[Français](http://www.ontario.ca/fr/lois/loi/90m21)

Ministry of Consumer and Business Services Act

R.S.O. 1990, Chapter M.21

**Consolidation Period:** From July 14, 2020 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2019, c. 7, Sched. 17, s. 107](http://www.ontario.ca/laws/statute/S19007" \l "sched17s107).

Legislative History: 1994, c. 27, s. 90; 1996, c. 19, s. 22; 1999, c. 12, Sched. G, s. 27; [2000, c. 16, s. 45 (2)](http://www.ontario.ca/laws/statute/S00016" \l "s45s2); [2001, c. 9, Sched. D, s. 11](http://www.ontario.ca/laws/statute/S01009" \l "schedds11s1); [2002, c. 30, Sched. E, s. 10](http://www.ontario.ca/laws/statute/S02030" \l "schedes10); [2006, c. 19, Sched. G, s. 5](http://www.ontario.ca/laws/statute/S06019" \l "schedgs5); [2006, c. 35, Sched. C, s. 70](http://www.ontario.ca/laws/statute/S06035" \l "schedcs70s1); [2009, c. 33, Sched. 6, s. 68](http://www.ontario.ca/laws/statute/S09033" \l "sched6s68) (But see [2011, c. 1, Sched. 2, s. 4 (2)](http://www.ontario.ca/laws/statute/S11001" \l "sched2s4s2)); [2009, c. 33, Sched. 10, s. 9](http://www.ontario.ca/laws/statute/S09033" \l "sched10s9); [2011, c. 1, Sched. 2, s. 4 (1)](http://www.ontario.ca/laws/statute/S11001" \l "sched2s4s1); [2012, c. 8, Sched. 11, s. 48](http://www.ontario.ca/laws/statute/S12008" \l "sched11s48) (But see [2020, c. 14, Sched. 8, s. 21](http://www.ontario.ca/laws/statute/S20014" \l "sched8s21)); [2019, c. 7, Sched. 17, s. 107](http://www.ontario.ca/laws/statute/S19007" \l "sched17s107).

Definitions

**1** In this Act,

“Deputy Minister” means the Deputy Minister of Consumer and Business Services; (“sous-ministre”)

“Director” means the person designated by the Minister as the Director; (“directeur”)

“Minister” means the Minister of Consumer and Business Services; (“ministre”)

“Ministry” means the Ministry of Consumer and Business Services; (“ministère”)

“Registrar” means the Registrar under an Act administered by the Minister; (“registrateur”)

“Tribunal” means the Licence Appeal Tribunal. (“Tribunal”) R.S.O. 1990, c. M.21, s. 1; 1999, c. 12, Sched. G, s. 27 (1); 2001, c. 9, Sched. D, s. 11 (1).

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

1999, c. 12, Sched. G, s. 27 (1) - 01/04/2000

[2001, c. 9, Sched. D, s. 11 (1)](http://www.ontario.ca/laws/statute/S01009" \l "schedds11s1) - 01/04/2000

Ministry continued

**2** The ministry of the public service known in English as the Ministry of Consumer and Business Services and in French as ministère des Services aux consommateurs et aux entreprises is continued. R.S.O. 1990, c. M.21, s. 2; 2001, c. 9, Sched. D, s. 11 (1).

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

[2001, c. 9, Sched. D, s. 11 (1)](http://www.ontario.ca/laws/statute/S01009" \l "schedds11s1) - 01/04/2000

Minister to have charge

**3** The Minister shall preside over and have charge of the Ministry. R.S.O. 1990, c. M.21, s. 3.

Minister’s Acts

**4** The Minister is responsible for the administration of this Act and any Acts that are assigned to him or her by the Legislature or by the Lieutenant Governor in Council. R.S.O. 1990, c. M.21, s. 4.

Assignment of Minister’s Acts to other ministers

**5** The Lieutenant Governor in Council may assign the administration of any Act that is being administered by the Minister to any other minister, in which case such other minister may exercise the powers and shall perform the duties of the minister named in the Act so assigned. R.S.O. 1990, c. M.21, s. 5.

