[Français](http://www.ontario.ca/fr/lois/loi/90m25)

Ministry of Government Services Act

R.S.O. 1990, Chapter M.25

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Definitions

**1** In this Act,

“commodity” means personal property of every kind; (“fourniture”)

“common services” means services that are acquired, managed or provided centrally by the Ministry and includes goods, if any, that are associated with the services; (“services communs”)

“Deputy Minister” means the Deputy Minister of Government Services; (“sous-ministre”)

“Government” means,

(a) the Government of Ontario and the Crown in right of Ontario,

(b) a ministry of the Government of Ontario,

(c) a Crown agency, and

(d) any other board, commission, authority or unincorporated body of the Crown; (“gouvernement”)

“Minister” means the Minister of Government Services; (“ministre”)

“Ministry” means the Ministry of Government Services; (“ministère”)

“public sector organization” means,

(a) the Office of the Assembly and the offices of persons appointed by order of the Assembly,

(b) the corporation of any municipality in Ontario,

(c) a local board, as defined in the Municipal Affairs Act, and any authority, board, commission, corporation, office or organization of persons some or all of whose members, directors or officers are appointed or chosen by or under the authority of the council of the corporation of a municipality in Ontario,

(d) a board, as defined in the Education Act,

(e) a university, college of applied arts and technology or other post-secondary institution in Ontario,

(f) a hospital within the meaning of the Public Hospitals Act,

(g) a board of health, as defined in the Health Protection and Promotion Act,

(h) such other persons and entities as may be prescribed; (“organisation du secteur public”)

“related government” means,

(a) the Government of Canada and any ministry or agency thereof and the Crown in right of Canada and any agency thereof,

(b) the Government of any other province or territory of Canada and any ministry or agency thereof and the Crown in right of any other province of Canada and any agency thereof; (“gouvernement lié”)

“service provider organization” means a ministry, part of a ministry or a person or entity designated under subsection 17.1 (1). (“organisation de prestation de services”) R.S.O. 1990, c. M.25, s. 1; 2006, c. 19, Sched. N, s. 2 (1-3); 2011, c. 9, Sched. 26, s. 1; 2018, c. 17, Sched. 45, s. 9.

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

[2006, c. 19, Sched. N, s. 2 (1-3)](http://www.ontario.ca/laws/statute/S06019" \l "schedns2s1) - 22/06/2006

[2011, c. 9, Sched. 26, s. 1 (1-5)](http://www.ontario.ca/laws/statute/S11009" \l "sched26s1s1) - 06/06/2011; [2011, c. 9, Sched. 26, s. 1 (6)](http://www.ontario.ca/laws/statute/S11009" \l "sched26s1s6) - 12/05/2011

[2012, c. 8, Sched. 21, s. 37 (1)](http://www.ontario.ca/laws/statute/S12008" \l "sched21s37s1) - see [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](http://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2022

[2018, c. 17, Sched. 45, s. 9](http://www.ontario.ca/laws/statute/S18017" \l "sched45s9) - 06/12/2018

Ministry continued

**2** (1)  The ministry of the public service known in English as the Ministry of Government Services and in French as ministère des Services gouvernementaux is continued. R.S.O. 1990, c. M.25, s. 2 (1).

Minister to preside

(2)  The Minister shall preside over and have charge of the Ministry. R.S.O. 1990, c. M.25, s. 2 (2).

Deputy Minister

(3)  The Lieutenant Governor in Council shall appoint a Deputy Minister of Government Services who shall be the deputy head of the Ministry. R.S.O. 1990, c. M.25, s. 2 (3).

Employees

**3** (1)  Such employees may be appointed under Part III of the Public Service of Ontario Act, 2006 as are required from time to time for the proper conduct of the business of the Ministry. R.S.O. 1990, c. M.25, s. 3 (1); 2006, c. 35, Sched. C, s. 74.

