[Français](http://www.ontario.ca/fr/lois/loi/90m01)

Management Board of Cabinet Act

R.S.O. 1990, CHAPTER M.1

**Consolidation Period:** From June 4, 2015 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2015, c. 20, Sched. 23](http://www.ontario.ca/laws/statute/S15020" \l "sched23s1).

Legislative History: 1991, c. 14, s. 11; 1993, c. 38, s. 69; [2005, c. 31, Sched. 14](http://www.ontario.ca/laws/statute/S05031" \l "sschp14); [2006, c. 35, Sched. C, s. 64](http://www.ontario.ca/laws/statute/S06035" \l "schedcs64); [2009, c. 34, Sched. L](http://www.ontario.ca/laws/statute/S09034" \l "schedls1); [2010, c. 1, Sched. 16](http://www.ontario.ca/laws/statute/S10001" \l "sched16s1); [2015, c. 20, Sched. 23](http://www.ontario.ca/laws/statute/S15020" \l "sched23s1).

Definitions

[1.  (1)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s1s1)  In this Act,

“Board” means the Management Board of Cabinet; (“Conseil”)

“Chair” means the member of the Executive Council appointed as Chair of the Board by the Lieutenant Governor; (“président”)

“ministry” means a ministry of the Government of Ontario; (“ministère”)

“public service” means,

(a) every ministry,

(b) every Crown agency,

(c) every corporation, with or without share capital, that is not a Crown agency but is owned, operated or controlled by the Crown, and

(d) every other board, commission, authority or unincorporated body of the Crown; (“fonction publique”)

“secretariat” means the staff of the Board reporting to the Board through the Secretary; (“secrétariat”)

“Secretary” means the Secretary of the Board; (“secrétaire”)

“Vice-Chair” means the member of the Executive Council who by order in council is appointed the Vice-Chair of the Board. (“vice-président”) R.S.O. 1990, c. M.1, s. 1 (1); 2010, c. 1, Sched. 16, s. 1.

Exclusion re: Hydro One Inc.

[(2)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s1s2)  Hydro One Inc. and its subsidiaries are deemed not to be included in the public service for the purposes of this Act on and after the date the Building Ontario Up Act (Budget Measures), 2015 received Royal Assent. 2015, c. 20, Sched. 23, s. 1.

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

1991, c. 14, s. 11 - 16/08/1991

[2010, c. 1, Sched. 16, s. 1](http://www.ontario.ca/laws/statute/S10001" \l "sched16s1)- 18/05/2010

[2015, c. 20, Sched. 23, s. 1](http://www.ontario.ca/laws/statute/S15020" \l "sched23s1) - 4/06/2015

Board continued

[2.  (1)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s1)  The Board known in English as the Management Board of Cabinet and in French as Conseil de gestion du gouvernement is continued. R.S.O. 1990, c. M.1, s. 2 (1).

Composition

[(2)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s2)  The Board shall consist of the Chair, the Vice-Chair and not fewer than four and not more than seven other members of the Executive Council designated from time to time by the Lieutenant Governor in Council. R.S.O. 1990, c. M.1, s. 2 (2); 2009, c. 34, Sched. L, s. 1.

Alternate members

[(3)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s3)  The Lieutenant Governor in Council may designate other ministers to serve as alternates in the absence of members of the Board. R.S.O. 1990, c. M.1, s. 2 (3).

Chair’s powers and duties

[(4)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s4)  The Chair shall preside at meetings of the Board and is responsible for the operation and administration of the Board and the secretariat. R.S.O. 1990, c. M.1, s. 2 (4).

Absence of Chair

[(5)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s5)  When the Chair is absent from any meeting, the Vice-Chair shall preside at the meeting and, when both the Chair and Vice-Chair are absent, the members present at a meeting shall appoint a member to preside at the meeting. R.S.O. 1990, c. M.1, s. 2 (5).

Secretary

[(6)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s6)  The Lieutenant Governor in Council shall appoint an officer, to be known as the Secretary of the Management Board of Cabinet, who shall perform such functions as the Board may assign to him or her, and the Secretary of the Management Board of Cabinet shall rank as and have all the powers and duties of a deputy minister of a ministry. R.S.O. 1990, c. M.1, s. 2 (6).

Officers and employees

[(7)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s7)  Such other officers and employees as are necessary for the proper conduct of the business of the Board shall be appointed under Part III of the Public Service of Ontario Act, 2006. R.S.O. 1990, c. M.1, s. 2 (7); 2006, c. 35, Sched. C, s. 64.

Procedure

[(8)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s8)  The Board 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. M.1, s. 2 (8).

