[Français](http://www.ontario.ca/fr/lois/loi/90l10)

Legislative Assembly Act

R.S.O. 1990, CHAPTER L.10

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Composition of Assembly

**1** The Assembly is composed of the number of members that is determined under the Representation Act, 2015. 2005, c. 35, s. 3 (1); 2015, c. 31, Sched. 5, s. 1.

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

1996, c. 28, s. 4 - 01/01/1998

[2005, c. 35, s. 3 (1)](http://www.ontario.ca/laws/statute/S05035" \l "s3s1) - 15/12/2005

[2015, c. 31, Sched. 5, s. 1](http://www.ontario.ca/laws/statute/S15031" \l "sched5s1) - 03/12/2015

Demise of the Crown

**2** (1)  The Legislature shall not determine or be dissolved by the demise of the Crown, but shall continue, and may meet, convene and sit, proceed and act, in the same manner as if such demise had not happened. R.S.O. 1990, c. L.10, s. 2 (1).

Power to prorogue or dissolve not affected

(2)  Nothing in this section alters or abridges the power of the Crown to prorogue or dissolve the Legislature. R.S.O. 1990, c. L.10, s. 2 (2).

**3** Repealed: 2005, c. 35, s. 3 (2).

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

[2005, c. 35, s. 3 (2)](http://www.ontario.ca/laws/statute/S05035" \l "s3s2) - 15/12/2005

Yearly session

**4** There shall be a session of the Legislature once at least in every year, so that twelve months do not intervene between the last sitting of the Legislature in one session and its first sitting in the next. R.S.O. 1990, c. L.10, s. 4.

Prorogation

**5** It is not necessary for the Lieutenant Governor in proroguing the Legislature to name a day to which it is prorogued, nor to issue a formal proclamation for a meeting of the Legislature when it is not intended that the Legislature shall meet for despatch of business. R.S.O. 1990, c. L.10, s. 5.

Qualification of members

**6** The persons qualified to sit and vote as members of the Assembly are any persons of the full age of eighteen years who are Canadian citizens resident in Ontario and not disqualified by this or any other Act from election to the Assembly. R.S.O. 1990, c. L.10, s. 6.

Senators and members of House of Commons disqualified

**7** (1)  No person who on the day of nomination for election to the Assembly is a member of the Senate of Canada or of the House of Commons of Canada is eligible as a member of the Assembly or shall be returned as elected thereto, and if any such person receives a majority of votes at an election, the votes cast for that person shall be thrown away and the returning officer shall return the person having the next greatest number of votes if he or she is otherwise eligible. R.S.O. 1990, c. L.10, s. 7 (1).

Vacation of seat

(2)  If a member of the Assembly is elected and returned to the House of Commons of Canada or is appointed to the Senate of Canada, the member’s seat in the Assembly is thereupon vacated and a writ shall issue forthwith for a new election to fill the vacancy. R.S.O. 1990, c. L.10, s. 7 (2).

Disqualification of persons holding office under Crown

**8** (1)  Except as hereinafter specially provided, no person accepting or holding any office, commission or employment in the service of the Government of Canada, or of the Government of Ontario at the nomination of the Crown or at the nomination of any of the officers of the Government of Canada or of the Government of Ontario to which any salary, fee, wage, allowance, emolument or profit of any kind is attached is eligible as a member of the Assembly or shall sit or vote therein. R.S.O. 1990, c. L.10, s. 8 (1).

Exceptions

(2)  Nothing in this section renders ineligible as aforesaid or disqualifies from sitting and voting in the Assembly when not otherwise disqualified,

(a) a member of the Executive Council or a Parliamentary Assistant;

(b) an officer or other member of the regular force or reserve force of the Canadian Forces;

(c) a coroner, notary public or public school supervisory officer;

(d) any person holding any temporary employment in the service of the Government of Canada requiring special qualifications or professional skill, or a commissioner appointed under the Inquiries Act (Canada);

(e) a member of any commission, board, committee or other body holding office at the nomination of the Lieutenant Governor in Council, but this clause does not apply to members of the Ontario Labour Relations Board, the Ontario Land Tribunal, the Workplace Safety and Insurance Board, the Ontario Securities Commission, the Ontario Farm Products Marketing Commission, the Civil Service Commission, or the Ontario Parole Board. R.S.O. 1990, c. L.10, s. 8 (2); 1997, c. 16, s. 10 (1); 2000, c. 40, s. 19; 2009, c. 33, Sched. 9, s. 6; 2019, c. 15, Sched. 22, s. 96 (1); 2021, c. 4, Sched. 6, s. 58.

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

1997, c. 16, s. 10 (1) - 01/01/1998

[2000, c. 40, s. 19](http://www.ontario.ca/laws/statute/S00040" \l "s19) - 03/07/2001

[2009, c. 33, Sched. 9, s. 6](http://www.ontario.ca/laws/statute/S09033" \l "sched9s6) - 15/12/2009

[2019, c. 15, Sched. 22, s. 96 (1)](http://www.ontario.ca/laws/statute/S19015" \l "sched22s96s1) - 29/11/2021

[2021, c. 4, Sched. 6, s. 58](http://www.ontario.ca/laws/statute/S21004" \l "sched6s58) - 01/06/2021

Not eligible to hold municipal office

**9** (1) Subject to subsection (2), a member of the Assembly is not eligible to hold office as a member of the council of a municipality or as a member of a local board, as defined in the Municipal Affairs Act, of a municipality. 2002, c. 17, Sched. F, Table.

Member deemed to have resigned municipal office when election to Assembly published

(2)  Every person who is elected a member of the Assembly while holding an office referred to in subsection (1) may continue to hold such office, despite any other Act, until the end of the day on which the return of the election of such person to the Assembly is published in The Ontario Gazette under section 83 of the Election Act, at which time the member shall be deemed to have resigned such office. R.S.O. 1990, c. L.10, s. 9 (2); 2005, c. 35, s. 3 (3).

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

[2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs1s1) - 01/01/2003

[2005, c. 35, s. 3 (3)](http://www.ontario.ca/laws/statute/S05035" \l "s3s3) - 15/12/2005

**10., 11** Repealed: 1994, c. 38, s. 38 (1).

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

1994, c. 38, s. 38 (1) - 06/10/1995

When disqualification to become operative

**12** No disqualification under section 8 on any ground arising before the election shall be held by any court to affect the seat of a member of the Assembly or to disentitle any person to sit or vote therein until the disqualification has been duly found and declared by an election court, but this is not to be construed as affecting the right of the Assembly to expel a member according to the practice of Parliament or otherwise. R.S.O. 1990, c. L.10, s. 12; 1994, c. 38, s. 38 (2).

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

1994, c. 38, s. 38 (2) - 06/10/1995

Effect of election of disqualified person

**13** If a person who is disqualified or ineligible or incapable of being elected a member of the Assembly is nevertheless elected and returned, the election and return is void. R.S.O. 1990, c. L.10, s. 13.

Member not disqualified on appointment to Executive Council, etc.

**14** Despite anything in any Act, a member of the Assembly who is appointed a member of the Executive Council or a Parliamentary Assistant shall not, by reason of the acceptance of such appointment, vacate his or her seat or be disqualified from sitting or voting in the Assembly. R.S.O. 1990, c. L.10, s. 14.

Disqualification through acceptance of office

**15** (1)  If a member of the Assembly by accepting any office as in section 8 mentioned is disqualified by law to continue to sit or vote in the Assembly, his or her seat shall be vacated, but the member may be re-elected if he or she is not declared ineligible under this Act. R.S.O. 1990, c. L.10, s. 15 (1); 1994, c. 38, s. 38 (3).

Saving in case of, exchange of offices in Executive Council

(2)  Nevertheless, whenever a person holding any of the offices mentioned in section 2 of the Executive Council Act and being at the same time a member of the Assembly resigns his or her office and accepts any other of such offices, the member does not thereby vacate his or her seat in the Assembly. R.S.O. 1990, c. L.10, s. 15 (2).

Additional offices in Executive Council

(3)  Where a member of the Executive Council holding any one of the offices mentioned in section 2 of the Executive Council Act is appointed to hold another office in addition to or in connection with such first-mentioned office, the member does not thereby vacate his or her seat, and any increase or change of emolument arising from the holding of such two offices does not cause a vacancy or render a re-election necessary. R.S.O. 1990, c. L.10, s. 15 (3).

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

1994, c. 38, s. 38 (3) - 06/10/1995

Penalty upon disqualified person sitting or voting

**16** (1)  Subject to section 12, a person ineligible as a member of or disqualified from sitting or voting in the Assembly who sits or votes therein while ineligible or disqualified shall forfeit the sum of $2,000 for every day on which he or she so sits or votes, and such sum may be recovered from him or her by any person who sues for it in any court of competent jurisdiction. R.S.O. 1990, c. L.10, s. 16 (1).

Idem

(2)  If an action is brought and judgment is recovered against the defendant, no other action shall be brought or proceeding taken against the defendant for any act under this section committed before notice to him or her of the recovery of the judgment. R.S.O. 1990, c. L.10, s. 16 (2).

Staying proceedings in other actions

(3)  The court wherein any other action is brought contrary to the intent and meaning of this Act, may upon the defendant’s motion, stay the proceedings therein, if the first-mentioned action be prosecuted without fraud and with effect, but no action shall be deemed an action within this section unless so prosecuted. R.S.O. 1990, c. L.10, s. 16 (3).

Disclaimer by member elect

**17** (1)  A member elect may at any time before his or her election is complained of disclaim his or her seat in the manner hereinafter provided, and the member thereby vacates the seat and ceases to be a member in respect of the seat so disclaimed. R.S.O. 1990, c. L.10, s. 17 (1).

Mode of disclaiming

(2)  A member elect who desires to disclaim may transmit by registered mail addressed to the Clerk of the Legislative Assembly, Toronto, or cause to be delivered to the Clerk, a disclaimer signed by the member in the presence of two subscribing witnesses to the following effect:

I, ..............................., member elect to the Legislative Assembly for the electoral district of ............................ , hereby disclaim all my right or title to sit or vote or in any manner to act as such member.

R.S.O. 1990, c. L.10, s. 17 (2).

Transmission of copy of disclaimer

(3)  The Clerk of the Assembly shall, on receiving a disclaimer, forthwith send a copy of it to the local registrar of the Superior Court of Justice for the area in which is situate the electoral district or any part of the electoral district for which the member so disclaiming was elected. R.S.O. 1990, c. L.10, s. 17 (3); 2005, c. 35, s. 3 (4).

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

[2005, c. 35, s. 3 (4)](http://www.ontario.ca/laws/statute/S05035" \l "s3s4) - 15/12/2005

Resignation before meeting of Legislature

**18** If a person returned as elected at a general election wishes to resign his or her seat before the first session of the Legislature thereafter, the person may address and cause to be delivered to any two members elect of the Assembly a declaration that he or she resigns the seat, made in writing and signed before two subscribing witnesses, and the two members upon receiving the declaration shall forthwith address their warrant under their hands and seals to the Chief Electoral Officer for the issue of a writ for the election of a member for the electoral district in the place of the member so resigning, and the writ shall issue accordingly. R.S.O. 1990, c. L.10, s. 18; 2007, c. 15, s. 40 (1).

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

[2007, c. 15, s. 40 (1)](http://www.ontario.ca/laws/statute/S07015" \l "s40s1) - 04/06/2007

In other cases

**19** (1)  A member may also resign his or her seat,

(a) by giving in his or her place in the Assembly notice of his or her intention to resign it, which notice shall be entered immediately by the Clerk of the Assembly upon the Journals of the Assembly; or

(b) by addressing and causing to be delivered to the Speaker a declaration that the member resigns his or her seat, made in writing and signed before two subscribing witnesses, which declaration may be so made and delivered either during a session of the Legislature or in the interval between two sessions. R.S.O. 1990, c. L.10, s. 19 (1).

Record

(2)  An entry of the declaration so delivered to the Speaker shall thereafter be made upon the Journals of the Assembly. R.S.O. 1990, c. L.10, s. 19 (2).

New writ

(3)  Immediately after the notice of intention to resign has been entered upon the Journals, or after the receipt of the declaration, as the case may be, the Speaker shall address a warrant under his or her hand and seal to the Chief Electoral Officer for the issue of a writ for the election of a member in the place of the member so resigning, and in either case the writ shall issue accordingly. R.S.O. 1990, c. L.10, s. 19 (3); 2007, c. 15, s. 40 (1).

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

[2007, c. 15, s. 40 (1)](http://www.ontario.ca/laws/statute/S07015" \l "s40s1) - 04/06/2007

Where there is no Speaker, or the member is the Speaker

**20** If a member wishes to resign his or her seat in the interval between two sessions of the Legislature, and there is then no Speaker, or the Speaker is absent from Ontario, or if the member is the Speaker, the member may address and cause to be delivered to two members the declaration before mentioned, and the two members upon receiving the declaration shall forthwith address their warrant under their hands and seals to the Chief Electoral Officer for the issue of a writ for the election of a member in the place of the member so resigning, and the writ shall issue accordingly. R.S.O. 1990, c. L.10, s. 20; 2007, c. 15, s. 40 (1).

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

[2007, c. 15, s. 40 (1)](http://www.ontario.ca/laws/statute/S07015" \l "s40s1) - 04/06/2007

Consequences of resignation

**21** (1)  A member or member elect tendering his or her resignation in any manner hereinbefore provided for shall be deemed to have vacated his or her seat and to have ceased to be a member of the Assembly in respect thereof. R.S.O. 1990, c. L.10, s. 21 (1).

Time for resignation

(2)  A member or member elect shall not tender his or her resignation while his or her election is controverted, nor until after the expiration of the time within which an election petition may be filed. R.S.O. 1990, c. L.10, s. 21 (2).

Issue of writ for new election, when election adjudged void

**22** Forthwith after receipt by the Clerk of the Assembly of a judgment by the Superior Court of Justice under the Election Act that the election of a person is void and ordering a new election, the Speaker or, if there is no Speaker or the Speaker is absent from Ontario or is unable to act, the Clerk of the Assembly shall address a warrant under his or her hand and seal to the Chief Electoral Officer for the issue of a writ for the election of a member for the electoral district the election for which was adjudged to be void, and the writ shall issue accordingly. R.S.O. 1990, c. L.10, s. 22; 2005, c. 35, s. 3 (4); 2007, c. 15, s. 40 (1).

