[Français](http://www.ontario.ca/fr/lois/loi/90m27)

Ministry of Economic Development and Trade Act

R.S.O. 1990, Chapter M.27

**Consolidation Period:** From April 27, 2021 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2021, c. 8, Sched. 7](http://www.ontario.ca/laws/statute/S21008" \l "sched7s1).

Legislative History: [2006, c. 19, Sched. I, s. 4](http://www.ontario.ca/laws/statute/S06019" \l "schedis4s1); [2006, c. 35, Sched. C, s. 72](http://www.ontario.ca/laws/statute/S06035" \l "schedcs72); [2019, c. 7, Sched. 17, s. 109](http://www.ontario.ca/laws/statute/S19007" \l "sched17s109); [2021, c. 8, Sched. 7](http://www.ontario.ca/laws/statute/S21008" \l "sched7s1).

Definitions

**1** In this Act,

“Deputy Minister” means the Deputy Minister of Economic Development and Trade; (“sous-ministre”)

“Minister” means the Minister of Economic Development and Trade; (“ministre”)

“Ministry” means the Ministry of Economic Development and Trade. (“ministère”) R.S.O. 1990, c. M.27, s. 1; 2006, c. 19, Sched. I, s. 4 (2).

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

[2006, c. 19, Sched. I, s. 4 (2)](http://www.ontario.ca/laws/statute/S06019" \l "schedis4s2) - 22/06/2006

Ministry continued

**2** The ministry of the public service formerly known as the Ministry of Industry, Trade and Technology is continued under the name Ministry of Economic Development and Trade in English and ministère du Développement économique et du Commerce in French. 2006, c. 19, Sched. I, s. 4 (3).

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

[2006, c. 19, Sched. I, s. 4 (3)](http://www.ontario.ca/laws/statute/S06019" \l "schedis4s3) - 22/06/2006

Objectives of Ministry

**3** The Ministry shall,

(a) stimulate income opportunities through the effective development of industry and trade in goods and services;

(b) support the growth of productive employment by expanding domestic and international trade, encouraging investment opportunities, strengthening the competitiveness of the industrial base of Ontario and assisting small business development;

(c) advance the interests of the private sector of the economy of Ontario by providing appropriate promotions, assistance, counselling and advocacy to aid in the securing of new markets, the introduction of new technologies, the development of new products and adjustments to changing of world economic conditions;

(d) promote the establishment, growth, efficiency and improvement of industry and trade in Ontario;

(e) develop and carry out such programs and activities as may be appropriate,

(i) to assist the adaptation of industry to changing conditions in domestic and export markets, and to changes in the techniques of production and delivery of goods and services,

(ii) to identify and assist those industries that require special measures to develop an unrealized potential or to cope with exceptional problems of adjustments; and

(f) participate with other jurisdictions, with associations and organizations and with public and private enterprises with a view to formulating plans to create, assist and develop the entrepreneurial and material resources of Ontario. R.S.O. 1990, c. M.27, s. 3.

Administration of Acts

**4** (1)  The Minister is responsible for the administration of this Act and the Acts that are assigned to the Minister by the Legislature or by the Lieutenant Governor in Council. R.S.O. 1990, c. M.27, s. 4 (1).

Annual report

(2)  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.27, s. 4 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, section 4 of the Act is amended by adding the following subsections: (See: 2021, c. 8, Sched. 7, s. 1)

Same

(3)  Each annual report shall include a section titled “The Ontario Investment Prospectus”, detailing the outcomes and highlights of the Ministry’s economic development funding programs and funding agreements. 2021, c. 8, Sched. 7, s. 1.

Regulations

(4)  The Minister may make regulations prescribing what constitutes an economic development funding program or funding agreement for the purposes of subsection (3), and otherwise governing the annual report and its contents. 2021, c. 8, Sched. 7, s. 1.

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

[2021, c. 8, Sched. 7, s. 1](http://www.ontario.ca/laws/statute/S21008" \l "sched7s1) - not in force

Deputy Minister of Economic Development and Trade

**5** (1)  The Lieutenant Governor in Council shall appoint a Deputy Minister of Economic Development and Trade who shall be the deputy head of the Ministry. R.S.O. 1990, c. M.27, s. 5 (1); 2006, c. 19, Sched. I, s. 4 (2).

Idem

(2)  Under the direction of the Minister, the Deputy Minister shall perform such duties as the Minister may assign or delegate to him or her. R.S.O. 1990, c. M.27, s. 5 (2).

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

[2006, c. 19, Sched. I, s. 4 (2)](http://www.ontario.ca/laws/statute/S06019" \l "schedis4s2) - 22/06/2006

Powers

**6** The Minister may, in exercising his or her powers and carrying out his or her duties and functions under this Act, assist the private sector by,

(a) promoting investment and trade opportunities offered by Ontario;

(b) encouraging the introduction of new technologies, products and processes to improve productivity and competitiveness;

(c) providing financial assistance and incentives;

(d) collecting and disseminating information on such aspects of the provincial economy and industries as affect Ontario’s industrial base;

(e) providing direct services to industry for domestic and foreign sales;

(f) advocating the interests of the business sector within the Government of Ontario, to other Canadian governments and to foreign governments;

(g) consulting with industry, labour and government authorities to develop programs which help Ontario industry;

(h) assisting industry in any other manner considered to be proper. R.S.O. 1990, c. M.27, s. 6.

