (1))

(a.1) defining the term “consumer score” in subsection 1 (1);

Note: On the day subsection 11 (2) of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, clause 25 (a.1) of the Act is repealed. (See: 2023, c. 23, Sched. 2, s. 12 (2))

(b) governing applications for registration or renewal of registration and prescribing terms and conditions of registration;

(c) Repealed: 1998, c. 18, Sched. E, s. 58 (1).

(d) requiring registered consumer reporting agencies to be bonded in such form and terms and with such collateral security as are prescribed, and providing for the forfeiture of bonds and the disposition of the proceeds;

(e) prescribing further procedures respecting the conduct of matters coming before the Tribunal;

(f) requiring and governing the books, accounts and records relating to the due compliance with the provisions of this Act that shall be kept by consumer reporting agencies;

(g) prescribing information that may not be reported by a consumer reporting agency or contained in its files;

(h) prescribing information that must be contained in a consumer report;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 25 (h) of the Act is repealed and the following substituted: (See: 2018, c. 7, s. 11 (2))

(h) exempting a class of consumer reporting agencies from any provision of section 12 or limiting the extent to which any provision of section 12 applies to a class of consumer reporting agencies;

Note: On the day subsection 11 (2) of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, clause 25 (h) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 12 (3))

(h) exempting a consumer reporting agency or class of consumer reporting agencies from any provision of section 12 or limiting the extent to which any provision of section 12 applies to a consumer reporting agency or class of consumer reporting agencies;

(h.1) clarifying the requirements with respect to disclosures for the purposes of subsection 12 (9);

(h.2) permitting, limiting and governing fees for the purposes of subsections 12 (13), (14) and (15) that a consumer reporting agency may charge with respect to a disclosure under section 12;

Note: On the day subsection 11 (2) of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, clause 25 (h.2) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 12 (4))

(h.2) permitting, limiting and governing fees for the purposes of subsections 12 (13), (14) and (15) that a consumer reporting agency or class of consumer reporting agencies may charge with respect to a disclosure under section 12;

(h.3) prescribing methods for generating a consumer score and the purposes and circumstances in which a prescribed method is to be used by a consumer reporting agency for the purposes of section 12.0.1;

(h.4) governing the information, including specified wording, that a consumer reporting agency shall publish with respect to consumer scores for the purposes of subsection 12.0.1 (4);

(i) requiring consumer reporting agencies to make returns and furnish information to the Registrar;

(j) prescribing forms for the purposes of this Act and providing for their use;

(k) requiring any information required to be furnished or contained in any form or return to be verified by affidavit;

(l) governing the application of sections 12.1 to 12.3, including, without limiting the generality of the foregoing,

(i) governing how a consumer may make a requirement under subsection 12.1 (1) or (5),

(ii) prescribing, for the purposes of subsection 12.1 (2), other methods of contacting the consumer,

(iii) prescribing a period, for the purposes of subsection 12.1 (8), after which an alert expires,

(iv) governing the fees a consumer reporting agency may require to be paid under subsection 12.1 (10), including providing for circumstances in which fees may not be charged,

(v) defining “extension of credit” or “loaning of money” for the purposes of clause 12.3 (3) (a) and prescribing other transactions for the purposes of clause 12.3 (3) (b),

(vi) providing for exemptions from section 12.1, 12.2 or 12.3, including exempting a consumer reporting agency or other person from section 12.1, 12.2 or 12.3, prescribing circumstances in respect of which section 12.1, 12.2 or 12.3 do not apply or exempting transactions from section 12.3;

(m) Repealed: 2009, c. 33, Sched. 10, s. 4 (3).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 25 of the Act is amended by adding the following clauses: (See: 2018, c. 7, s. 11 (3))

(m) permitting and governing fees for the purposes of subsection 12.4 (10) that a consumer reporting agency may charge for placing, suspending or terminating a security freeze;