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

[2005, c. 35, s. 3 (4)](http://www.ontario.ca/laws/statute/S05035" \l "s3s4) - 15/12/2005

[2007, c. 15, s. 40 (1)](http://www.ontario.ca/laws/statute/S07015" \l "s40s1) - 04/06/2007

Report to Assembly

**23** The measures taken under sections 18 to 22 by the Speaker or Clerk of the Assembly shall be reported to the Assembly at the earliest practicable time, and shall be forthwith entered upon the Journals. R.S.O. 1990, c. L.10, s. 23.

Disqualification of persons declared not elected

**24** (1)  If a person returned as elected appears by the judgment mentioned in section 22 not to have been duly returned or elected, the person shall not thereafter unless re-elected sit or vote in the Assembly. R.S.O. 1990, c. L.10, s. 24 (1).

Rights of persons declared elected

(2)  If a person, other than the person returned as elected, appears by the judgment to have been duly returned or elected, the person is thereupon entitled to sit and vote in the Assembly. R.S.O. 1990, c. L.10, s. 24 (2).

Proceedings in case of vacancy by death or acceptance of office

**25** (1)  If a vacancy occurs in the Assembly by the death of a member, or by his or her accepting an office, commission or employment, unless otherwise provided by this Act, the Speaker, on being informed of the vacancy by a member of the Assembly in his or her place, or by notice in writing under the hands and seals of two members, shall forthwith address a warrant to the Chief Electoral Officer for the issue of a writ for the election of a member to fill the vacancy, and the writ shall issue accordingly. R.S.O. 1990, c. L.10, s. 25 (1); 1994, c. 38, s. 38 (4); 2007, c. 15, s. 40 (1).

Proceedings when Speaker is absent from Ontario or there is no Speaker

(2)  If any such vacancy occurs, or at any time thereafter, before the warrant for the writ has issued, there is no Speaker, or the Speaker is absent from Ontario, or if the member whose seat is vacated is the Speaker, then two members may address their warrant under their hands and seals to the Chief Electoral Officer for the issue of a writ for the election of a member to fill the vacancy, and the writ shall issue accordingly. R.S.O. 1990, c. L.10, s. 25 (2); 2007, c. 15, s. 40 (1).

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

1994, c. 38, s. 38 (4) - 06/10/1995

[2007, c. 15, s. 40 (1)](http://www.ontario.ca/laws/statute/S07015" \l "s40s1) - 04/06/2007

Filling a vacancy before Legislature meets after a general election

**26** (1)  A warrant may issue under the hands and seals of two members elect to the Chief Electoral Officer for the issue of a writ for the election of a member to fill a vacancy arising after a general election and before the first session of the Legislature thereafter, by reason of any of the causes mentioned in section 25, and the writ may issue at any time after such vacancy. R.S.O. 1990, c. L.10, s. 26 (1); 2007, c. 15, s. 40 (1).

Election being contested not affected

(2)  The election to be held under the writ does not affect the right of any person entitled to contest the previous election, and the court shall determine whether the member who has died or whose seat has become vacant as aforesaid, or any other person, was duly returned or elected, which determination, if adverse to the return of such member and in favour of any other candidate, avoids the election held under this section, and the candidate declared duly elected at the previous election is entitled to take his or her seat as if no subsequent election had been held. R.S.O. 1990, c. L.10, s. 26 (2).

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

[2007, c. 15, s. 40 (1)](http://www.ontario.ca/laws/statute/S07015" \l "s40s1) - 04/06/2007

Where vacancy exists in Assembly

**27** (1)  Where a vacancy occurs in the membership of the Assembly, a writ shall be issued within six months after receipt by the Chief Electoral Officer of the warrant for the issue of a writ for the election of a member to fill such vacancy. R.S.O. 1990, c. L.10, s. 27 (1); 2007, c. 15, s. 40 (1).

Non-application of section

(2)  This section does not apply where the vacancy occurs in the last year of the legal life of the Assembly. R.S.O. 1990, c. L.10, s. 27 (2).

Writ revoked on dissolution of Legislature

(3)  If the Legislature is dissolved after the issue of a writ under subsection (1) and before an election is held under the writ, the writ is revoked on the dissolution of the Legislature. R.S.O. 1990, c. L.10, s. 27 (3).

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

[2007, c. 15, s. 40 (1)](http://www.ontario.ca/laws/statute/S07015" \l "s40s1) - 04/06/2007

Election of Speaker

**28** (1)  The Assembly shall elect one of its members to be Speaker at its next meeting,

(a) after a general election is held; or

(b) after the office becomes vacant. 2020, c. 15, s. 1.

Appointment of Deputy Speaker

(2)  The Assembly shall, by order, appoint one of its members to be Deputy Speaker at or after its next meeting,

(a) after a general election is held; or

(b) after the office becomes vacant. 2020, c. 15, s. 1.

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

[2020, c. 15, s. 1](http://www.ontario.ca/laws/statute/S20015" \l "s1) - 14/07/2020

Speaker is guardian of rights, etc.

**28.1**The Speaker is the guardian of the rights, immunities, privileges and powers of the Assembly, its committees and its members. 2020, c. 15, s. 1.

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

[2020, c. 15, s. 1](http://www.ontario.ca/laws/statute/S20015" \l "s1) - 14/07/2020

Duties

**29** (1)  The Speaker shall preside at all meetings of the Assembly and shall preside over and have charge of the Office of the Assembly. R.S.O. 1990, c. L.10, s. 29 (1).

Absence of Speaker

(2)  In the absence of the Speaker, the Deputy Speaker has all the powers, privileges and duties of the Speaker. R.S.O. 1990, c. L.10, s. 29 (2).

Illness, etc., of the Speaker or Deputy

**30** When the Speaker or the Deputy Speaker finds it necessary to leave the chair during any part of the sittings on any day, he or she may call upon any member to take the chair and to act as Speaker during the remainder of the day unless the Speaker or the Deputy Speaker resumes the chair before the close of the sittings for that day. R.S.O. 1990, c. L.10, s. 30.

Election of Speaker for the day

**31** When the Speaker and the Deputy Speaker are not present at the meeting of the Assembly on any day, the Assembly may elect a member to take the chair and act as Speaker for that day. R.S.O. 1990, c. L.10, s. 31.

Election of temporary Speaker

**32** If the Speaker and the Deputy Speaker are absent from the chair for a period of forty-eight consecutive hours, the Assembly may elect another of its members to act as Speaker, and the member so elected, during the continuance of the absence of the Speaker and the Deputy Speaker, has all the powers, privileges and duties of the Speaker. R.S.O. 1990, c. L.10, s. 32.

Speaker and Deputy to continue in office following dissolution

Speaker

**33** (1)  The person who holds the office of Speaker when the Legislature is dissolved shall continue to be the Speaker until a new Speaker is elected by the Assembly. 2020, c. 15, s. 2.

Deputy Speaker

(2)  The person who holds the office of Deputy Speaker when the Legislature is dissolved shall continue to be the Deputy Speaker until a new Deputy Speaker is appointed by the Assembly. 2020, c. 15, s. 2.

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

[2020, c. 15, s. 2](http://www.ontario.ca/laws/statute/S20015" \l "s2) - 14/07/2020

Validity of acts while acting Speaker presides

**34** Every bill passed and every order made and thing done by the Assembly while a member is acting as Speaker is as valid and effectual as if done while the Speaker was in the chair. R.S.O. 1990, c. L.10, s. 34.

Power to compel attendance of witnesses, etc.

**35** (1)  The Assembly may at all times command and compel the attendance before the Assembly or a committee thereof of such persons, and the production of such papers and things, as the Assembly or committee considers necessary for any of its proceedings or deliberations. R.S.O. 1990, c. L.10, s. 35 (1).

Speaker’s warrant for attendance, etc.

(2)  When the Assembly requires the attendance of a person before the Assembly or a committee thereof, the Speaker may issue a warrant directed to the person named in the order of the Assembly requiring the person’s attendance before the Assembly or committee and the production of the papers and things as ordered. R.S.O. 1990, c. L.10, s. 35 (2).

Protection of persons acting under authority

**36** No person is liable in damages or otherwise for any act done under the authority of the Assembly and within its legal power or under or by virtue of a warrant issued under such authority, and every such warrant may command the aid and assistance of all sheriffs, bailiffs, constables and others, and every refusal or failure to give such aid or assistance when required is a contravention of this Act. R.S.O. 1990, c. L.10, s. 36; 2020, c. 15, s. 3.

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

[2020, c. 15, s. 3](http://www.ontario.ca/laws/statute/S20015" \l "s3) - 14/07/2020

Privilege of speech, etc.

**37** A member of the Assembly is not liable to any civil action or prosecution, arrest, imprisonment or damages, by reason of any matter or thing the member brought by petition, bill, resolution, motion or otherwise, or said before the Assembly or a committee thereof. R.S.O. 1990, c. L.10, s. 37.

Freedom from arrest

**38** Except for a contravention of this Act, a member of the Assembly is not liable to arrest or detention for any cause or matter whatever of a civil nature during a session of the Legislature or during the twenty days preceding or the twenty days following a session. R.S.O. 1990, c. L.10, s. 38.

Service of civil process

**39** No person shall make a personal service that is required or authorized by law in a civil matter upon another person in the legislative precinct, within the meaning of section 102.1. 2020, c. 15, s. 4.

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

[2020, c. 15, s. 4](http://www.ontario.ca/laws/statute/S20015" \l "s4) - 14/07/2020

Exemption of members and officers from serving as jurors

**40** During the periods mentioned in section 38, members, officers and employees of the Assembly and witnesses summoned to attend before the Assembly or a committee thereof are exempt from serving or attending as jurors in any court of justice in Ontario. R.S.O. 1990, c. L.10, s. 40; 2018, c. 17, Sched. 23, s. 1.

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

[2018, c. 17, Sched. 23, s. 1](http://www.ontario.ca/laws/statute/S18017" \l "sched23s1) - 06/12/2018

Members not to receive fees for drafting bills, etc.

**41** No member of the Assembly shall knowingly accept or receive, either directly or indirectly, any fee, compensation or reward for or in respect of the drafting, advising upon, revising, promoting or opposing any bill, resolution, matter or thing submitted or intended to be submitted to the Assembly or a committee thereof. R.S.O. 1990, c. L.10, s. 41.

Barristers, etc., being partners of members not to receive fees for drafting bills, etc.

**42** No barrister or solicitor who in the practice of his or her profession is a partner of a member of the Assembly shall knowingly accept or receive, directly or indirectly, any fee, compensation or reward for or in respect of any matter or thing mentioned in section 41. R.S.O. 1990, c. L.10, s. 42.

Penalty

**43** Every person contravening section 41 or 42 is liable to a penalty equal to the amount or value of the fee, compensation or reward the person accepted or received and the sum of $500. R.S.O. 1990, c. L.10, s. 43.

Breach of s. 41 a corrupt practice

**44** Any contravention of section 41 is a corrupt practice, and an action alleging the contravention may be commenced within the time provided in the Limitations Act, 2002 in the same manner and the procedure shall be the same as in the case of other actions under sections 99 to 111 (Contested Elections) of the Election Act. 2002, c. 24, Sched. B, s. 41.

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

[2002, c. 24, Sched. B, s. 41](http://www.ontario.ca/laws/statute/S02024" \l "schedbs41) - 01/01/2004

Vacation of seat

**45** If judgment is recovered against a member of the Assembly for any penalty under section 43, or if by a resolution of the Assembly it is declared that a member has been guilty of a contravention of section 41, or if it is adjudged by the Superior Court of Justice in an action mentioned in section 44 that a member has been guilty of a contravention of section 41, the member’s election becomes void and his or her seat shall be vacated, and a writ shall issue for a new election as if he or she were dead and the member is incapable of being elected to or of sitting in the Assembly during the remainder of the term for which he or she was elected. R.S.O. 1990, c. L.10, s. 45; 2005, c. 35, s. 3 (4).

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

[2005, c. 35, s. 3 (4)](http://www.ontario.ca/laws/statute/S05035" \l "s3s4) - 15/12/2005

Jurisdiction of Assembly

**46** (1)  The Assembly has all the rights and privileges of a court of record for the purposes of summarily inquiring into and punishing, as breaches of privilege or as contempts and without affecting the liability of the offenders to prosecution and punishment criminally or otherwise according to law, independently of this Act, the acts, matters and things following:

Assaults, insults, libels

1. Assault, insult or libel upon a member of the Assembly during a session of the Legislature or during the twenty days preceding or the twenty days following a session.

Threats

2. Obstructing, threatening or attempting to force or intimidate a member of the Assembly.

Bribery and offering of fee

3. Offering to, or the acceptance by, a member of the Assembly of a bribe to influence the member in his or her proceedings as such, or offering to or the acceptance by a member of any fee, compensation or reward for or in respect of the drafting, advising upon, revising, promoting or opposing any bill, resolution, matter or thing submitted to or intended to be submitted to the Assembly or a committee thereof.

Interference with officers

4. Assault upon or interference with an officer of the Assembly while in the execution of his or her duty.

Tampering with witness

5. Tampering with a witness in regard to evidence to be given by the witness before the Assembly or a committee thereof.

False evidence

6. Giving false evidence or prevaricating or misbehaving in giving evidence or refusing to give evidence or to produce papers before the Assembly or a committee thereof.

Disobedience to warrant

7. Disobedience to a warrant requiring the attendance of a witness before the Assembly or a committee thereof, or refusal or neglect to obey a warrant mentioned in section 36.

Presenting false documents

8. Presenting to the Assembly or to a committee thereof a forged or false document with intent to deceive the Assembly or committee.

Falsifying records, etc.

9. Forging, falsifying or unlawfully altering a record of the Assembly or of a committee thereof, or any document or petition presented or filed or intended to be presented or filed before the Assembly or committee, or the setting or subscribing by any person of the name of another person to any such document or petition with intent to deceive.

Taking civil proceeding against member

10. Taking any civil proceeding against, or causing or effecting the arrest or imprisonment of a member of the Assembly in any civil proceeding, for or by reason of any matter or thing brought by the member by petition, bill, resolution, motion or otherwise, or said by the member before the Assembly or a committee thereof.

Arresting member for debt, etc.

11. Causing or effecting the arrest or detention of a member of the Assembly for any cause or matter of a civil nature during a session of the Legislature or during the twenty days preceding or the twenty days following a session.

Service of civil process

12. Making a service upon a person in contravention of section 39. R.S.O. 1990, c. L.10, s. 46 (1); 2018, c. 17, Sched. 23, s. 2.

Jurisdiction given as to inquiring and punishing

(2)  For the purposes of this Act, the Assembly possesses all the powers and jurisdiction necessary or expedient for inquiring into, adjudging and pronouncing upon the commission or doing of the acts, matters or things mentioned in subsection (1) and for awarding and carrying into execution the punishment thereof. R.S.O. 1990, c. L.10, s. 46 (2).