Advisory committees

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

(a) establish committees to advise the Minister on the discharge of the Minister’s powers and duties that are specified in the appointment;

(b) appoint the chairs and vice-chairs of the committees; and

(c) set the remuneration and expenses of the members of the committees. 2006, c. 19, Sched. I, s. 4 (4).

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

[2006, c. 19, Sched. I, s. 4 (4)](http://www.ontario.ca/laws/statute/S06019" \l "schedis4s4) - 22/06/2006

Employment of persons outside Ontario

**7** (1)  The Minister may, for the purpose of carrying out this Act or of exercising any of his or her powers or carrying out any of his or her duties and functions, employ any person who is resident in a country or territory other than Canada or in a province or territory of Canada other than Ontario in the service of the Crown in the country, territory or province in which the person is resident. R.S.O. 1990, c. M.27, s. 7 (1).

Not an employee of the Crown

(2)  A person employed under subsection (1) is not and shall not be deemed to be an employee of the Crown. 2006, c. 35, Schedule C, s. 72.

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

[2006, c. 35, Sched. C, s. 72](http://www.ontario.ca/laws/statute/S06035" \l "schedcs72) - 20/08/2007

Areas for equalization of industrial opportunity

**8** (1)  The Minister, with the approval of the Lieutenant Governor in Council, may approve any area in Ontario that is considered to require assistance to attract industrial development as an area of equalization of industrial opportunity. R.S.O. 1990, c. M.27, s. 8 (1).

Duties re approval areas

(2)  The Minister shall,

(a) undertake research and make investigations respecting the areas of equalization of industrial opportunity; and

(b) prepare and carry out such programs and projects to improve the economic development of areas of equalization of industrial opportunity as may be appropriate and that cannot suitably be undertaken by other ministries, branches or agencies of the Government of Ontario. R.S.O. 1990, c. M.27, s. 8 (2).

Authority to enter into and enforcement of contracts and agreements

**9** (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 or of exercising any of his or her powers or carrying out any of his or her duties and functions or respecting any public works or property under the control of the Ministry, and any such contract or agreement enures to the benefit of the Crown and may be enforced as if entered into with the Crown. R.S.O. 1990, c. M.27, s. 9 (1).

Delegation of powers and duties

(2)  Where, under this or any other Act, a power or duty is granted to or vested in the Minister, the Minister may in writing delegate that power or duty to the Deputy Minister or to any employee of the Ministry, subject to such limitations, restrictions, conditions and requirements as may be set out in the delegation. R.S.O. 1990, c. M.27, s. 9 (2).

Contracts and agreements

(3)  Despite the Executive Council Act, a contract or an agreement made by a person empowered to do so by a delegation made under subsection (2) has the same effect as if made and signed by the Minister. R.S.O. 1990, c. M.27, s. 9 (3).

Protection from personal liability

**10** (1)  No action or other proceeding for damages shall be instituted against the Deputy Minister or any employee of the Ministry or anyone acting under the Deputy Minister’s authority for any act done in good faith in the execution or intended execution of the person’s duty or for any alleged neglect or default in the execution in good faith of the person’s duty. R.S.O. 1990, c. M.27, s. 10 (1).

Crown liability

(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 as if subsection (1) had not been enacted. R.S.O. 1990, c. M.27, s. 10 (2); 2019, c. 7, Sched. 17, s. 109.

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

[2019, c. 7, Sched. 17, s. 109](http://www.ontario.ca/laws/statute/S19007" \l "sched17s109) - 01/07/2019

Inspection of financial records

**11** (1)  The Minister may, on request, inspect any document or record relating to financial assistance given by the Ministry and may require the recipient of such financial assistance to prepare and submit a financial statement setting out the details of the disposition of the assistance. R.S.O. 1990, c. M.27, s. 11 (1).

Offence

(2)  No person shall obstruct the Minister or a person acting under the Minister’s authority in an inspection under subsection (1). R.S.O. 1990, c. M.27, s. 11 (2).

Penalty

(3)  Every person who knowingly contravenes subsection (2) and every director or officer of a corporation who knowingly concurs in such contravention is guilty of an offence and on conviction is liable to a fine of not more than $10,000. R.S.O. 1990, c. M.27, s. 11 (3).

Idem

(4)  Despite subsection (3), where a corporation is convicted of an offence under subsection (3), the maximum penalty that may be imposed upon the corporation is $100,000. R.S.O. 1990, c. M.27, s. 11 (4).

Seal

**12** (1)  The Lieutenant Governor in Council may authorize a seal for the Ministry. R.S.O. 1990, c. M.27, s. 12 (1).

Idem

(2)  The seal may be reproduced by engraving, lithographing, printing or any other method of mechanical reproduction and, when so reproduced, has the same effect as if manually affixed. R.S.O. 1990, c. M.27, s. 12 (2).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Français](http://www.ontario.ca/fr/lois/loi/90m27)

[Back to top](#Top)