**5.1**  Repealed: 2011, c. 1, Sched. 2, s. 4 (1).

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

[2002, c. 30, Sched. E, s. 10](http://www.ontario.ca/laws/statute/S02030" \l "schedes10) - 30/07/2005

[2009, c. 33, Sched. 6, s. 68](http://www.ontario.ca/laws/statute/S09033" \l "sched6s68) - no effect - see [2011, c. 1, Sched. 2, s. 4 (2)](http://www.ontario.ca/laws/statute/S11001" \l "sched2s4s2) - 30/03/2011

[2011, c. 1, Sched. 2, s. 4 (1)](http://www.ontario.ca/laws/statute/S11001" \l "sched2s4s1) - 30/03/2011

Delegation of Minister’s powers

**6** (1)  Where, under this or any other Act, a power or duty is granted to or vested in the Minister, he or she may delegate in writing that power or duty to the Deputy Minister or to any officer or officers of the Ministry, subject to such restrictions, conditions and requirements as the Minister may set out in his or her delegation. R.S.O. 1990, c. M.21, s. 6 (1).

Delegation of Deputy Minister’s powers

(2)  Where, under this or any other Act, a power or duty is granted to or vested in the Deputy Minister, he or she may delegate, in writing and with the concurrence of the Minister, that power or duty to any officer or officers of the Ministry, subject to such restrictions, conditions and requirements as the Minister may set out in his or her concurrence. R.S.O. 1990, c. M.21, s. 6 (2).

**7** Repealed: 1999, c. 12, Sched. G, s. 27 (2).

Note: Despite the repeal of section 7 by the Statutes of Ontario, 1999, chapter 12, Schedule G, subsection 27 (2), members of The Commercial Registration Appeal Tribunal immediately before April 1, 2000 shall be members of the Licence Appeal Tribunal for the purpose of performing the duties of that Tribunal with respect to proceedings before The Commercial Registration Appeal Tribunal that were commenced before April 1, 2000. See: 1999, c. 12, Sched. G, s. 27 (3).

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

1994, c. 27, s. 90 (2) - 09/12/1994; 1999, c. 12, Sched. G, s. 27 (2) - 01/04/2000

No personal liability

**8** (1)  No action or other proceeding for damages shall be instituted against a person mentioned in subsection (2) for any act done in good faith in the execution or intended execution of any of the person’s duties or powers or for any alleged neglect or default in the execution in good faith of any of the person’s duties or powers. 2006, c. 19, Sched. G, s. 5.

Same

(2)  Subsection (1) applies to the following persons:

1. The Deputy Minister and anyone acting under the authority of the Deputy Minister.

2. The Director and anyone acting under the authority of the Director.

3. A director or deputy director under an Act administered by the Minister and anyone acting under the authority of such director or deputy director.

4. A Registrar, registrar and deputy registrar under an Act administered by the Minister and anyone acting under the authority of such Registrar, registrar or deputy registrar.

5. An inspector under an Act administered by the Minister.

6. An investigator under an Act administered by the Minister.

7. A member of a discipline committee or of an appeals committee under an Act administered by the Minister.

8. A public servant employed under Part III of the Public Service of Ontario Act, 2006 who works in the Ministry. 2006, c. 19, Sched. G, s. 5; 2006, c. 35, Sched. C, s. 70 (1).

Liability of Crown

(3)  Despite subsection 8 (3) of the Crown Liability and Proceedings Act, 2019, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject in respect of a tort committed by a person mentioned in subsection (2). 2006, c. 19, Sched. G, s. 5; 2019, c. 7, Sched. 17, s. 107.

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

1999, c. 12, Sched. G, s. 27 (4) - 01/04/2000

[2006, c. 19, Sched. G, s. 5](http://www.ontario.ca/laws/statute/S06019" \l "schedgs5) - 22/06/2006; [2006, c. 35, Sched. C, s. 70 (1)](http://www.ontario.ca/laws/statute/S06035" \l "schedcs70s1) - 20/08/2007

[2019, c. 7, Sched. 17, s. 107](http://www.ontario.ca/laws/statute/S19007" \l "sched17s107) - 01/07/2019

Interim appointments

**9** (1)  If a vacancy occurs in the office of Director or Registrar or if the Director or a Registrar is unable to carry out the duties of office because of absence or illness, the Deputy Minister may appoint in writing an official of the Ministry to act as Director or Registrar, as the case may be, until the office is filled or the Director or Registrar, as the case may be, returns to duty. 2001, c. 9, Sched. D, s. 11 (2).