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

[2018, c. 17, Sched. 23, s. 2](http://www.ontario.ca/laws/statute/S18017" \l "sched23s2) - 06/12/2018

Punishment for contravention of s. 46

**47** Every person who, upon such inquiry, is found to have committed or done any of the acts, matters, or things mentioned in section 46, in addition to any other penalty or punishment to which he or she may by law be subject, is liable to imprisonment for such time during the session of the Legislature then being held as is determined by the Assembly. R.S.O. 1990, c. L.10, s. 47.

Proceeding on contravention of s. 46 and arrest thereunder

**48** (1)  Where the Assembly declares that a person has been guilty of a breach of privilege or of a contempt in respect of any of the acts, matters and things mentioned in section 46 and directs that the person be kept and detained in the custody of the sergeant-at-arms attending the Assembly, the Speaker shall issue a warrant to the sergeant-at-arms to take the person into custody and to keep and detain the person in custody in accordance with the order of the Assembly. R.S.O. 1990, c. L.10, s. 48 (1).

Warrant of committal

(2)  Where the Assembly directs that the imprisonment shall be in a correctional institution in the City of Toronto, the Speaker shall issue the warrant to the sergeant-at-arms and to the superintendent of such correctional institution commanding the sergeant-at-arms to take such person into custody and to deliver the person to the superintendent of such correctional institution, and commanding the superintendent to receive and keep and detain him or her in custody in accordance with the order of the Assembly. R.S.O. 1990, c. L.10, s. 48 (2); 1997, c. 26, Sched.

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

1997, c. 26, Sched. - 01/01/1998

Decision of Assembly final

**49** The determination of the Assembly upon any proceeding under this Act is final and conclusive. R.S.O. 1990, c. L.10, s. 49.

Protection of persons publishing papers by order of Assembly

**50** (1)  Any person who is a defendant in a civil proceeding commenced in any manner for or in respect of the publication of any report, paper, vote or proceeding by such person or by the person’s servant by or under the authority of the Assembly may bring before the court in which the proceeding is pending (first giving twenty-four hours notice of the person’s intention so to do to the plaintiff or the plaintiff’s solicitor) a certificate under the hand of the Speaker or of the Clerk of the Assembly, stating that the report, paper, vote or proceeding in respect whereof the proceeding has been commenced was published by such person or by the person’s servant by order or under the authority of the Assembly together with an affidavit verifying the certificate. R.S.O. 1990, c. L.10, s. 50 (1).

Stay of proceedings

(2)  The court shall thereupon immediately stay the proceeding and it and every writ or process issued therein shall be taken to be finally put an end to, determined and superseded. R.S.O. 1990, c. L.10, s. 50 (2).

Production of papers to court

**51** (1)  If a civil proceeding is commenced for or in respect of the publication of a copy of such report, paper, vote or proceeding, the defendant at any stage of the proceeding may lay before the court the report, paper, vote or proceeding and the copy with an affidavit verifying the report, paper, vote or proceeding and the correctness of the copy. R.S.O. 1990, c. L.10, s. 51 (1).

Stay of proceedings

(2)  The court shall thereupon immediately stay the proceeding and it and every writ or process issued therein shall be taken to be finally put an end to, determined and superseded. R.S.O. 1990, c. L.10, s. 51 (2).

Good faith publication

**52** It is a good defence to any civil proceeding against a person for printing any extract from or abstract of any such report, paper, vote or proceeding that the extract or abstract was published in good faith and without malice. R.S.O. 1990, c. L.10, s. 52.

Rights, etc., of the Assembly, its committees and its members

**52.1**(1)  In addition to the rights, immunities, privileges and powers conferred on them by this or any other Act, the Assembly, its committees and its members have the same rights, immunities, privileges and powers as those held, enjoyed and exercised respectively by the House of Commons of the Parliament of the United Kingdom, its committees and its members at the time of the passing of the Constitution Act, 1867. 2020, c. 15, s. 5.

Rights, etc., are part of the general and public law

(2)  The rights, immunities, privileges and powers that the Assembly, its committees and its members have under subsection (1) are part of the general and public law of Ontario and it is not necessary to plead them. 2020, c. 15, s. 5.

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

[2020, c. 15, s. 5](http://www.ontario.ca/laws/statute/S20015" \l "s5) - 14/07/2020

Saving of privileges inherent in Assembly or members

**53** Except so far as is provided by section 41, nothing in this Act shall be construed to deprive the Assembly or a committee or member thereof of any right, immunity, privilege or power that the Assembly, committee or member might otherwise have been entitled to exercise or enjoy. R.S.O. 1990, c. L.10, s. 53.

Payment for books ordered by committee

**54** Where the Assembly has adopted the report of a committee of the Assembly recommending the purchase of any publication for the use of the members of the Assembly or for other persons, the publication may be purchased by the Minister of Finance and distributed according to the recommendations of the report, and the cost thereof shall be paid out of any sum appropriated by the Legislature for stationery, printing and binding. R.S.O. 1990, c. L.10, s. 54; 2005, c. 35, s. 3 (5).

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

[2005, c. 35, s. 3 (5)](http://www.ontario.ca/laws/statute/S05035" \l "s3s5) - 15/12/2005

Quorum

**55** (1)  At least 12 members of the Assembly are necessary to constitute a quorum for the transaction of business, and for that purpose the Speaker shall be counted. 1999, c. 5, s. 3 (1).

Constitutional amendment

(2)  The re-enactment of this section by section 3 of the Legislative Assembly Statute Law Amendment Act, 1999 constitutes an amendment to the constitution of the Province of Ontario. 1999, c. 5, s. 3 (1).

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

1999, c. 5, s. 3 (1) - 28/10/1999

Voting

**56** Questions arising in the Assembly shall be decided by a majority of voices, other than that of the Speaker, and, when the voices are equal, the Speaker has a vote. R.S.O. 1990, c. L.10, s. 56.

Condition precedent to appropriations

**57** The Assembly shall not adopt or pass any vote, resolution, address or bill for the appropriation of any part of the Consolidated Revenue Fund, or of any tax or impost, to any purpose that has not been first recommended by a message of the Lieutenant Governor to the Assembly during the session in which the vote, resolution, address or bill is proposed. R.S.O. 1990, c. L.10, s. 57.

Commissioners on estate bills

**58** The judges of the Superior Court of Justice are by virtue of their office commissioners to report under the Rules of the Assembly in respect of estate bills. R.S.O. 1990, c. L.10, s. 58; 2005, c. 35, s. 3 (4).

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

[2005, c. 35, s. 3 (4)](http://www.ontario.ca/laws/statute/S05035" \l "s3s4) - 15/12/2005

Power of committees to examine on oath, affirmation

**59** Any standing or special committee of the Assembly may require that facts, matters and things relating to the subject of inquiry be verified or otherwise ascertained by the oral examination of witnesses, and may examine witnesses on oath or affirmation, and for that purpose the chair or any member of the committee may administer the following oath or affirmation, in English or French:

“Do you solemnly swear (or affirm) that the evidence you shall give to this Committee touching the subject of the present inquiry shall be the truth, the whole truth, and nothing but the truth? So help you God. (omit this phrase in an affirmation)”

2017, c. 20, Sched. 11, s. 16.

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

[2017, c. 20, Sched. 11, s. 16](http://www.ontario.ca/laws/statute/S17020" \l "sched11s16) - 14/11/2017

Affidavits

**60** Where witnesses are not required to be examined orally, an affirmation, declaration or affidavit, that is required to be made or taken by or according to any rule or order of the Assembly, or by the direction of any committee, and in respect of any matter or thing pending or proceeding before the committee, may be made and taken before the Clerk of the Assembly, the clerk of the committee, a commissioner for taking affidavits or a justice of the peace. R.S.O. 1990, c. L.10, s. 60.

Annual salary of members

**61** (1)  Every member of the Assembly shall be paid an annual salary in an amount equal to 75 per cent of the annual sessional allowance paid to members of the House of Commons under Part IV of the Parliament of Canada Act. 2006, c. 36, s. 1 (1).

Same

(1.1)  For greater certainty, whenever the annual sessional allowance paid to members of the House of Commons under that Act changes, a corresponding change shall be made to the annual salary of every member of the Assembly. 2006, c. 36, s. 1 (1).

Same, from April 1, 2014

(1.2)  Despite subsections (1) and (1.1), the annual salary of every member of the Assembly for a fiscal year that begins on or after April 1, 2014 is an amount equal to the salary in effect on March 26, 2009. 2014, c. 7, Sched. 17, s. 1; 2022, c. 23, Sched. 5, s. 1 (1).

(1.3)  Repealed: 2022, c. 23, Sched. 5, s. 1 (2).

(1.4)  Repealed: 2006, c. 36, s. 1 (1).

Computation

(2)  For the purpose of computing the amount of a member’s salary, a member shall be deemed to have been a member,

(a) beginning on the polling day on which the member is elected; and

(b) when the Legislature of which he or she is a member is dissolved, ending on the day before the polling day that follows the dissolution, or ending upon his or her death, whichever occurs first. 1996, c. 6, s. 7.

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

1996, c. 6, s. 7 - 01/04/1996

[2001, c. 15, s. 1](http://www.ontario.ca/laws/statute/S01015" \l "s1)- 29/06/2001

[2006, c. 36, s. 1 (1)](http://www.ontario.ca/laws/statute/S06036" \l "s1s1) - 20/12/2006

[2009, c. 18, Sched. 15, s. 1 (1)](http://www.ontario.ca/laws/statute/S09018" \l "sched15s1s1) - 26/03/2009; [2009, c. 18, Sched. 15, s. 1 (2)](http://www.ontario.ca/laws/statute/S09018" \l "sched15s1s2) - 05/06/2009

[2010, c. 1, Sched. 13, s. 1](http://www.ontario.ca/laws/statute/S10001" \l "sched13s1) - 18/05/2010

[2012, c. 8, Sched. 30, s. 1](http://www.ontario.ca/laws/statute/S12008" \l "sched30s1) - 01/04/2012

[2014, c. 7, Sched. 17, s. 1](http://www.ontario.ca/laws/statute/S14007" \l "sched17s1) - 01/04/2014

[2022, c. 23, Sched. 5, s. 1 (1, 2)](http://www.ontario.ca/laws/statute/S22023" \l "sched5s1s1) - 08/12/2022

**61.1**Repealed: 2009, c. 18, Sched. 15, s. 2.

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

[2004, c. 2, s. 1](http://www.ontario.ca/laws/statute/S04002" \l "s1) - 15/04/2004

[2006, c. 36, s. 1 (2)](http://www.ontario.ca/laws/statute/S06036" \l "s1s2) - 20/12/2006

[2009, c. 18, Sched. 15, s. 2](http://www.ontario.ca/laws/statute/S09018" \l "sched15s2) - 05/06/2009

Salary for additional responsibilities

**62** (1)  The annual salary of a member is increased by the following amount, expressed as a percentage of his or her annual salary under section 61, for any one of the following positions that he or she holds:

1. Speaker, 31.2 per cent.

2. Deputy Speaker and Chair of the Committee of the Whole House, 14.8 per cent.

3. Deputy Chair of the Committee of the Whole House, 10.9 per cent.

4. Chair of a standing or select committee, 14 per cent.

5. Vice-chair of a standing or select committee, 8 per cent.

6. Leader of the Opposition, 55.2 per cent.

7. Leader of a recognized party, except the Premier and the Leader of the Opposition, 35.7 per cent.

8. Chair of the caucus of the party from which the Government is chosen or chair of the caucus of the party recognized as the Official Opposition, 12.5 per cent.

9. Chair of a recognized party, except the party from which the Government is chosen and the party recognized as the Official Opposition, 11.3 per cent.

10. House Leader of the party recognized as the Official Opposition, 18.3 per cent.

11. Deputy House Leader of the party recognized as the Official Opposition, 9 per cent.

12. House Leader of a recognized party, other than the party from which the Government is chosen and the party recognized as the Official Opposition, 15.6 per cent.

13. Deputy House Leader of a party described in paragraph 12, 8.2 per cent.

14. Chief Government Whip, 18.3 per cent.

15. Deputy Government Whip, 12.5 per cent.

16. Government Whip, 9 per cent. (A maximum of three Government Whips may be paid the salary increase.)

17. Chief Opposition Whip, 14 per cent.

18. Opposition Whip, 9 per cent.  (A maximum of two Opposition Whips may be paid the salary increase.)

19. Chief Party Whip of a recognized party, other than the party from which the Government is chosen and the party recognized as the Official Opposition, 12.6 per cent.

20. Party Whip of a party described in paragraph 19, 8.2 per cent. 1996, c. 6, s. 8; 1999, c. 5, s. 3 (2); 2006, c. 36, s. 1 (3).

More than one position

(2)  If the member holds more than one position listed in subsection (1), he or she is entitled to be paid for the position with the higher salary. 1996, c. 6, s. 8.

Computation

(3)  For the purpose of computing the amounts payable under subsection (1), the individual shall be deemed to have occupied the position,

(a) beginning on the polling day on which he or she is elected as a member of the Assembly; and

(b) when the Legislature of which he or she is a member is dissolved, ending on the day before the polling day that follows the dissolution, or ending upon his or her death, whichever occurs first. 1996, c. 6, s. 8.

Same

(4)  Despite subsection (3), if the occupant of the position changes, the successor shall be deemed to have occupied the position from the day following that on which his or her predecessor ceases to occupy the position. 1996, c. 6, s. 8.

Definition

(5)  In this section,

“recognized party” means a party that has a recognized membership of at least 10 per cent of the total number of seats in the Assembly, subject to subsection (6). 2018, c. 17, Sched. 23, s. 3.

Same

(6)  For the purposes of subsection (5), if the party’s percentage of the total number of seats is not a whole number, it shall be rounded to,

(a) the next lowest whole number, in the case of a percentage that ends in less than .5; or

(b) the next highest whole number, in the case of a percentage that ends in .5 or more. 2018, c. 17, Sched. 23, s. 3.

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

1996, c. 6, s. 8 - 01/04/1996; 1999, c. 5, s. 3 (2, 3) - 28/10/1999

[2006, c. 36, s. 1 (3)](http://www.ontario.ca/laws/statute/S06036" \l "s1s3) - 20/12/2006

[2018, c. 17, Sched. 23, s. 3](http://www.ontario.ca/laws/statute/S18017" \l "sched23s3) - 06/12/2018

Double-dipping not permitted

**63** (1)  The annual salary otherwise payable to a member under sections 61 and 62 shall be reduced by the amount of the allowance or pension that the member receives, if any, under the MPPs Pension Act, 1996 or a predecessor to that Act for the same period. 1996, c. 6, s. 9; 2006, c. 36, s. 1 (4).