Note: On the day section 6 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, clause 25 (m) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 12 (5))

(m) defining any word or expression used in subsection 12.4 (2) that is not already defined in this Act;

(m.1) governing the information, including specified wording, that a consumer reporting agency shall publish with respect to alerts and security freezes for the purposes of section 12.5;

Note: On the day section 6 of the Access to Consumer Credit Reports and Elevator Availability Act, 2018 comes into force, clause 25 (m.1) of the Act is repealed and the following substituted: (See: 2023, c. 23, Sched. 2, s. 12 (5))

(m.1) permitting and governing fees for the purposes of subsection 12.4 (10) that a consumer reporting agency or class of consumer reporting agencies may charge for placing, suspending or terminating a security freeze;

(m.2) governing the information, including specified wording, that a consumer reporting agency or class of consumer reporting agencies shall publish with respect to alerts and security freezes for the purposes of section 12.5

(n) prescribing entities and organizations for the purpose of clause 19 (1) (c);

(o) requiring the Registrar to maintain a public record of certain documents and information, prescribing the documents and information that must be kept in the public record, and governing the public record and access to it;

(p) requiring the Registrar to publish certain documents and information, prescribing the documents and information that must be published, and governing their publication and access to them;

(q) authorizing the Registrar to conduct quality assurance programs in relation to the administration of this Act or the regulations and to use information collected under this Act for the purpose of those programs. R.S.O. 1990, c. C.33, s. 25; 1998, c. 18, Sched. E, s. 58 (1); 2000, c. 26, Sched. B, s. 8 (4); 2004, c. 19, s. 9 (3); 2006, c. 34, s. 9 (13); 2009, c. 33, Sched. 10, s. 4 (3); 2018, c. 7, s. 1; 2023, c. 23, Sched. 2, s. 12 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 25 of the Act is amended by adding the following clause: (See: 2018, c. 7, s. 11 (3))

(r) governing the payment of fees for an application for registration or a renewal of registration under this Act and prescribing the amount of those fees;

Note: Regulations made under clause 25 (c), as that clause read immediately before December 18, 1998, continue in force until the Minister makes an order under section 24.1, as enacted by the Statutes of Ontario, 1998, chapter 18, Schedule E, section 57, that is inconsistent with the regulations. See: 1998, c. 18, Sched. E, s. 58 (2).

Note: The Lieutenant Governor in Council may by regulation revoke regulations made under clause 25 (c), as that clause read immediately before December 18, 1998, if the Minister makes an order under section 24.1, as enacted by the Statutes of Ontario, 1998, chapter 18, Schedule E, section 57, that is inconsistent with those regulations. See: 1998, c. 18, Sched. E, s. 58 (3).

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

1998, c. 18, Sched. E, s. 58 (1-3) - 18/12/1998

[2000, c. 26, Sched. B, s. 8 (4)](http://www.ontario.ca/laws/statute/S00026" \l "schedbs8s4) - 06/12/2000

[2004, c. 19, s. 9 (3)](http://www.ontario.ca/laws/statute/S04019" \l "s9s3) - 31/03/2007

[2006, c. 34, s. 9 (13)](http://www.ontario.ca/laws/statute/S06034" \l "s9s13) - 01/01/2008

[2009, c. 33, Sched. 10, s. 4 (3)](http://www.ontario.ca/laws/statute/S09033" \l "sched10s4s3) - 15/12/2009

[2018, c. 7, s. 1](http://www.ontario.ca/laws/statute/S18007" \l "s1) - 07/05/2018; [2018, c. 7, s. 11 (1-3)](http://www.ontario.ca/laws/statute/S18007" \l "s11s1) - not in force

[2023, c. 23, Sched. 2, s. 12 (1)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s12s1) - 06/12/2023; [2023, c. 23, Sched. 2, s. 12 (2-5)](http://www.ontario.ca/laws/statute/S23023" \l "sched2s12s2) - not in force

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