King’s Printer

(2)  The Lieutenant Governor in Council may appoint a King’s Printer for Ontario who shall control imprint and secure legal copyright on and control title to all legislative and other material produced by the Government in any form. R.S.O. 1990, c. M.25, s. 3 (2); 2024, c. 2, Sched. 19, s. 12.

Same

(3)  The King’s Printer for Ontario shall exercise his or her powers and perform his or her duties under subsection (2) in accordance with any directions given by the Management Board of Cabinet to him or her. 2000, c. 26, Sched. J, s. 1; 2024, c. 2, Sched. 19, s. 12.

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

[2000, c. 26, Sched. J, s. 1](http://www.ontario.ca/laws/statute/S00026" \l "schedjs1) - 06/12/2000

[2006, c. 35, Sched. C, s. 74](http://www.ontario.ca/laws/statute/S06035" \l "schedcs74) - 20/08/2007

[2024, c. 2, Sched. 19, s. 12](http://www.ontario.ca/laws/statute/S24002" \l "sched19s12) - 06/03/2024

Functions of Ministry

**4** (1)  The Ministry shall be operated as a service agency for the Government and its activities shall be directed towards providing the Government with services in support of Government programs. R.S.O. 1990, c. M.25, s. 4.

Same

(2)  The Ministry may direct some of its activities towards providing one or more public sector organizations or related governments with particular services if doing so furthers the interests of the Government and if the Ministry and the public sector organization or related government enter into an agreement with respect to those services. 2006, c. 19, Sched. N, s. 2 (4); 2011, c. 9, Sched. 26, s. 2.

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

[2006, c. 19, Sched. N, s. 2 (4)](http://www.ontario.ca/laws/statute/S06019" \l "schedns2s4) - 22/06/2006

[2011, c. 9, Sched. 26, s. 2](http://www.ontario.ca/laws/statute/S11009" \l "sched26s2) - 06/06/2011

Seal

**5** (1)  The Lieutenant Governor in Council may authorize a seal for the Ministry. R.S.O. 1990, c. M.25, s. 5 (1).

Idem

(2)  The seal may be reproduced by engraving, lithographing, printing or other method of mechanical reproduction and when so reproduced has the same effect as if manually affixed. R.S.O. 1990, c. M.25, s. 5 (2).

Responsibility of Minister

**6** It is the responsibility of the Minister, and the employees of the Ministry have power, under the direction of the Minister and the Deputy Minister,

(a) to acquire, manage and provide common services for the Government;

(b) to acquire, manage and provide particular common services for one or more public sector organizations or related governments,

(i) if doing so furthers the interests of the Government, and

(ii) if the Ministry and the public sector organization or related government enter into an agreement with respect to those services;

(c) to establish specifications and standards concerning the acquisition of commodities, furnishings and equipment by the Government, the cataloguing of commodities, furnishings and equipment and the maintenance, storage and disposal of commodities, furnishings and equipment;

(d) to establish specifications and standards concerning the acquisition of commodities, furnishings and equipment by a public sector organization or a related government, the cataloguing of commodities, furnishings and equipment and the maintenance, storage and disposal of commodities, furnishings and equipment,

(i) if doing so furthers the interests of the Government, and

(ii) if the Ministry and the public sector organization or related government enter into an agreement with respect to those activities;

(e) to acquire by purchase, lease or otherwise, commodities, furnishings, equipment and services required by the Government, to store all or any of such commodities, furnishings and equipment and to dispose of all or any of such commodities, furnishings and equipment;

(f) to acquire by purchase, lease or otherwise, commodities, furnishings, equipment and services required by a public sector organization or a related government, to store all or any of such commodities, furnishings and equipment and to dispose of all or any of such commodities, furnishings and equipment,

(i) if doing so furthers the interests of the Government, and

(ii) if the Ministry and the public sector organization or related government enter into an agreement with respect to the commodities, furnishings, equipment and services; and

(g) to provide such other services as the Lieutenant Governor in Council assigns to them. 2011, c. 9, Sched. 26, s. 3.