Interpretation

(2)  For the purposes of subsection (1), a payment to a member under subsection 24 (3) of the MPPs Pension Act, 1996 is not an allowance or pension. 2006, c. 36, s. 1 (5).

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

1996, c. 6, s. 9 - 01/04/1996

[2006, c. 36, s. 1 (4, 5)](http://www.ontario.ca/laws/statute/S06036" \l "s1s4) - 20/12/2006

Tax-free allowances not permitted

**63.1**  (1)  No member is entitled to be paid an allowance for expenses incident to the discharge of his or her duties as a member of the Assembly. 1996, c. 6, s. 9.

Expenses actually incurred

(2)  Nothing in subsection (1) prevents a member from being reimbursed for expenses actually incurred in the discharge of his or her duties as a member. 1996, c. 6, s. 9.

Status for income tax purposes

(3)  For the purposes of the Income Tax Act (Canada), no portion of the salary, benefits or expenses paid to a member under this Act is paid as an allowance for expenses incident to the discharge of his or her duties as a member. 1996, c. 6, s. 9.

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

1996, c. 6, s. 9 - 01/04/1996

Cost of accommodation in Toronto

**64** (1)  Subject to subsection (2), if the principal residence of one of the following individuals is more than 50 kilometres from the seat of government at Toronto, he or she shall be paid the actual cost of his or her accommodation within Toronto:

1. The Leader of the Opposition.

2. The leader of a recognized party within the meaning of subsection 62 (5), except the Premier and the Leader of the Opposition. 1996, c. 6, s. 10; 1999, c. 5, s. 3 (4).

Same

(2)  The maximum annual allowance for accommodation under subsection (1) is $1,000 more than the amount determined by the Board of Internal Economy under subsection 67 (10) for a particular year. 1996, c. 6, s. 10.

Same

(3)  Subsection (1) does not apply to a member of the Assembly if every part of the member’s electoral district is 50 kilometres or less from the seat of government at Toronto. 2013, c. 10, s. 2 (1).

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

1996, c. 6, s. 10 - 01/04/1996; 1999, c. 5, s. 3 (4) - 28/10/1999

[2013, c. 10, s. 2 (1)](http://www.ontario.ca/laws/statute/S13010" \l "s2s1) - 06/11/2013

**65** Repealed: 1996, c. 6, s. 11.

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

1996, c. 6, s. 11 - 01/04/1996

**66** Repealed: 1996, c. 6, s. 12.

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

1996, c. 6, s. 12 - 01/04/1996

Members’ allowances and expenses

Allowance for automobile travel

**67** (1)  There shall be paid to each member of the Assembly for transportation by private automobile while on business as a member of the Assembly between the member’s residence and the seat of government at Toronto or within his or her electoral district an allowance for every kilometre of such transportation in such amount as may be determined from time to time by the Board of Internal Economy. R.S.O. 1990, c. L.10, s. 67 (1).

Expenses, travel to and from Toronto

(2)  A member of the Assembly who travels on business as a member of the Assembly between the member’s residence and the seat of government at Toronto shall be paid the actual and reasonable cost of transportation for such travel for such number of round trips as may be prescribed by the Board of Internal Economy. R.S.O. 1990, c. L.10, s. 67 (2).

Spouse, etc.

(3)  A member referred to in subsection (2) shall be paid the actual and reasonable cost of transportation for such number of round trips between the member’s residence and the seat of government at Toronto as may be prescribed by the Board of Internal Economy for the member’s spouse or persons in such relationship to the member as may be prescribed by the Board of Internal Economy. R.S.O. 1990, c. L.10, s. 67 (3); 1999, c. 6, s. 33 (1); 2005, c. 5, s. 37 (1).

Definition

(3.1)  In subsection (3),

“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. 1999, c. 6, s. 33 (2); 2005, c. 5, s. 37 (2, 3).

Cost of transportation re subss. (2, 3)

(4)  Payment for transportation under subsections (2) and (3) shall be made,

(a) for travel by airplane, on the basis of scheduled airline economy fare;

(b) for travel by train, on the basis of first class train accommodation together with the actual and reasonable cost of berths; and

(c) for travel by bus, on the basis of bus fare,

together with the actual and reasonable cost of meals and gratuities incurred in the course of the transportation. R.S.O. 1990, c. L.10, s. 67 (4).

Expenses, travel within electoral district

(5)  There shall be paid to each member of the Assembly an allowance equal to the actual cost of travel by bus or train by the member while on business as a member of the Assembly within the electoral district represented by the member. R.S.O. 1990, c. L.10, s. 67 (5).

Expenses, certain northern districts

(6)  The Board of Internal Economy may authorize the payment of the following expenses to the member of the Assembly representing the electoral district of Algoma-Manitoulin, Kenora-Rainy River, Kiiwetinoong, Mushkegowuk-James Bay, Nickel Belt, Timiskaming-Cochrane, Thunder Bay-Atikokan or Thunder Bay-Superior North:

1. The actual cost of transportation by airplane within the electoral district while the member is on business as a member of the Assembly, up to the annual limit established by the Board.

2. The actual cost of accommodation within the electoral district or an electoral district contiguous to it, while the member is on business as a member of the Assembly, up to the annual limit established by the Board.

3. All or part of the actual cost of accommodation within the electoral district, if the cost is incurred by the member due to unusual or special circumstances while he or she is on business as a member of the Assembly, up to the annual limit established by the Board. 1999, c. 5, s. 3 (5); 2007, c. 7, Sched. 21, s. 1; 2017, c. 18, s. 6.

(7)  Repealed: 1999, c. 5, s. 3 (5).

Same, accommodation in Toronto

(7.1)  The Board of Internal Economy may reimburse a member (up to such maximum amount as the Board may determine) for his or her actual costs of accommodation in Toronto if the costs are incurred due to special or unusual circumstances while he or she is on business as a member of the Assembly and if the member is not otherwise entitled under this Act or the Executive Council Act to be paid an amount for accommodation in Toronto. 1996, c. 6, s. 13 (1).

Expenses, business travel

(8)  A member of the Assembly who travels on business as a member of the Assembly from the member’s residence or from the seat of government at Toronto shall be paid the lesser of,

(a) the total cost incurred by the member for such number of round trip travels as may be prescribed by the Board of Internal Economy; or

(b) the annual limit prescribed by the Board of Internal Economy. R.S.O. 1990, c. L.10, s. 67 (8).

Cost of transportation re subs. (8)

(9)  For the purposes of subsection (8), the cost of transportation,

(a) by bus, train and economy flight by scheduled airline shall be the actual cost thereof;

(b) by rented automobile shall be the cost of the rental, including the cost of a reasonable amount of public liability and collision insurance in relation thereto; and

(c) by private automobile shall be an allowance for every kilometre of such transportation in such amount as may be determined from time to time by the Board of Internal Economy. R.S.O. 1990, c. L.10, s. 67 (9).

Cost of accommodation in Toronto

(10)  A member of the Assembly whose principal residence is more than 50 kilometres from the seat of government at Toronto shall be paid the actual cost of his or her accommodation within Toronto up to such maximum amount for the year as may be determined by the Board of Internal Economy. 1996, c. 6, s. 13 (2).

Exceptions

(10.1)  Subsection (10) does not apply with respect to,

(a) the Speaker;

(b) ministers of the Crown;

(c) the Leader of the Opposition; or

(d) the leader of a recognized party within the meaning of subsection 62 (5), except the Premier and the Leader of the Opposition. 1996, c. 6, s. 13 (2); 1999, c. 5, s. 3 (6).

Same

(10.1.1)  Subsection (10) does not apply if every part of the member’s electoral district is 50 kilometres or less from the seat of government at Toronto. 2013, c. 10, s. 2 (2).

Other expenses

(10.2)  A member of the Assembly shall be paid for such other expenses incurred in the performance of his or her duties as a member as the Board of Internal Economy may authorize, up to such maximum amount as may be determined by the Board. 1996, c. 6, s. 13 (2).

Same

(10.3)  The Board of Internal Economy may authorize different maximum amounts to be paid under subsection (10.2) to different members or classes of members. 1999, c. 5, s. 3 (7).

Computation

(11)  For the purpose of subsection (10), a member shall be deemed to have been a member from the polling day on which he or she was elected and, when the Assembly of which he or she was a member was dissolved, the member shall be deemed to have been a member until the day preceding the polling day that followed the dissolution, or until his or her death, whichever occurs first. R.S.O. 1990, c. L.10, s. 67 (11).

No expenses following writ of election

(12)  Subject to subsection (11), a member is not entitled to any allowance for expenses incurred after the day a writ for a general election is issued until he or she is declared elected or, if a recount is applied for, until he or she is declared elected following the recount. R.S.O. 1990, c. L.10, s. 67 (12).

Posting on website

(13)  The Speaker shall post on a website established or designated by the Speaker any amounts, limits, maximums, rules and other information that the Board of Internal Economy determines, prescribes, establishes or authorizes under this section in relation to expenses listed under subsection 68 (1). 2014, c. 13, Sched. 7, s. 1.

Archive

(14)  The Speaker shall ensure that an archive of the amounts, limits, maximums, rules and other information posted under subsection (13) is maintained. 2014, c. 13, Sched. 7, s. 1.

Application

(15)  Subsections (13) and (14) apply only with respect to amounts, limits, maximums, rules and information that are applicable on or after the day section 1 of Schedule 7 to the *Public Sector and MPP Accountability and Transparency Act, 2014* comes into force. 2014, c. 13, Sched. 7, s. 1.

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

1996, c. 6, s. 13 (1, 2) - 01/04/1996; 1999, c. 5, s. 3 (5-7) - 28/10/1999; 1999, c. 6, s. 33 (1, 2) - 01/03/2000

[2005, c. 5, s. 37 (1-3)](http://www.ontario.ca/laws/statute/S05005" \l "s37s1) - 09/03/2005

[2007, c. 7, Sched. 21, s. 1](http://www.ontario.ca/laws/statute/S07007" \l "sched21s1) - 17/05/2007

[2013, c. 10, s. 2 (2)](http://www.ontario.ca/laws/statute/S13010" \l "s2s2) - 06/11/2013

[2014, c. 13, Sched. 7, s. 1](http://www.ontario.ca/laws/statute/S14013" \l "sched7s1) - 01/01/2016

[2017, c. 18, s. 6](http://www.ontario.ca/laws/statute/S17018" \l "s6) - 25/10/2017

Posting certain expense information on website

**68** (1)  The Speaker shall, in accordance with determinations made by the Board of Internal Economy under subsection (3), post on a website established or designated by the Speaker the information required by subsection (2) with respect to payments made to members under section 67 for,

(a) travel expenses, other than for travel within a member’s electoral district that relates to his or her constituency work;

(b) expenses for hotel accommodation related to travel referred to in clause (a);

(c) meal expenses; and

(d) hospitality expenses. 2014, c. 13, Sched. 7, s. 2.

Information required to be posted

(2)  Subject to subsection (4), the following information is required to be posted with respect to each payment for an expense referred to in subsection (1):

1. The name of the member who incurred the expense and of his or her electoral district.

2. The date on which the expense was incurred.

3. The type of expense, with reference to the applicable category of expense listed under subsection (1).

4. The total amount claimed by and paid to the member, for each category of expense listed under subsection (1).

5. The purpose of the expense.

6. The travel destination or other geographic location where or in respect of which the expense was incurred. 2014, c. 13, Sched. 7, s. 2.

Board to determine timing, manner

(3)  The timing of the posting of information under subsection (1) and the manner in which the information is presented shall be determined by the Board of Internal Economy. 2014, c. 13, Sched. 7, s. 2.

Information may be excluded

(4)  The Board of Internal Economy may exclude information from posting under subsection (1) if the Board is of the view that,

(a) posting the information would likely,

(i) constitute an unjustified invasion of personal privacy, or

(ii) jeopardize the security of any person, place or thing; or

(b) other circumstances exist that make it necessary or advisable to exclude the information. 2014, c. 13, Sched. 7, s. 2.

Application

(5)  This section applies only with respect to payments for expenses incurred on or after the day section 2 of Schedule 7 to the Public Sector and MPP Accountability and Transparency Act, 2014 comes into force. 2014, c. 13, Sched. 7, s. 2.

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

1996, c. 6, s. 14 - 01/04/1996

[2014, c. 13, Sched. 7, s. 2](http://www.ontario.ca/laws/statute/S14013" \l "sched7s2) - 01/01/2016

Severance allowance

**69** (1)  A severance allowance is payable to or in respect of the following persons:

1. A person who is a member of the Assembly immediately before the Assembly is dissolved or is ended by the passage of time and who does not become a member of the following Assembly.

2. A member of the Assembly who resigns his or her seat.

3. A person who was a member of the Assembly on the day of his or her death or a person who was a member of the Assembly immediately before the Assembly was dissolved or ended by the passage of time and who died before the polling day in the general election that followed the dissolution or ending. 2006, c. 36, s. 1 (6).

Amount of severance allowance

(2)  The amount of the severance allowance is determined as follows:

1. For a person who was a member of the Assembly for a period of four years or less, the allowance is equal to one-half of his or her average annual remuneration determined in accordance with subsection (3).

2. For a person who was a member of the Assembly for a period of more than four years up to and including eight years, the allowance is equal to the amount of his or her average annual remuneration determined in accordance with subsection (3).

3. For a person who was a member of the Assembly for a period of more than eight years, the allowance is equal to one and one-half times his or her average annual remuneration determined in accordance with subsection (3). 2006, c. 36, s. 1 (6).

Average annual remuneration

(3)  A person’s average annual remuneration is the average of the person’s annual salary rate, as described in subsection (4), in each month of the period of 36 consecutive months of his or her service as a member of the Assembly that produces the highest average but, if the person does not have a period of 36 consecutive months of service, his or her average annual remuneration is the average of his or her annual salary rate, as described in subsection (4), in each month of the person’s longest period of consecutive months of service as a member of the Assembly. 2006, c. 36, s. 1 (6).

Annual salary rate

(4)  A person’s annual salary rate is the sum of,

(a) his or her annual salary under subsection 61 (1), including the amount of any increase that the person is receiving under section 62 because he or she holds a position described in section 62; and

(b) the annual salary, if any, that he or she is receiving under section 3 of the Executive Council Act. 2006, c. 36, s. 1 (6).

Restriction

(5)  A person is not eligible to receive more than one severance allowance in respect of the same period of service as a member of the Assembly. 2006, c. 36, s. 1 (6).