Quorum

[(9)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s2s9)  Three members of the Board constitute a quorum. R.S.O. 1990, c. M.1, s. 2 (9).

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

[2009, c. 34, Sched. L, s. 1](http://www.ontario.ca/laws/statute/S09034" \l "schedls1)- 15/12/2009

[2006, c. 35, Sched. C, s. 64](http://www.ontario.ca/laws/statute/S06035" \l "schedcs64)- 20/08/2007

Duties of Board

[3.  (1)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s3s1)  The Board shall be a committee of the Executive Council with the following powers and duties:

(a)-(c) Repealed: 1991, c. 14, s. 11.

(d) to approve organization and staff establishments in any part of the public service;

(e) to establish, prescribe or regulate such policies and procedures as the Board considers necessary for the efficient and effective operation of any part of the public service;

(f) to initiate and supervise the development of management practices and systems for the efficient operation of any part of the public service; and

(g) to report to the Executive Council on any matter concerning general administrative policy in any part of the public service that is referred to it by the Executive Council or on which the Board considers it desirable to report to the Executive Council. R.S.O. 1990, c. M.1, s. 3 (1); 1991, c. 14, s. 11; 2010, c. 1, Sched. 16, s. 2 (1-4).

Board may require production of documents

[(2)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s3s2)  The Board may require from any public officer or any agent of the Crown any account, return, statement, document, report or information that the Board considers necessary for the performance of its duties. R.S.O. 1990, c. M.1, s. 3 (2).

Directives

[(3)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s3s3)  The Board may issue such directives as it considers necessary in the performance of its duties. R.S.O. 1990, c. M.1, s. 3 (3); 2010, c. 1, Sched. 16, s. 2 (5).

Studies

[(4)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s3s4)  The Board may undertake or order such studies and examinations of the operation and administration of any part of the public service as the Board considers necessary for the performance of the duties of the Board. R.S.O. 1990, c. M.1, s. 3 (4); 2010, c. 1, Sched. 16, s. 2 (6).

Board subject to direction of Executive Council

[(5)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s3s5)  The Board in the exercise of its powers and duties under this or any other Act is subject to the direction of the Executive Council which may amend or revoke any action of the Board. R.S.O. 1990, c. M.1, s. 3 (5).

Delegation

[(6)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s3s6)  The Board may delegate to any member of the Executive Council or to any person employed in the public service any power, duty or function of the Board, subject to such limitations and requirements as the Board may specify. 2005, c. 31, Sched. 14, s. 1.

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

1991, c. 14, s. 11 - 16/08/1991

[2005, c. 31, Sched. 14, s. 1](http://www.ontario.ca/laws/statute/S05031" \l "sched14s1) - 15/12/2005

[2010, c. 1, Sched. 16, s. 2 (1-6)](http://www.ontario.ca/laws/statute/S10001" \l "sched16s2s1) - 18/05/2010

[4.](http://www.ontario.ca/fr/lois/loi/90m01" \l "s4)Repealed: 1991, c. 14, s. 11.

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

1991, c. 14, s. 11 - 16/08/1991

[5.](http://www.ontario.ca/fr/lois/loi/90m01" \l "s5)Repealed: 1991, c. 14, s. 11.

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

1991, c. 14, s. 11 - 16/08/1991

Regulations

[6.  (1)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s6s1)  Subject to the approval of the Lieutenant Governor in Council, the Board may make regulations,

(a) Repealed: 1991, c. 14, s. 11.

(b) respecting the retention and disposal of records;

(c) fixing the scale of allowances for travelling and living expenses to be allowed to any person employed in or in connection with any part of the public service;

(d) for any purpose necessary for the efficient administration of any part of the public service. R.S.O. 1990, c. M.1, s. 6; 1991, c. 14, s. 11; 1993, c. 38, s. 69 (1); 2010, c. 1, Sched. 16, s. 3.

Limitation

[(2)](http://www.ontario.ca/fr/lois/loi/90m01" \l "s6s2)  Regulations made under clause (1) (c) do not apply with respect to allowances determined under collective bargaining. 1993, c. 38, s. 69 (2).

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

1991, c. 14, s. 11 - 16/08/1991

1993, c. 38, s. 69 (1, 2) - 14/02/1994

[2010, c. 1, Sched. 16, s. 3](http://www.ontario.ca/laws/statute/S10001" \l "sched16s3)- 18/05/2010

Chair to be minister of ministry

[7.](http://www.ontario.ca/fr/lois/loi/90m01" \l "s7)For the purposes of the Executive Council Act, the Chair of the Board is a minister having charge of a ministry. R.S.O. 1990, c. M.1, s. 7.

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