Period of appointment

(2)  An appointment made under subsection (1) shall not be made for a period of longer than six months. 2001, c. 9, Sched. D, s. 11 (2).

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

[2001, c. 9, Sched. D, s. 11 (2)](http://www.ontario.ca/laws/statute/S01009" \l "schedds11s2) - 01/04/2000

Proof of document

**10** Any document made under this Act that purports to be signed by the Minister or Deputy Minister, or a certified copy of the document, is receivable in evidence in any action, prosecution or other proceeding as proof, in the absence of evidence to the contrary, that the document is signed by the Minister or Deputy Minister without proof of the office or signature of the Minister or Deputy Minister. 2002, c. 30, Sched. E, s. 10.

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

1999, c. 12, Sched. G, s. 27 (4) - 01/04/2000

[2002, c. 30, Sched. E, s. 10](http://www.ontario.ca/laws/statute/S02030" \l "schedes10) - 30/07/2005

**11** Repealed: 1999, c. 12, Sched. G, s. 27 (4).

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

1999, c. 12, Sched. G, s. 27 (4) - 01/04/2000

Employees

**12** Such employees as are considered necessary for the proper conduct of the business of the Ministry may be appointed under Part III of the Public Service of Ontario Act, 2006. 2006, c. 35, Sched. C, s. 70 (2).

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

[2006, c. 35, Sched. C, s. 70 (2)](http://www.ontario.ca/laws/statute/S06035" \l "schedcs70s2) - 20/08/2007

Disclosure of information

**13** (1)  No provision in any Act shall be construed so as to prohibit an employee of the Ministry from disclosing any information that he or she acquires in the course of his or her employment,

(a) to another employee of the Ministry where the information disclosed relates to the administration of an Act for which the Minister is responsible;

(b) to a peace officer where the employee has reason to believe that a criminal offence may have been committed; or

(c) to an employee of the designated administrative authority within the meaning of the Safety and Consumer Statutes Administration Act, 1996 to which the administration of the Act is delegated. R.S.O. 1990, c. M.21, s. 13 (1); 1996, c. 19, s. 22 (1).

Interpretation

(2)  In this section, an employee of the Ministry includes an employee of any agency, board or commission for which the Minister is responsible. R.S.O. 1990, c. M.21, s. 13 (2).

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

1996, c. 19, s. 22 (1) - 22/07/1996

[2012, c. 8, Sched. 11, s. 48](http://www.ontario.ca/laws/statute/S12008" \l "sched11s48) - no effect - see [2020, c. 14, Sched. 8, s. 21](http://www.ontario.ca/laws/statute/S20014" \l "sched8s21) - 14/07/2020

**14** Repealed: 1999, c. 12, Sched. G, s. 27 (4).

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

1999, c. 12, Sched. G, s. 27 (4) - 01/04/2000

**15** Repealed: 2009, c. 33, Sched. 10, s. 9.

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

1994, c. 27, s. 90 (3) - 09/12/1994

[2009, c. 33, Sched. 10, s. 9](http://www.ontario.ca/laws/statute/S09033" \l "sched10s9) - 15/12/2009

**16** Repealed: 2000, c. 16, s. 45 (2).

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

[2000, c. 16, s. 45 (2)](http://www.ontario.ca/laws/statute/S00016" \l "s45s2) - 27/06/2001

**17** Repealed: 2000, c. 16, s. 45 (2).

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

[2000, c. 16, s. 45 (2)](http://www.ontario.ca/laws/statute/S00016" \l "s45s2) - 27/06/2001

**18** Repealed: 2000, c. 16, s. 45 (2).

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

[2000, c. 16, s. 45 (2)](http://www.ontario.ca/laws/statute/S00016" \l "s45s2) - 27/06/2001

**19** Repealed: 2000, c. 16, s. 45 (2).

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

[2000, c. 16, s. 45 (2)](http://www.ontario.ca/laws/statute/S00016" \l "s45s2) - 27/06/2001

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