(6)  Repealed: 2009, c. 18, Sched. 15, s. 3.

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

1996, c. 6, s. 15 (1-5) - 01/04/1996

[2006, c. 36, s. 1 (6)](http://www.ontario.ca/laws/statute/S06036" \l "s1s6) - 21/12/2006

[2009, c. 18, Sched. 15, s. 3](http://www.ontario.ca/laws/statute/S09018" \l "sched15s3) - 05/06/2009

**70** Repealed: 1996, c. 6, s. 16.

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

1996, c. 6, s. 16 - 01/04/1996

**71** Repealed: 1996, c. 6, s. 17.

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

1996, c. 6, s. 17 - 01/04/1996

**72** Repealed: 1996, c. 6, s. 18.

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

1996, c. 6, s. 18 - 01/04/1996

Appropriations for caucuses

**73** For each fiscal year there shall be provided,

(a) for the use of the caucus of the Government, the caucus of the Official Opposition and the caucus of a recognized party within the meaning of subsection 62 (5), for research purposes, such sums of money as are appropriated therefor by the Legislature;

(b) for the use of the caucus of the Government, the caucus of the Official Opposition and the caucus of a recognized party within the meaning of subsection 62 (5), for such use as the caucus may determine, such sum of money as is appropriated therefor by the Legislature for each caucus based on the number of members in the caucus;

(c) for the use of the caucus of the Official Opposition for the purpose of defraying the cost of salaries and expenses of the personal staff of the Leader of the Official Opposition, an amount appropriated therefor by the Legislature; and

(d) for the use of the caucus of a recognized party within the meaning of subsection 62 (5), other than the party from which the Government is chosen and the party recognized as the Official Opposition, for the purpose of defraying the cost of salaries and expenses of the personal staff of the Leader of the party, an amount appropriated therefor by the Legislature. R.S.O. 1990, c. L.10, s. 73; 1999, c. 5, s. 3 (8-10).

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

1999, c. 5, s. 3 (8-10) -28/10/1999

Staff, etc., for members

**74** (1)  Every member of the Assembly is entitled to such staff, office equipment, supplies and services as may be prescribed by the Board of Internal Economy. 2020, c. 15, s. 6.

Office space

(2)  Every member of the Assembly who is not a member of the Executive Council is entitled to office space in accordance with section 90. 2022, c. 25, s. 1.

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

[2020, c. 15, s. 6](http://www.ontario.ca/laws/statute/S20015" \l "s6) - 14/07/2020

[2022, c. 25, s. 1](http://www.ontario.ca/laws/statute/S22025" \l "s1) - 08/12/2022

**75** Repealed: 2001, c. 15, s. 2.

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

1996, c. 6, s. 19 - 01/04/1996

[2001, c. 15, s. 2](http://www.ontario.ca/laws/statute/S01015" \l "s2) - 29/06/2001

**75.1**  Repealed: 2001, c. 15, s. 3.

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

1996, c. 6, s. 19 - 01/04/1996

[2001, c. 15, s. 3](http://www.ontario.ca/laws/statute/S01015" \l "s3) - 29/06/2001

Office of the Assembly

Office of the Assembly

**76** (1)  The Office of the Assembly shall consist of,

(a) the Speaker and the Deputy Speaker; and

(b) the Clerk of the Legislative Assembly, the Sergeant-at-Arms and the other employees of the Office of the Assembly. 2020, c. 15, s. 7.

Appointment of employees

(2)  The Board of Internal Economy shall appoint such employees of the Office of the Assembly, other than the Clerk of the Legislative Assembly and the Sergeant-at-Arms, as may be required for the proper conduct of the business of the Office of the Assembly. 2022, c. 25, s. 2.

Dismissal, etc., of employees

(3)  The Board of Internal Economy may dismiss, suspend or reprimand an employee of the Office of the Assembly, other than the Clerk of the Legislative Assembly or the Sergeant-at-Arms. 2022, c. 25, s. 2.

Transition

(4)  For greater certainty, persons who, immediately before the day the Legislative Assembly Amendment Act, 2022 received Royal Assent, were employees of the Office of the Assembly continue to be employees of the Office as if they were appointed by the Board of Internal Economy under subsection (2). 2022, c. 25, s. 2.

Transition

(5)  The Speaker may exercise the powers of the Board of Internal Economy under subsection (2) or (3) until the earlier of,

(a) the day the Board of Internal Economy first exercises a power under subsection (2) or (3); and

(b) the day the Board of Internal Economy first delegates a power under subsection (2) or (3) to the Speaker under section 107. 2022, c. 25, s. 2.

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

[2020, c. 15, s. 7](http://www.ontario.ca/laws/statute/S20015" \l "s7) - 14/07/2020

[2022, c. 25, s. 2](http://www.ontario.ca/laws/statute/S22025" \l "s2) - 08/12/2022

Clerk of Legislative Assembly, appointment

**77** (1)  The Assembly shall, by order, appoint the Clerk of the Legislative Assembly. 2018, c. 17, Sched. 23, s. 4.

Selection by panel

(2)  Unless decided otherwise by unanimous consent of the Assembly, an order shall be made under subsection (1) only if the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the Assembly from each recognized party, chaired by the Speaker who is a non-voting member. 2018, c. 17, Sched. 23, s. 4.

Definition

(3)  In this section,

“recognized party” has the same meaning as in subsection 62 (5). 2018, c. 17, Sched. 23, s. 4.

Transition

(4)  The Clerk who is in office immediately before the day the Restoring Trust, Transparency and Accountability Act, 2018 receives Royal Assent is deemed to continue to hold office for the purposes of this section. 2018, c. 17, Sched. 23, s. 4.

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

[2018, c. 17, Sched. 23, s. 4](http://www.ontario.ca/laws/statute/S18017" \l "sched23s4) - 06/12/2018

Removal or suspension

**77.1**(1)  The Assembly may, by order passed by a vote of at least two thirds of the members of the Assembly, remove or suspend the Clerk of the Legislative Assembly from office for cause. 2018, c. 17, Sched. 23, s. 4.

Suspension if Assembly not in session

(2)  If the Assembly is not in session, the Board of Internal Economy may on unanimous agreement suspend the Clerk for cause. 2018, c. 17, Sched. 23, s. 4.

Duration of suspension

(3)  A suspension under subsection (1) continues until revoked by order of the Assembly or until the Clerk is removed from office pursuant to subsection (1). 2018, c. 17, Sched. 23, s. 4.

Same

(4)  Unless the Board of Internal Economy revokes the suspension before the next sitting of the Assembly, a suspension under subsection (2) continues until revoked by order of the Assembly or until the Clerk is removed from office pursuant to subsection (1). 2018, c. 17, Sched. 23, s. 4.

Same

(5)  Despite subsection (4), no suspension imposed under subsection (2) continues past the 20th sessional day of the next sitting of the Assembly. 2018, c. 17, Sched. 23, s. 4.

Report to Assembly

(6)  The Board of Internal Economy shall report to the Assembly any action taken under subsections (2) and (4) at the earliest opportunity of the next sitting of the Assembly. 2018, c. 17, Sched. 23, s. 4.

Meaning of “not in session”

(7)  For the purposes of this section and section 77.3, the Assembly is not in session when it is,

(a) prorogued; or

(b) adjourned for an indefinite period or to a day that is more than seven days after the date on which the Assembly was adjourned. 2018, c. 17, Sched. 23, s. 4.

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

[2018, c. 17, Sched. 23, s. 4](http://www.ontario.ca/laws/statute/S18017" \l "sched23s4) - 06/12/2018

Designation by Clerk

**77.2**(1)  The Clerk shall designate an individual from among the employees of the Office of the Assembly who shall have the powers and duties of the Clerk if the Clerk is absent or unable to fulfil the duties of his or her office or if the office becomes vacant. 2018, c. 17, Sched. 23, s. 4.

Designation in writing

(2)  A designation under subsection (1) shall be in writing to the Speaker. 2018, c. 17, Sched. 23, s. 4.

Powers and duties

(3)  The individual designated under subsection (1) shall have the powers and duties of the Clerk unless a temporary Clerk is appointed under section 77.3. 2018, c. 17, Sched. 23, s. 4.

Salary

(4)  The Board of Internal Economy may increase the salary of an individual who assumes the powers and duties of the Clerk under subsection (1) in such circumstances as the Board considers appropriate. 2018, c. 17, Sched. 23, s. 4.

Removal or suspension

(5)  Section 77.1 applies in respect of an individual who assumes the powers and duties of the Clerk under subsection (1). 2018, c. 17, Sched. 23, s. 4.

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

[2018, c. 17, Sched. 23, s. 4](http://www.ontario.ca/laws/statute/S18017" \l "sched23s4) - 06/12/2018

Temporary Clerk

**77.3**(1)  If the Clerk of the Legislative Assembly is unable to fulfil the duties of his or her office or the office becomes vacant, the Assembly may, by order, appoint a temporary Clerk of the Legislative Assembly. 2018, c. 17, Sched. 23, s. 4.

Same, conditions

(2)  An order shall be made under subsection (1) only if,

(a) the Clerk,

(i) has not made a designation under subsection 77.2 (1), or

(ii) has made a designation under subsection 77.2 (1), but,

(A) the Clerk has been removed or suspended under section 77.1, or

(B) the person designated is unable or unwilling to act or has been removed or suspended under section 77.1; and

(b) unless decided otherwise by unanimous consent of the Assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the Assembly from each recognized party, chaired by the Speaker who is a non-voting member. 2018, c. 17, Sched. 23, s. 4.

Appointment if Assembly not in session

(3)  If, while the Assembly is not in session, the Clerk is unable to fulfil the duties of his or her office or the office becomes vacant, the Board of Internal Economy may appoint a temporary Clerk of the Legislative Assembly. 2018, c. 17, Sched. 23, s. 4.

Same

(4)  Clause (2) (a) applies with respect to an appointment under subsection (3). 2018, c. 17, Sched. 23, s. 4.

Powers, salary and benefits

(5)  A temporary Clerk shall have the powers and duties of the Clerk and shall be paid a salary and benefits determined by the Board of Internal Economy and, subject to the approval of the Board, be reimbursed for reasonable expenses that he or she incurs in respect of anything done under this Act. 2018, c. 17, Sched. 23, s. 4.

Duration of office

(6)  A temporary Clerk shall hold office until,

(a) the Clerk is able to fulfil the duties of the office, where the appointment resulted from the Clerk being unable to do so;

(b) where the appointment resulted from a suspension of the Clerk, the suspension is revoked by order of the Assembly, by the Board of Internal Economy under subsection 77.1 (4) or by operation of subsection 77.1 (5);

(c) the Assembly appoints a different temporary Clerk under subsection (1); or

(d) the Assembly appoints a Clerk under section 77. 2018, c. 17, Sched. 23, s. 4.

Definition

(7)  In this section,

“recognized party” has the same meaning as in subsection 62 (5). 2022, c. 25, s. 3.

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

[2018, c. 17, Sched. 23, s. 4](http://www.ontario.ca/laws/statute/S18017" \l "sched23s4) - 06/12/2018

[2022, c. 25, s. 3](http://www.ontario.ca/laws/statute/S22025" \l "s3) - 08/12/2022

Honorific title for past clerks

**77.4**The Lieutenant Governor in Council may, by order, grant a former Clerk of the Legislative Assembly the right to use the honorific title “The Honourable” in English or “l’honorable” in French. 2022, c. 25, s. 4.

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

[2018, c. 17, Sched. 23, s. 4](http://www.ontario.ca/laws/statute/S18017" \l "sched23s4) - 06/12/2018

[2020, c. 15, s. 8](http://www.ontario.ca/laws/statute/S20015" \l "s8) - 14/07/2020

[2022, c. 25, s. 4](http://www.ontario.ca/laws/statute/S22025" \l "s4) - 08/12/2022

Sergeant-at-Arms, appointment

**77.5**(1)  The Assembly shall, by order, appoint the Sergeant-at-Arms. 2022, c. 25, s. 4.

Selection by panel

(2)  Unless decided otherwise by unanimous consent of the Assembly, an order shall be made under subsection (1) only if the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the Assembly from each recognized party, chaired by the Speaker who is a non-voting member. 2022, c. 25, s. 4.

Definition

(3)  In this section,

“recognized party” has the same meaning as in subsection 62 (5). 2022, c. 25, s. 4.

Transition

(4)  The Sergeant-at-Arms who is in office immediately before the day the Legislative Assembly Amendment Act, 2022 receives Royal Assent continues to hold office until a person is appointed under this section as Sergeant-at-Arms. For greater certainty, the Sergeant-at-Arms who is in office immediately before the day the Legislative Assembly Amendment Act, 2022 receives Royal Assent may be appointed under this section. 2022, c. 25, s. 4.

Transition

(5)  Sections 77.6 and 77.7 do not apply until a person is appointed Sergeant-at-Arms under this section. 2022, c. 25, s. 4.

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

[2022, c. 25, s. 4](http://www.ontario.ca/laws/statute/S22025" \l "s4) - 08/12/2022

Removal or suspension

**77.6**(1)  The Assembly may, by order passed by a vote of at least two thirds of the members of the Assembly, remove or suspend the Sergeant-at-Arms from office for cause. 2022, c. 25, s. 4.

Suspension if Assembly not in session

(2)  If the Assembly is not in session, the Board of Internal Economy may on unanimous agreement suspend the Sergeant-at-Arms for cause. 2022, c. 25, s. 4.

Duration of suspension

(3)  A suspension under subsection (1) continues until revoked by order of the Assembly or until the Sergeant-at-Arms is removed from office pursuant to subsection (1). 2022, c. 25, s. 4.

Same

(4)  Unless the Board of Internal Economy revokes the suspension before the next sitting of the Assembly, a suspension under subsection (2) continues until revoked by order of the Assembly or until the Sergeant-at-Arms is removed from office pursuant to subsection (1). 2022, c. 25, s. 4.

Same

(5)  Despite subsection (4), no suspension imposed under subsection (2) continues past the 20th sessional day of the next sitting of the Assembly. 2022, c. 25, s. 4.

Report to Assembly

(6)  The Board of Internal Economy shall report to the Assembly any action taken under subsections (2) and (4) at the earliest opportunity of the next sitting of the Assembly. 2022, c. 25, s. 4.

Meaning of “not in session”

(7)  For the purposes of this section and section 77.8, the Assembly is not in session when it is,

(a) prorogued; or

(b) adjourned for an indefinite period or to a day that is more than seven days after the date on which the Assembly was adjourned. 2022, c. 25, s. 4.

