Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 230/12

EXEMPTION — ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Consolidation Period:** From August 16, 2012 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

No amendments.

This Regulation is made in English only.

Definition

**1.**In this Regulation,

“Ontario Northland Transportation Commission” means the body corporate continued under subsection 2 (1) of the Ontario Northland Transportation Commission Act. O. Reg. 230/12, s. 1.

Exemption

**2.**(1)  The following are exempt from the Act:

1. Any enterprise or activity or any proposal, plan or program in respect of an enterprise or activity by any person if it is related to,

i. the divestment or winding up of some or all oftheaffairs of the Ontario Northland Transportation Commission or any of its direct or indirect subsidiaries, or

ii. the dissolution of any of the direct or indirect subsidiaries of the Ontario Northland Transportation Commission.

2. Any ongoing enterprise or activity or any proposal, plan or program in respect of an ongoing enterprise or activity, including the transfer or assumption of liabilities or the transfer or carrying out of obligations associated with it, by any person if it is,

i. engaged in during the divestment or winding up of some or all oftheaffairs of the Ontario Northland Transportation Commission or any of its direct or indirect subsidiaries or the dissolution of any of its direct or indirect subsidiaries, and

ii. related to a service, asset, undertaking, liability or obligation of the Ontario Northland Transportation Commission or any of its direct or indirect subsidiaries. O. Reg. 230/12, s. 2 (1).

(2)  Without limiting the generality of paragraph 1 of subsection (1), the exemption under that paragraph applies in respect of,

(a) the transfer or liquidation, whether by sale or otherwise, of any service, asset, undertaking, liability or obligation of theOntario Northland Transportation Commission or any of its direct or indirect subsidiaries; and

(b) *the transfer or assumption of liabilities or the transfer or carrying out of obligations* related to the cessation or discontinuance of or an alternative to a service, asset or undertaking of theOntario Northland Transportation Commission or any of its direct or indirect subsidiaries. O. Reg. 230/12, s. 2 (2).

(3)  For greater certainty and without limiting the applicability of the exemption in subsection (1), an exemption under this Regulation shall not be construed so as to affect any constitutional duty to consult with aboriginal communities that may arise in relation to an exempted enterprise or activity or proposal, plan or program in respect of an enterprise or activity described in subsection (1). O. Reg. 230/12, s. 2 (3).

(4)  In this section,

“undertaking” means an undertaking within the meaning of the Ontario Northland Transportation Commission Act. O. Reg. 230/12, s. 2 (4).

3.  Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 230/12, s. 3.

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