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

[2006, c. 19, Sched. N, s. 2 (5)](http://www.ontario.ca/laws/statute/S06019" \l "schedns2s5) - 22/06/2006

[2011, c. 9, Sched. 26, s. 3](http://www.ontario.ca/laws/statute/S11009" \l "sched26s3) - 06/06/2011

Advisory committees

**6.1**  (1)  The Lieutenant Governor in Council or the Minister may,

(a) establish advisory committees to advise the Minister on the exercise of his or her powers and the performance of his or her duties, functions and responsibilities;

(b) appoint the members of the committees, and designate one member as chair and one or more members as vice-chair; and

(c) determine the terms of reference of the committees. 2011, c. 9, Sched. 26, s. 4.

Remuneration and expenses

(2)  The Lieutenant Governor in Council may determine the remuneration and expenses of persons appointed under clause (1) (b). 2011, c. 9, Sched. 26, s. 4.

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

[2011, c. 9, Sched. 26, s. 4](http://www.ontario.ca/laws/statute/S11009" \l "sched26s4) - 06/06/2011

Charge for services, etc.

**7** Subject to the Financial Administration Act, the Minister may charge for commodities, furnishings, equipment and services provided under this Act. 2011, c. 9, Sched. 26, s. 5.

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

[2011, c. 9, Sched. 26, s. 5](http://www.ontario.ca/laws/statute/S11009" \l "sched26s5) - 06/06/2011

**8** Repealed: 2011, c. 9, Sched. 26, s. 6.

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

1999, c. 9, s. 139 (1, 2) - 14/12/1999

[2011, c. 9, Sched. 26, s. 6](http://www.ontario.ca/laws/statute/S11009" \l "sched26s6) - 06/06/2011

Commodities, furnishings and equipment vested in Crown

**9** Except as otherwise provided under any other Act or by the Lieutenant Governor in Council, all commodities, furnishings and equipment, or any interest therein, belonging to the Government shall vest in the Crown. 2011, c. 9, Sched. 26, s. 7.

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

[2011, c. 9, Sched. 26, s. 7](http://www.ontario.ca/laws/statute/S11009" \l "sched26s7) - 06/06/2011

**10** Repealed: 2011, c. 9, Sched. 26, s. 8.

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

1993, c. 23, s. 75 - 15/11/1993

[2011, c. 9, Sched. 26, s. 8](http://www.ontario.ca/laws/statute/S11009" \l "sched26s8) - 06/06/2011

**11** Repealed: 2011, c. 9, Sched. 26, s. 8.

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

[2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1) - 22/06/2006

[2011, c. 9, Sched. 26, s. 8](http://www.ontario.ca/laws/statute/S11009" \l "sched26s8) - 06/06/2011

Contracts

**12** (1)  The Minister, for and in the name of the Crown, may enter into any contract or agreement that he or she considers advisable for the purpose of carrying out this Act. R.S.O. 1990, c. M.25, s. 12 (1).

Idem

(2)  The employees of the Ministry under the direction of the Minister and the Deputy Minister may enter into contracts or agreements for and in the name of the Crown to carry out the responsibilities of the Ministry under this Act. R.S.O. 1990, c. M.25, s. 12 (2).

Enforcement of contracts

**13** Contracts entered into by the Minister, or by any other person duly authorized to enter into the same, enure to the benefit of the Crown and may be enforced as if entered into with the Crown under this Act. R.S.O. 1990, c. M.25, s. 13; 2011, c. 9, Sched. 26, s. 9.

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

[2011, c. 9, Sched. 26, s. 9](http://www.ontario.ca/laws/statute/S11009" \l "sched26s9) - 06/06/2011

Style of actions

**14** All actions and other proceedings for the enforcement of any contract for the recovery of damages for any tort or breach of contract or for the trial of any right in respect of property, under the control of the Ministry shall be instituted in the name of the Attorney General. R.S.O. 1990, c. M.25, s. 14.