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

[2022, c. 25, s. 4](http://www.ontario.ca/laws/statute/S22025" \l "s4) - 08/12/2022

Designation by Sergeant-at-Arms

**77.7**(1)  The Sergeant-at-Arms shall designate an individual from among the employees of the Office of the Assembly who shall have the powers and duties of the Sergeant-at-Arms if the Sergeant-at-Arms is absent or unable to fulfil the duties of his or her office. 2022, c. 25, s. 4.

Designation in writing

(2)  A designation under subsection (1) shall be in writing to the Speaker. 2022, c. 25, s. 4.

Powers and duties

(3)  The individual designated under subsection (1) shall have the powers and duties of the Sergeant-at-Arms unless a temporary Sergeant-at-Arms is appointed under section 77.8. 2022, c. 25, s. 4.

Salary

(4)  The Board of Internal Economy may increase the salary of an individual who assumes the powers and duties of the Sergeant-at-Arms under subsection (1) in such circumstances as the Board considers appropriate. 2022, c. 25, s. 4.

Removal or suspension

(5)  Section 77.6 applies in respect of an individual who assumes the powers and duties of the Sergeant-at-Arms under subsection (1). 2022, c. 25, s. 4.

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

[2022, c. 25, s. 4](http://www.ontario.ca/laws/statute/S22025" \l "s4) - 08/12/2022

Temporary Sergeant-at-Arms

**77.8**(1)  If the Sergeant-at-Arms is unable to fulfil the duties of his or her office or the office becomes vacant, the Assembly may, by order, appoint a temporary Sergeant-at-Arms. 2022, c. 25, s. 4.

Selection by panel

(2)  Unless decided otherwise by unanimous consent of the Assembly, an order shall be made under subsection (1) only if the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the Assembly from each recognized party, chaired by the Speaker who is a non-voting member. 2022, c. 25, s. 4.

Appointment if Assembly not in session

(3)  If, while the Assembly is not in session, the Sergeant-at-Arms is unable to fulfil the duties of his or her office or the office becomes vacant, the Board of Internal Economy may appoint a temporary Sergeant-at-Arms. 2022, c. 25, s. 4.

Powers, salary and benefits

(4)  A temporary Sergeant-at-Arms shall have the powers and duties of the Sergeant-at-Arms and shall be paid a salary and benefits determined by the Board of Internal Economy and, subject to the approval of the Board, be reimbursed for reasonable expenses that he or she incurs in respect of anything done under this Act. 2022, c. 25, s. 4.

Duration of office

(5)  A temporary Sergeant-at-Arms shall hold office until,

(a) the Sergeant-at-Arms is able to fulfil the duties of the office, where the appointment resulted from the Sergeant-at-Arms being unable to do so;

(b) where the appointment resulted from a suspension of the Sergeant-at-Arms, the suspension is revoked by order of the Assembly, by the Board of Internal Economy under subsection 77.6 (4) or by operation of subsection 77.6 (5);

(c) the Assembly appoints a different temporary Sergeant-at-Arms under subsection (1); or

(d) the Assembly appoints a Sergeant-at-Arms under section 77.5. 2022, c. 25, s. 4.

Definition

(6)  In this section,

“recognized party” has the same meaning as in subsection 62 (5). 2022, c. 25, s. 4.

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

[2022, c. 25, s. 4](http://www.ontario.ca/laws/statute/S22025" \l "s4) - 08/12/2022

Duties and functions of employees of the Office of the Assembly

**78** (1)  The employees of the Office of the Assembly have such duties and functions,

(a) as may be provided for in an Act or an Order of the Assembly; and

(b) as may be prescribed by the Board of Internal Economy. 2020, c. 15, s. 9; 2022, c. 25, s. 5 (1).

Transition

(2)  Anything prescribed by the Speaker under clause (1) (b) as it read before the Legislative Assembly Amendment Act, 2022 received Royal Assent is continued as though it were prescribed by the Board of Internal Economy under clause (1) (b). 2022, c. 25, s. 5 (2).

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

[2020, c. 15, s. 9](http://www.ontario.ca/laws/statute/S20015" \l "s9) - 14/07/2020

[2022, c. 25, s. 5 (1, 2)](http://www.ontario.ca/laws/statute/S22025" \l "s5s1) - 08/12/2022

Estimates, submission to Board,

**79** (1)  The Speaker shall present the estimates of the sums of money that will be required to be provided by the Legislature for the purposes of this Act to the Board of Internal Economy who shall review such estimates and make such alterations as it considers proper, and shall thereafter concur in such estimates. R.S.O. 1990, c. L.10, s. 79 (1).

laid before Assembly

(2)  The Speaker shall cause the estimates to be laid before the Assembly. R.S.O. 1990, c. L.10, s. 79 (2).

Legislative Assembly Fund

**80** (1)  The Speaker shall establish, maintain and be accountable for a fund to be known as the Legislative Assembly Fund. R.S.O. 1990, c. L.10, s. 80 (1).

Bank account

(2)  The Speaker shall maintain an account with any bank listed in Schedule I or II to the Bank Act (Canada) and designated by the Board of Internal Economy for the deposit of money paid into the Legislative Assembly Fund. R.S.O. 1990, c. L.10, s. 80 (2); 2002, c. 8, Sched. I, s. 15.

Fiscal year

(3)  The fiscal year for the Legislative Assembly Fund shall be the same as the fiscal year for the Consolidated Revenue Fund. R.S.O. 1990, c. L.10, s. 80 (3).

Record

(4)  The Speaker shall keep a record of all money received for or disbursed from the Legislative Assembly Fund. R.S.O. 1990, c. L.10, s. 80 (4).

Annual report

(5)  The Speaker shall make an annual report to the Board of Internal Economy respecting the receipts and disbursements from the Legislative Assembly Fund. R.S.O. 1990, c. L.10, s. 80 (5).

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

[2002, c. 8, Sched. I, s. 15](http://www.ontario.ca/laws/statute/S02008" \l "schedis15) - 05/01/2005

Money paid into Fund

**81** The money required from time to time for the purposes of this Act shall be paid out of money appropriated by the Assembly for the purposes of this Act and shall be paid into the Legislative Assembly Fund by the Minister of Finance upon the requisition, from time to time, of the Speaker. R.S.O. 1990, c. L.10, s. 81; 2005, c. 35, s. 3 (5).

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

[2005, c. 35, s. 3 (5)](http://www.ontario.ca/laws/statute/S05035" \l "s3s5) - 15/12/2005

Where money required before appropriated

**82** (1)  When, because the Legislature is adjourned, prorogued or dissolved or because the urgency of other public business prevents the Legislature from considering estimates or supplementary estimates, money is urgently required for the purposes of this Act before it has been appropriated, the Minister of Finance may, subject to the approval of the Lieutenant Governor in Council, advance the required money for the use of the Speaker upon the written request of the Board of Internal Economy, and such money shall be paid into the Legislative Assembly Fund. R.S.O. 1990, c. L.10, s. 82 (1); 2005, c. 35, s. 3 (5).

Advances repayable out of money to be appropriated

(2)  All money advanced by the Minister of Finance under subsection (1) shall be deemed to be an interest free loan repayable from money to be appropriated by the Legislature for the purposes of this Act. R.S.O. 1990, c. L.10, s. 82 (2); 2005, c. 35, s. 3 (5).

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

[2005, c. 35, s. 3 (5)](http://www.ontario.ca/laws/statute/S05035" \l "s3s5) - 15/12/2005

Payments out of Fund

**83** (1)  A payment shall be made out of the Legislative Assembly Fund only if it is authorized by,

(a) the Speaker or the Deputy Speaker; and

(b) the Clerk of the Legislative Assembly or such other person authorized by the Speaker. 2020, c. 15, s. 10.

Signature

(2)  The Speaker may authorize the use of facsimile signatures on cheques to be affixed thereto by printing, lithographing, engraving or by other mechanical means. R.S.O. 1990, c. L.10, s. 83 (2).

Destruction of cancelled cheques

(3)  The Speaker, with the approval of the Auditor General, may authorize the destruction, from time to time, of paid and cancelled cheques. R.S.O. 1990, c. L.10, s. 83 (3); 2004, c. 17, s. 32.

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

[2004, c. 17, s. 32](http://www.ontario.ca/laws/statute/S04017" \l "s32) - 30/11/2004

[2020, c. 15, s. 10](http://www.ontario.ca/laws/statute/S20015" \l "s10) - 14/07/2020

Payment of debts incurred in fiscal year

**84** (1)  During the period of thirty days next following the end of a fiscal year there may be paid out of the Legislative Assembly Fund an amount, not exceeding the unexpended balance in the Fund at the end of such fiscal year, for the purpose of discharging any debt or obligation that was incurred during such fiscal year, and the expenditure may be charged in the accounts of such fiscal year, but any debts or obligations that remain undischarged at the end of such period of thirty days shall be paid out of the Legislative Assembly Fund for the ensuing fiscal year. R.S.O. 1990, c. L.10, s. 84 (1).

Unexpended money to be paid to Minister

(2)  All money that remains unexpended in the Legislative Assembly Fund after the thirty-day period following the end of a fiscal year shall be paid to the Minister of Finance and become part of the Consolidated Revenue Fund. R.S.O. 1990, c. L.10, s. 84 (2); 2005, c. 35, s. 3 (5).

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

[2005, c. 35, s. 3 (5)](http://www.ontario.ca/laws/statute/S05035" \l "s3s5) - 15/12/2005

Accountable advances

**85** (1)  Any member of the Assembly or the Chair or Clerk of a committee of the Assembly may apply to the Speaker and the Speaker may authorize an accountable advance out of the Legislative Assembly Fund for the purpose of meeting disbursements for travel or other contingencies, or making payments on account of expenses incurred or to be incurred. R.S.O. 1990, c. L.10, s. 85 (1); 2020, c. 15, s. 11.

Idem

(2)  If, at the termination of the fiscal year in which an advance was made, no accounting or repayment of the advance has been received, such advance shall be accounted for or repaid within fifteen days thereafter. R.S.O. 1990, c. L.10, s. 85 (2).

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

[2020, c. 15, s. 11](http://www.ontario.ca/laws/statute/S20015" \l "s11) - 14/07/2020

Audit

**86** The accounts and financial transactions of the Office of the Assembly shall be audited annually by the Auditor General. R.S.O. 1990, c. L.10, s. 86; 2004, c. 17, s. 32.

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

[2004, c. 17, s. 32](http://www.ontario.ca/laws/statute/S04017" \l "s32) - 30/11/2004

Board of Internal Economy, composition

**87** (1)  The Board of Internal Economy is continued, to be composed of,

(a) the Speaker;

(b) one commissioner, and one corresponding alternate commissioner, that the Lieutenant Governor in Council appoints from among the members of the Executive Council;

(c) one commissioner, and one corresponding alternate commissioner, that the caucus of each recognized party, within the meaning of subsection 62 (5), that is not the party from which the Government is chosen, appoints from among its members;

(d) a number of commissioners that the caucus of the party from which the Government is chosen appoints from among its members, so that the total number of those commissioners and the commissioner who may be appointed under clause (b) is equal to the total number of commissioners who may be appointed under clause (c); and

(e) a number of alternate commissioners that the caucus of the party from which the Government is chosen appoints from among its members that is equal to the number of commissioners appointed under clause (d), so that the total number of those alternate commissioners and the alternate commissioner who may be appointed under clause (b) is equal to the total number of alternate commissioners who may be appointed under clause (c). 2023, c. 7, Sched. 2, s. 1.

Alternate commissioners

(2)  An alternate commissioner appointed under subsection (1) shall have the powers and duties of a commissioner for whom they are an alternate, but only if the commissioner is absent or unable to fulfil their duties, or if the office is vacant. 2023, c. 7, Sched. 2, s. 1.

Speaker

(3)  The Speaker shall be the chair and a non-voting member of the Board. 2023, c. 7, Sched. 2, s. 1.

Notice to Speaker

(4)  Within 10 days of appointing a person as a commissioner or alternate commissioner, the Lieutenant Governor in Council or the caucus of the party making the appointment shall communicate the name of the person appointed to the Speaker. 2023, c. 7, Sched. 2, s. 1.

Notice to Assembly

(5)  The Speaker shall communicate to the Assembly the name of each person appointed as a commissioner or alternate commissioner. 2023, c. 7, Sched. 2, s. 1.

Quorum

(6)  A quorum of the Board consists of the Speaker, the commissioner appointed under clause (1) (b) or their alternate and one commissioner appointed under clause (1) (c) or their alternate. 2023, c. 7, Sched. 2, s. 1.

Dissolution

(7)  On the dissolution of the Legislature, every commissioner and alternate commissioner shall be deemed to remain in office as such, as if there had been no dissolution, until their replacement in accordance with subsection (1). 2023, c. 7, Sched. 2, s. 1.

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

[2012, c. 12, s. 1](http://www.ontario.ca/laws/statute/S12012" \l "s1) - 11/09/2012

[2020, c. 15, s. 12](http://www.ontario.ca/laws/statute/S20015" \l "s12) - 14/07/2020

[2023, c. 7, Sched. 2, s. 1](http://www.ontario.ca/laws/statute/S23007" \l "sched2s1) - 31/07/2023

Procedures

**88** The Board of Internal Economy may determine its rules and methods of procedure and shall keep a minute book in which shall be recorded the proceedings of the Board. R.S.O. 1990, c. L.10, s. 88.

Proceedings

**88.1**For greater certainty, the proceedings of the Board of Internal Economy are proceedings in Parliament. 2020, c. 15, s. 13.

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

[2020, c. 15, s. 13](http://www.ontario.ca/laws/statute/S20015" \l "s13) - 14/07/2020

Board may require monthly statements

**89** The Board of Internal Economy may require any office, agency, commission or select committee of the Assembly whose estimates of money required are subject to review by the Board to submit to the Board on a monthly basis statements that set out current expenditures and forecast future expenditures and every such office, agency, commission and select committee shall submit the statements when so required. R.S.O. 1990, c. L.10, s. 89.

Powers and duties of Board

**90** (1)  The Board of Internal Economy has the power and duty,

(a) to review estimates and forecasts, analyses of revenues, expenditures, commitments and other data pertaining to the Office of the Assembly and to assess the results thereof;

(b) to approve the organization and staff establishment for the Office of the Assembly;

(c) to approve and review administrative policies and procedures in relation to the operation of the Office of the Assembly;

(d) to advise upon all matters related to the management, administration, accounting and collection and disbursement of money associated with the Legislative Assembly Fund;

(e) to advise upon the retention and disposal of records except cancelled cheques;

(e.1) to establish policies with respect to the allocation of space in buildings within the legislative precinct and to allocate such space in accordance with those policies;

(e.2) to provide an office for,

(i) each member of the Assembly who is an official referred to in subclause (e.3) (i) or (ii), and

(ii) each member of the Assembly, other than members of the Executive Council;

(e.3) to allocate office space in the legislative precinct giving priority to members of the Assembly who are not members of the Executive Council and their staff to the extent it is reasonably possible while ensuring the efficient and effective operation of the Office of the Assembly and while also providing reasonable office space in the legislative precinct for,

(i) the following officials and their staff: the Lieutenant Governor, the Speaker, the Premier, the Leader of the Opposition and the leaders of other recognized parties,

(ii) the following officials and their staff: the Government House Leader, the Chief Government Whip, the House Leader of the party recognized as the Official Opposition, the Chief Opposition Whip and the House Leader and Chief Party Whip of each other recognized party, and

(iii) the caucus offices of the recognized parties;

(e.4) to work with, and provide advice to, the Queen’s Park Restoration Secretariat on the restoration, refurbishment, rehabilitation and preservation of the Legislative Building; and

(f) to advise upon and give directions in relation to any matter the Board considers necessary for the efficient and effective operation of the Office of the Assembly,

and, if considered desirable, it may report on any of such matters to the Assembly. R.S.O. 1990, c. L.10, s. 90; 2022, c. 25, s. 6 (1); 2023, c. 7, Sched. 2, s. 2.

Priority for office space

(2)  If it is not reasonably possible to provide office space in the legislative precinct for all the members of the Assembly who are not members of the Executive Council after providing office space to the officials, staff and offices referred to in subclauses (1) (e.3) (i) to (iii) and ensuring the efficient and effective operation of the Office of the Assembly, the Board of Internal Economy shall give priority for the remaining office space in the legislative precinct to members of the Assembly who are not members of the Executive Council in the following order:

1. The members who are not Parliamentary Assistants.

2. The members who are Parliamentary Assistants. 2022, c. 25, s. 6 (2).

Definition

(3)  In this section,

“legislative precinct” has the same meaning as in section 102.1; (“complexe de l’Assemblée législative”)

“recognized party” has the same meaning as in subsection 62 (5). (“parti reconnu”) 2022, c. 25, s. 6 (2).

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

[2022, c. 25, s. 6 (1, 2)](http://www.ontario.ca/laws/statute/S22025" \l "s6s1) - 08/12/2022

[2023, c. 7, Sched. 2, s. 2](http://www.ontario.ca/laws/statute/S23007" \l "sched2s2) - 31/07/2023

Transfer of money within vote

**91** The Board of Internal Economy may authorize the transfer of money from one item of the estimates of the Office of the Assembly to another item within the same vote and the Auditor General shall make special mention in his or her report of any transfer under this section. R.S.O. 1990, c. L.10, s. 91; 2004, c. 17, s. 32.

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

[2004, c. 17, s. 32](http://www.ontario.ca/laws/statute/S04017" \l "s32) - 30/11/2004

Regulation of terms and conditions of employment

**92** (1)  Subject to the approval of the Board of Internal Economy, the Speaker may,

(a) establish job classifications and salary ranges;

(b) provide a system of cumulative vacation and sick leave credits for regular attendance and payments in respect of such credits;

(c) provide for the establishment of plans for group life insurance, medical-surgical insurance or long-term income protection;

(d) provide for the granting of leave of absence; and

(e) prescribe any other terms and conditions of employment,

for employees of the Office of the Assembly. R.S.O. 1990, c. L.10, s. 92 (1).

Benefits

(2)  The benefits determined under Part III of the Public Service of Ontario Act, 2006 with respect to the matters referred to in clauses (1) (b), (c) and (d) for public servants employed under that Part to work in a ministry, other than in a minister’s office, who are not within a bargaining unit apply to the permanent and full-time employees of the Office of the Assembly until a plan or system in relation to the same matters is provided by the Speaker under this Act. 2006, c. 35, Sched. C, s. 60.

Same

(3)  For the purposes of subsection (2), if a benefit determined under Part III of the Public Service of Ontario Act, 2006 that is applicable to an employee of the Office of the Assembly is contingent on the exercise of a discretionary power or the performance of a discretionary function, the power may be exercised or the function may be performed by the Speaker or any person authorized in writing by the Speaker. 2006, c. 35, Sched. C, s. 60.

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

[2006, c. 35, Sched. C, s. 60](http://www.ontario.ca/laws/statute/S06035" \l "schedcs60) - 20/08/2007

Pension

**93** (1)  The Office of the Assembly shall be deemed to have been designated by the Lieutenant Governor in Council under the Public Service Pension Act as a board whose permanent and full-time probationary employees are required to be members of the Public Service Pension Plan. R.S.O. 1990, c. L.10, s. 93 (1).

Idem

(2)  All credits in the Public Service Superannuation Fund of persons appointed as permanent employees of the Office of the Assembly accumulated under the Public Service Pension Act before they became employees of the Office of the Assembly, are preserved and continued in accordance with that Act. R.S.O. 1990, c. L.10, s. 93 (2).

**94** Repealed: 2020, c. 15, s. 14.

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

[2020, c. 15, s. 14](http://www.ontario.ca/laws/statute/S20015" \l "s14) - 14/07/2020

**95** Repealed: 2020, c. 15, s. 14.

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

[2018, c. 17, Sched. 23, s. 5](http://www.ontario.ca/laws/statute/S18017" \l "sched23s5) - 06/12/2018

[2020, c. 15, s. 14](http://www.ontario.ca/laws/statute/S20015" \l "s14) - 14/07/2020

**96-98** Repealed: 2020, c. 15, s. 14.

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

[2020, c. 15, s. 14](http://www.ontario.ca/laws/statute/S20015" \l "s14) - 14/07/2020

**99** Repealed: 2020, c. 15, s. 14.

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

[2005, c. 35, s. 3 (4)](http://www.ontario.ca/laws/statute/S05035" \l "s3s4) - 15/12/2005

[2020, c. 15, s. 14](http://www.ontario.ca/laws/statute/S20015" \l "s14) - 14/07/2020

**100** Repealed: 2020, c. 15, s. 14.

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

[2020, c. 15, s. 14](http://www.ontario.ca/laws/statute/S20015" \l "s14) - 14/07/2020

Oaths, affirmations of office, allegiance

Oath, affirmation of office

**101** (1)  Every employee of the Office of the Assembly shall, before any salary is paid to him or her, take and subscribe before the Speaker, the Clerk of the Legislative Assembly or a person designated in writing by either of them, the following oath or affirmation of office, in English or French:

“I swear (or solemnly affirm) that I will faithfully discharge my duties as an employee of the Office of the Assembly; I will respect the laws of Canada and Ontario, including the recognition and affirmation of the aboriginal and treaty rights of Indigenous peoples in the Constitution; and, except as I may be legally authorized or required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my being an employee of the Office of the Assembly. So help me God. (Omit this phrase in an affirmation.)” 2020, c. 15, s. 15.

Application

(2)  Subsection (1), as re-enacted by section 15 of the Legislative Assembly Amendment Act, 2020, applies to an employee of the Office of the Assembly who is making the oath or affirmation of office on or after the day that section came into force. 2020, c. 15, s. 15.

Oath, affirmation of allegiance

(3)  Subject to subsections (4) and (5), every employee of the Office of the Assembly shall, before performing any duty as an employee of the Office of the Assembly, take and subscribe before the Speaker, the Clerk of the Legislative Assembly or a person designated in writing by either of them, the following oath or affirmation of allegiance to the Crown, in English or French:

“I swear (or solemnly affirm) that I will be faithful and bear true allegiance to His Majesty King Charles the Third (or the reigning sovereign for the time being), his heirs and successors according to law. So help me God. (omit this phrase in an affirmation)” 2020, c. 15, s. 15; 2024, c. 2, Sched. 19, s. 10.

Exemption, loss of citizenship

(4)  An employee of the Office of the Assembly who is not a citizen of Canada but is a citizen of another country is exempt from the requirement under subsection (3) to swear or affirm his or her allegiance to the Crown if the employee asserts that making the oath or affirmation could result in the loss of that citizenship. 2020, c. 15, s. 15.

Exemption, views on relationship between Crown and Indigenous peoples

(5)  An employee of the Office of the Assembly who identifies as an Indigenous person is exempt from the requirement under subsection (3) to swear or affirm his or her allegiance to the Crown if the employee asserts that making the oath or affirmation would be inconsistent with his or her views regarding the relationship between the Crown and Indigenous peoples. 2020, c. 15, s. 15.

Definitions

(6)  In this section,

“Indigenous peoples” includes the First Nations, Inuit and Métis peoples within Canada; (“peuples autochtones”)

“Indigenous person” means an individual who forms part of the Indigenous peoples. (“Autochtone”) 2020, c. 15, s. 15.

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

[2017, c. 20, Sched. 11, s. 17](http://www.ontario.ca/laws/statute/S17020" \l "sched11s17) - 14/11/2017

[2020, c. 15, s. 15](http://www.ontario.ca/laws/statute/S20015" \l "s15) - 14/07/2020

[2024, c. 2, Sched. 19, s. 10](http://www.ontario.ca/laws/statute/S24002" \l "sched19s10) - 06/03/2024

Speaker deemed an employer

**102** The Speaker in his or her capacity as head of the Office of the Assembly shall be deemed to be an employer for the purposes of the insurance plan established under the Workplace Safety and Insurance Act, 1997. R.S.O. 1990, c. L.10, s. 102; 1997, c. 16, s. 10 (2).

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

1997, c. 16, s. 10 (2) - 01/01/1998

Definition of “legislative precinct”

**102.1**In sections 102.2 to 103.0.2,

“legislative precinct” means,

(a) the Legislative Building,

(b) the grounds of the Legislative Building bounded in the north by Wellesley Street West and in the south, east and west by Queen’s Park Crescent East and Queen’s Park Crescent West in the City of Toronto,

(c) the first, second and third floors of the Whitney Block located at 23 Queen’s Park Crescent East and 99 Wellesley Street West in the City of Toronto,

(c.1) the entrances to the Whitney Block, including entrances to the basement,

(d) the tunnel between the Legislative Building and the Whitney Block,

(e) any premises or areas where a proceeding in Parliament takes place, or

(f) any other premises or areas that are designated by the Lieutenant Governor in Council,

but does not include constituency offices of members of the Assembly. 2020, c. 15, s. 16; 2022, c. 25, s. 7.

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

[2020, c. 15, s. 16](http://www.ontario.ca/laws/statute/S20015" \l "s16) - 14/07/2020

[2022, c. 25, s. 7](http://www.ontario.ca/laws/statute/S22025" \l "s7) - 08/12/2022

Legislative precinct under control of Board of Internal Economy

**102.2**The legislative precinct shall be under the control of the Board of Internal Economy except with respect to physical protection and security of the legislative precinct. 2022, c. 25, s. 8.

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

[2020, c. 15, s. 16](http://www.ontario.ca/laws/statute/S20015" \l "s16) - 14/07/2020

[2022, c. 25, s. 8](http://www.ontario.ca/laws/statute/S22025" \l "s8) - 08/12/2022

Legislative Protective Service

**103** (1)  The branch of the Office of the Assembly known as the Legislative Protective Service is continued. 2018, c. 17, Sched. 23, s. 6.

Mandate

(2)  The Legislative Protective Service is responsible for all matters with respect to the physical protection and security of the legislative precinct, including controlling access to and from the precinct, preserving and maintaining the public peace, protecting life and property and protecting the legislative process. 2018, c. 17, Sched. 23, s. 6.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 103 (2) of the Act is repealed and the following substituted: (See: 2023, c. 7, Sched. 2, s. 3)

Mandate

(2)  The Legislative Protective Service is responsible for all matters with respect to the physical protection and security of the legislative precinct and in relation to the business of the Legislative Assembly and its members, including,

(a) controlling access to and from the precinct;

(b) preserving and maintaining the public peace;

(c) protecting life and property;

(d) protecting the legislative process; and

(e) carrying out other responsibilities, as directed by the Speaker. 2023, c. 7, Sched. 2, s. 3.

Speaker responsible

(3)  The Speaker is responsible for the Legislative Protective Service. 2018, c. 17, Sched. 23, s. 6; 2020, c. 15, s. 17 (1).

(4)-(10)  Repealed: 2020, c. 15, s. 17 (2).

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

[2018, c. 17, Sched. 23, s. 6](http://www.ontario.ca/laws/statute/S18017" \l "sched23s6) - 06/12/2018

[2019, c. 15, Sched. 22, s. 96 (2)](http://www.ontario.ca/laws/statute/S19015" \l "sched22s96s2) - no effect - see: [2020, c. 15, s. 17 (2)](http://www.ontario.ca/laws/statute/S20015" \l "s17s2) - 14/07/2020

[2020, c. 15, s. 17 (1, 2)](http://www.ontario.ca/laws/statute/S20015" \l "s17s1) - 14/07/2020

[2023, c. 7, Sched. 2, s. 3](http://www.ontario.ca/laws/statute/S23007" \l "sched2s3) - not in force

Legislative Protective Service role outside the legislative precinct

**103.0.1**In addition to anything it does under section 103, the Legislative Protective Service may provide for the physical protection and security of any premises or area adjacent to or near the legislative precinct in accordance with an agreement between the Speaker and the owner or occupier of the premises or area. 2020, c. 15, s. 18.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 103.0.1 of the Act is repealed and the following substituted: (See: 2023, c. 7, Sched. 2, s. 4)

Legislative Protective Service role outside the legislative precinct

**103.0.1** In addition to anything it does under section 103, the Legislative Protective Service may provide for the physical protection and security of any premises or area outside the legislative precinct in accordance with either,

(a) an agreement between the Speaker and the owner or occupier of the premises or area; or

(b) a written directive of the Speaker issued pursuant to subsection 103.0.2 (2). 2023, c. 7, Sched. 2, s. 4.

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

[2020, c. 15, s. 18](http://www.ontario.ca/laws/statute/S20015" \l "s18) - 14/07/2020

[2023, c. 7, Sched. 2, s. 4](http://www.ontario.ca/laws/statute/S23007" \l "sched2s4) - not in force

Protection and security provided by the Legislative Protective Service

**103.0.2**(1)  This section applies for the purposes of sections 103 and 103.0.1 with respect to the physical protection and security provided by the Legislative Protective Service under those sections. 2020, c. 15, s. 18.

Guidelines and directives

(2)  The Speaker may issue guidelines and directives for the physical protection and security provided by the Legislative Protective Service. 2020, c. 15, s. 18.