Protection from personal liability

**15** (1)  No action or other proceeding for damages shall be instituted against the Deputy Minister, the King’s Printer for Ontario, or an employee of the Ministry, or anyone acting under the authority of the Deputy Minister for any act done in good faith in the execution or intended execution of a duty, or for any alleged neglect or default in the execution in good faith of a duty. R.S.O. 1990, c. M.25, s. 15 (1); 2024, c. 2, Sched. 19, s. 12.

Idem

(2)  Subsection (1) does not by reason of subsection 8 (3) of the Crown Liability and Proceedings Act, 2019, relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject, and the Crown is liable under that Act for any such tort in a like manner as if subsection (1) had not been enacted. R.S.O. 1990, c. M.25, s. 15 (2); 2019, c. 7, Sched. 17, s. 111.

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

[2019, c. 7, Sched. 17, s. 111](http://www.ontario.ca/laws/statute/S19007" \l "sched17s111) - 01/07/2019

[2024, c. 2, Sched. 19, s. 12](http://www.ontario.ca/laws/statute/S24002" \l "sched19s12) - 06/03/2024

**16** Repealed: 2011, c. 9, Sched. 26, s. 10.

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

1999, c. 9, s. 140 - 14/12/1999

[2011, c. 9, Sched. 26, s. 10](http://www.ontario.ca/laws/statute/S11009" \l "sched26s10) - 06/06/2011

Bonds

**17** The Minister may require and take security by way of bond, with or without collateral security, or by way of deposit of money for the due performance of any contract entered into under this Act. R.S.O. 1990, c. M.25, s. 17.

Service provider organizations

Designation

**17.1**  (1)  The Lieutenant Governor in Council may, by regulation, designate a ministry of the Government of Ontario, part of such a ministry or a person or entity as an organization to provide services to members of the public on behalf of the Government or a public body. 2006, c. 34, Sched. F, s. 2.

Definitions

(2)  In this section,

“public body” means,

(a) a related government,

(b) the corporation of any municipality in Ontario,

(c) a local board, as defined in the Municipal Affairs Act, and any authority, board, commission, corporation, office or organization of persons some or all of whose members, directors or officers are appointed or chosen by or under the authority of the council of the corporation of a municipality in Ontario,

(d) such other persons and entities as may be prescribed; (“organisme public”)

“service” means anything that may be done by the Government or public body in interacting with members of the public. (“service”) 2006, c. 34, Sched. F, s. 2; 2011, c. 9, Sched. 26, s. 11.

Designation of services to be provided

(3)  If the Lieutenant Governor in Council designates a service provider organization under subsection (1), the Lieutenant Governor in Council shall make regulations designating services,

(a) that the service provider organization may provide on behalf of the Government; or

(b) that the service provider organization may provide on behalf of a public body if the service provider organization is so authorized by that public body or by a person or entity who, under any other law, may give such an authorization. 2006, c. 34, Sched. F, s. 2.

Authorization to exercise powers under statute, etc.

(4)  To facilitate the provision of services by the service provider organization on behalf of the Government or a public body, the Lieutenant Governor in Council may make regulations,

(a) authorizing the service provider organization to exercise powers or perform functions or duties under an Ontario statute or regulation;

(b) providing for a reference in an Ontario statute or regulation to the person who would otherwise exercise a power or perform a function or duty referred to in clause (a) to be read, to the extent specified in the regulations, as though the reference was to the service provider organization. 2006, c. 34, Sched. F, s. 2.

Limitation

(5)  Regulations under subsection (4) may not provide for the service provider organization to make regulations or conduct any review or appeal. 2006, c. 34, Sched. F, s. 2.

Authorization in addition to other powers to delegate, etc.

(6)  For greater certainty, the power to make regulations authorizing the service provider organization to exercise powers or perform functions or duties under an Ontario statute or regulation is in addition to, and does not derogate from, any authority, under the statute, regulation or any other law, to delegate or assign such a power, function or duty. 2006, c. 34, Sched. F, s. 2.