Note: On a day to be named by proclamation of the Lieutenant Governor, section 103.0.2 of the Act is amended by adding the following subsection: (See: 2023, c. 7, Sched. 2, s. 5 (1))

Guidelines, directives, or authorizations made public

(2.1)  The Speaker may, in the Speaker’s sole discretion, make any guidelines, directives or authorizations issued pursuant to this section publicly available in whole or in part. 2023, c. 7, Sched. 2, s. 5 (1).

Same

(3)  The Legislative Protective Service shall provide services in accordance with any guidelines and directives issued under subsection (2). 2020, c. 15, s. 18.

Status as peace officers

(4)  The Sergeant-at-Arms and such employees in the Legislative Protective Service as the Speaker may select are peace officers,

(a) while in the legislative precinct or in a place in respect of which the Legislative Protective Service provides physical protection and security under section 103.0.1;

(a.1) while in the Whitney Block including, for greater certainty, in the parts of the Whitney Block that are not part of the legislative precinct; and

(b) while in fresh pursuit. 2020, c. 15, s. 18; 2022, c. 25, s. 9.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 103.0.2 (4) of the Act is repealed and the following substituted: (See: 2023, c. 7, Sched. 2, s. 5 (2))

Status as peace officers

(4)  The Sergeant-at-Arms and such employees in the Legislative Protective Service as the Speaker may select are peace officers for the purpose of carrying out their duties as authorized by the Speaker in writing, subject to any conditions or restrictions the Speaker may impose on the authorization. 2023, c. 7, Sched. 2, s. 5 (2).

Use of weapons

(5)  The Speaker may authorize one or more of the persons who are peace officers under subsection (4) to possess and use weapons, including firearms and prohibited weapons under the Criminal Code (Canada), for the purpose of carrying out their duties and the Speaker may impose conditions or restrictions on the authorization. 2020, c. 15, s. 18.

Powers of a police officer

(6)  Every person who is a peace officer under subsection (4) has the powers of a police officer for the purposes of carrying out their duties, other than for the enforcement of Acts prescribed, under subsection (7), for the purposes of this subsection. 2020, c. 15, s. 18.

Regulations

(7)  The Lieutenant Governor in Council may make regulations prescribing Acts for the purposes of subsection (6). 2020, c. 15, s. 18.

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

[2020, c. 15, s. 18](http://www.ontario.ca/laws/statute/S20015" \l "s18) - 14/07/2020

[2022, c. 25, s. 9](http://www.ontario.ca/laws/statute/S22025" \l "s9) - 08/12/2022

[2023, c. 7, Sched. 2, s. 5 (1, 2)](http://www.ontario.ca/laws/statute/S23007" \l "sched2s5s1) - not in force

Accessibility plan

**103.1**(1)  Each year, the Board of Internal Economy shall prepare an accessibility plan. 2022, c. 25, s. 10.

Contents

(2)  The accessibility plan shall address the identification, removal and prevention of barriers to persons with disabilities in the Legislative Chamber and the other parts of the Legislative Building that are under the control of the Board of Internal Economy and in the policies, programs, practices and services of the Assembly. 2022, c. 25, s. 10.

Same

(3)  The accessibility plan shall include, with respect to the Legislative Chamber, the other parts of the Legislative Building that are under the control of the Board of Internal Economy and the policies, programs, practices and services of the Assembly,

(a) a report on the measures the Board of Internal Economy has taken to identify, remove and prevent barriers to persons with disabilities;

(b) the measures in place to ensure that the Board of Internal Economy assesses the Board’s proposals for policies, programs, practices and services to determine their effect on accessibility for persons with disabilities;

(c) a list of the policies, programs, practices and services that the Board of Internal Economy will review in the coming year in order to identify barriers to persons with disabilities; and

(d) the measures that the Board of Internal Economy intends to take in the coming year to identify, remove and prevent barriers to persons with disabilities. 2022, c. 25, s. 10.

Availability to the public

(4)  The Board of Internal Economy shall make the accessibility plan available to the public. 2022, c. 25, s. 10.

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

[2001, c. 32, s. 28](http://www.ontario.ca/laws/statute/S01032" \l "s28) - 30/09/2002

[2022, c. 25, s. 10](http://www.ontario.ca/laws/statute/S22025" \l "s10) - 08/12/2022

Provision of services for Assembly

**104** The Speaker may call upon any ministry or agency of the Crown to provide any service or commodity for or on behalf of the Assembly that the Speaker considers necessary and the ministry or agency shall provide such service or commodity upon such terms and conditions as the ministry or agency may require. R.S.O. 1990, c. L.10, s. 104.

Conflict with other Acts

**105** In the event of a conflict between any provision of this Act and any provision of the Management Board of Cabinet Act or the Financial Administration Act, the provision of this Act prevails. R.S.O. 1990, c. L.10, s. 105; 2009, c. 34, Sched. J, s. 30.

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

[2009, c. 34, Sched. J, s. 30](http://www.ontario.ca/laws/statute/S09034" \l "schedjs30) - 15/12/2009

Act administered by Speaker

**106** The Speaker is responsible for the administration of this Act. R.S.O. 1990, c. L.10, s. 106.

Delegation of powers and duties, etc. - Board of Internal Economy

**107** The Board of Internal Economy may, in writing, delegate to the Speaker any of the Board’s powers, duties or control under sections 76, 78, 102.2 or 103.1. 2022, c. 25, s. 11.

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

[2022, c. 25, s. 11](http://www.ontario.ca/laws/statute/S22025" \l "s11) - 08/12/2022

Delegation - Speaker

**107.1**The Speaker may, in writing, delegate to the Deputy Speaker or to any employee in the Office of the Assembly,

(a) any of his or her powers and duties under sections 76 to 106 or section 108; or

(b) any power, duty or control delegated to the Speaker under section 107, subject to any conditions or restrictions imposed by the Board of Internal Economy on the delegation of those powers, duties or control. 2022, c. 25, s. 11.

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

[2022, c. 25, s. 11](http://www.ontario.ca/laws/statute/S22025" \l "s11) - 08/12/2022

Delegation to a Minister of the Crown

**107.1.1**(1)  For the purposes of preparing for the restoration, refurbishment, rehabilitation and preservation of the Legislative Building, the Board of Internal Economy may, in writing, delegate to a Minister of the Crown the Board’s powers, duties or control under sections 102.2 and 103.1. 2023, c. 7, Sched. 2, s. 6.

Subdelegation from Speaker

(2)  Where the Board of Internal Economy has delegated a power, duty or control under section 102.2 or 103.1 to the Speaker pursuant to section 107, the Speaker may, in writing, subdelegate that power, duty or control to a Minister of the Crown for the purposes of preparing for the restoration, preservation, refurbishment, rehabilitation and preservation of the Legislative Building, subject to any conditions or restrictions imposed by the Board when delegating the power, duty or control. 2023, c. 7, Sched. 2, s. 6.

Subdelegation from Minister

(3)  A Minister may subdelegate any powers, duties or control delegated under subsection (1) or (2) to their Deputy Minister, to a public servant employed under Part III of the Public Service of Ontario Act, 2006 who works in or provides services to the Secretariat of the Minister or to a Crown agency, subject to any conditions or restrictions imposed by the Board of Internal Economy or the Speaker when delegating the power, duty or control. 2023, c. 7, Sched. 2, s. 6.

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

[2023, c. 7, Sched. 2, s. 6](http://www.ontario.ca/laws/statute/S23007" \l "sched2s6) - 31/07/2023

Conditions and restrictions on delegations

**107.2**A delegation under section 107, 107.1 or 107.1.1 may include conditions and restrictions that govern the exercise of the delegated powers or control or the performance of the delegated duties. 2022, c. 25, s. 11; 2023, c. 7, Sched. 2, s. 7.

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

[2022, c. 25, s. 11](http://www.ontario.ca/laws/statute/S22025" \l "s11) - 08/12/2022

[2023, c. 7, Sched. 2, s. 7](http://www.ontario.ca/laws/statute/S23007" \l "sched2s7) - 31/07/2023

Agreements

**108** (1)  The Speaker, for and on behalf of the Office of the Assembly, may enter into any agreement that he or she considers advisable for the purposes of carrying out the provisions of this Act. R.S.O. 1990, c. L.10, s. 108 (1).

Agreements enure to benefit of Assembly

(2)  Any agreement entered into by the Speaker, or by any person duly authorized by the Speaker, enures to the benefit of the Assembly. R.S.O. 1990, c. L.10, s. 108 (2).

Speaker not personally liable

(3)  The Speaker or his or her delegate is not personally liable for any agreement that he or she has entered into under this section. R.S.O. 1990, c. L.10, s. 108 (3).

Actions brought in name of Attorney General

(4)  The Speaker, for and on behalf of the Office of the Assembly, may sue in the name of the Attorney General. R.S.O. 1990, c. L.10, s. 108 (4).

Queen’s Park Restoration Project

Government House Leader

**108.1**The member of the Assembly who also holds the position of Minister for the purposes of the Queen’s Park Restoration Secretariat Act, 2023 is the Government House Leader for the purposes of this Act. 2023, c. 7, Sched. 2, s. 8.

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

[2023, c. 7, Sched. 2, s. 8](http://www.ontario.ca/laws/statute/S23007" \l "sched2s8) - 31/07/2023

Interpretation

**108.2**In sections 108.3, 108.4 and 108.5,

“Minister”, “Deputy Minister” and “Queen’s Park Restoration Project” have the same meaning as in the Queen’s Park Restoration Secretariat Act, 2023. 2023, c. 7, Sched. 2, s. 8.

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

[2023, c. 7, Sched. 2, s. 8](http://www.ontario.ca/laws/statute/S23007" \l "sched2s8) - 31/07/2023

Consultation

**108.3**(1)  A standing committee of the Legislative Assembly shall,

(a) consult with the Minister, review the general plans for the Queen’s Park Restoration Project and provide recommendations concerning the general plans; and

(b) provide input and advice on substantive decisions affecting the Queen’s Park Restoration Project and any other such matters related to the Queen’s Park Restoration Project about which the committee wishes to provide input and advice. 2023, c. 7, Sched. 2, s. 8.

Consultation, Deputy Minister

(2)  Where, under subsection 7 (6) of the Queen’s Park Restoration Secretariat Act, 2023, the Deputy Minister or their representative consults with the Clerk of the Assembly or their representative, the Clerk or their representative shall participate in those consultations by providing input in respect of the Office of the Assembly and Board of Internal Economy’s needs and interests in the Queen’s Park Restoration Project. 2023, c. 7, Sched. 2, s. 8.

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

[2023, c. 7, Sched. 2, s. 8](http://www.ontario.ca/laws/statute/S23007" \l "sched2s8) - 31/07/2023

Regulations, legislative precinct

**108.4**(1)  In order to facilitate the Queen’s Park Restoration Project, the Lieutenant Governor in Council may make regulations,

(a) providing for a different definition of “legislative precinct” than that provided for in section 102.1;

(b) providing for a “legislative precinct restoration zone”, which may include,

(i) land or buildings that would normally be part of the legislative precinct, except for the regulations made under clause (a),

(ii) any other locations the Lieutenant Governor in Council may consider necessary for the purposes of the Queen’s Park Restoration Project;

(c) defining, enlarging or restricting the meaning of any word or expression used in the definition of “legislative precinct”. 2023, c. 7, Sched. 2, s. 8.

Same

(2)  Without limiting the generality of subsection (1), a regulation made under clause (1) (a) may provide,

(a) that a place that would otherwise be part of the “legislative precinct” is deemed not to be part of it; and

(b) that one or more places that would otherwise not be part of the “legislative precinct” are deemed to be part of it. 2023, c. 7, Sched. 2, s. 8.

Consultation required

(3)  The Lieutenant Governor in Council shall not make a regulation under subsection (1) unless,

(a) the Minister has recommended it; and

(b) the Minister or a person delegated by the Minister has consulted with, and received the written approval of, the Board of Internal Economy in a manner and to the extent that the Minister or delegate considers appropriate. 2023, c. 7, Sched. 2, s. 8.

Control of zone

(4)  Where the Lieutenant Governor in Council has made regulations under clause (1) (b) providing for a legislative precinct restoration zone, the zone shall be under the control of the Minister. 2023, c. 7, Sched. 2, s. 8.

Revocation

(5)  After the Minister or Minister’s delegate consults with the Board of Internal Economy and within a reasonable time after completion of the Queen’s Park Restoration Project, the Minister shall recommend to the Lieutenant Governor in Council the revocation of all regulations made under subsection (1). 2023, c. 7, Sched. 2, s. 8.

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

[2023, c. 7, Sched. 2, s. 8](http://www.ontario.ca/laws/statute/S23007" \l "sched2s8) - 31/07/2023

Conclusion of Restoration Project

**108.5**(1)  When the Standing Committee of the Legislative Assembly that is responsible for consultation with the Minister pursuant to section 108.3 has received a report from the Minister pursuant to section 12 of the Queen’s Park Restoration Secretariat Act, 2023 that the Queen’s Park Restoration Project is completed, the committee shall undertake a study of the completeness of the Queen’s Park Restoration Project and identify spent provisions of this Act and the Queen’s Park Restoration Secretariat Act, 2023 related to the Queen’s Park Restoration Project. 2023, c. 7, Sched. 2, s. 8.

Report

(2)  The committee may prepare a report in relation to the study under subsection (1), and in that report may recommend the repeal of the spent provisions identified, including, if the committee considers it advisable, a draft of legislation to that effect. 2023, c. 7, Sched. 2, s. 8.

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

[2023, c. 7, Sched. 2, s. 8](http://www.ontario.ca/laws/statute/S23007" \l "sched2s8) - 31/07/2023

Miscellaneous

Transitional regulations

**109** (1)  The Lieutenant Governor in Council may make regulations providing for transitional matters arising from the enactment of Schedule 23 to the Restoring Trust, Transparency and Accountability Act, 2018. 2018, c. 17, Sched. 23, s. 7.

Conflict

(2)  If there is a conflict between a regulation made under subsection (1) and a provision of this or any other Act or a provision of another regulation made under any other Act, the regulation made under subsection (1) prevails. 2018, c. 17, Sched. 23, s. 7.

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

[2018, c. 17, Sched. 23, s. 7](http://www.ontario.ca/laws/statute/S18017" \l "sched23s7) - 06/12/2018

Forms 1-3 Repealed: 2017, c. 20, Sched. 11, s. 18.

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

[2017, c. 20, Sched. 11, s. 18](http://www.ontario.ca/laws/statute/S17020" \l "sched11s18) - 14/11/2017

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