Arrangements with others

(7)  A service provider organization may arrange with another person to provide services on behalf of the service provider organization or exercise powers or perform functions or duties that the service provider organization is authorized to exercise or perform. 2006, c. 34, Sched. F, s. 2.

Regulations

(8)  The Lieutenant Governor in Council may make regulations,

(a) governing the operation of a service provider organization;

(b) prescribing persons and entities for the purposes of clause (d) of the definition of “public body” in subsection (2). 2006, c. 34, Sched. F, s. 2.

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

[2006, c. 34, Sched. F, s. 2](http://www.ontario.ca/laws/statute/S06034" \l "schedfs2) - 01/04/2007

[2011, c. 9, Sched. 26, s. 11](http://www.ontario.ca/laws/statute/S11009" \l "sched26s11) - 12/05/2011

[2012, c. 8, Sched. 21, s. 37 (2)](http://www.ontario.ca/laws/statute/S12008" \l "sched21s37s2) - see [Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006*](http://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2022

Standards re provision of services

**17.2**(1)  The Minister may establish standards for the provision of services by the Ministry or by a service provider organization. 2011, c. 9, Sched. 26, s. 12.

Same

(2)  A service standard may specify circumstances in which compensation is available if the standard is not met, and it may specify the procedures for requesting compensation. 2011, c. 9, Sched. 26, s. 12.

Compensation

(3)  If compensation is available under a service standard, the Minister is authorized to pay compensation in an amount that does not exceed the amount of the fee, if any, payable for the service. 2011, c. 9, Sched. 26, s. 12.

Appropriation

(4)  The money required for the purposes of subsection (3) shall be paid out of money appropriated therefor by the Legislature. 2011, c. 9, Sched. 26, s. 12.

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

[2011, c. 9, Sched. 26, s. 12](http://www.ontario.ca/laws/statute/S11009" \l "sched26s12) - 12/05/2011

Annual report

**18** The Minister, after the close of each year, shall submit to the Lieutenant Governor in Council an annual report upon the affairs of the Ministry and shall then lay the report before the Assembly, if it is in session or, if not, at the next session. R.S.O. 1990, c. M.25, s. 18.

Delegation of authority

**19** (1)  Where, under this or any other Act, power or authority is granted to or vested in the Minister, he or she may in writing delegate that power or authority to the Deputy Minister, or to any employee of the Ministry, subject to such limitations, restrictions, conditions and requirements as the Minister may set out in the delegation. R.S.O. 1990, c. M.25, s. 19 (1); 2011, c. 9, Sched. 26, s. 13 (1).

(2)-(5)  Repealed: 2011, c. 9, Sched. 26, s. 13 (2).

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

1999, c. 9, s. 141 - 14/12/1999

[2011, c. 9, Sched. 26, s. 13 (1, 2)](http://www.ontario.ca/laws/statute/S11009" \l "sched26s13s1) - 06/06/2011

Regulations

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

(a) prescribing fees for the use of commodities, furnishings, equipment and services belonging to or controlled by the Government;

(b) Repealed: 2011, c. 9, Sched. 26, s. 14 (2).

(c) prescribing the manner in which and conditions under which Government purchases, disposals or storages or any class thereof shall be carried out in respect of commodities, furnishings, equipment and services;

(d) prescribing persons and entities for the purposes of clause (h) of the definition of “public sector organization” in section 1. R.S.O. 1990, c. M.25, s. 20; 2006, c. 19, Sched. N, s. 2 (6); 2011, c. 9, Sched. 26, s. 14.

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

[2006, c. 19, Sched. N, s. 2 (6)](http://www.ontario.ca/laws/statute/S06019" \l "schedns2s6) - 22/06/2006

[2011, c. 9, Sched. 26, s. 14 (1-4)](http://www.ontario.ca/laws/statute/S11009" \l "sched26s14s1) - 06/06/2011

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