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Bill 162

(Chapter 9 of the Statutes of Ontario, 2024)

An Act to enact the Protecting Against Carbon Taxes Act, 2024 and amend various Acts

The Hon. P. Sarkaria
Minister of Transportation

1st Reading	February 20, 2024
2nd Reading	March 7, 2024
3rd Reading	May 8, 2024
Royal Assent	May 16, 2024



EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 162 and does not form part of the law.
Bill 162 has been enacted as Chapter 9 of the Statutes of Ontario, 2024.*

SCHEDULE 1 ENVIRONMENTAL ASSESSMENT ACT

The Schedule amends the *Environmental Assessment Act* to provide that, a reference to acquiring property or rights in property is a reference to doing so by purchase, lease, expropriation or otherwise.

SCHEDULE 2 HIGHWAY TRAFFIC ACT

The Schedule makes various amendments to the *Highway Traffic Act* in respect of vehicle permits. Provisions are added respecting when the validation of a permit shall be refused and when the status, validation period or expiry date of a permit may be changed. Amendments also provide that a contravention of the requirement to have a currently valid permit is an offence and that an expired, cancelled or suspended permit is not a currently valid permit.

The Schedule also adds section 5.0.1 to the Act, which provides that for each six-month period or part thereof during which a driver's licence is valid, the holder of the driver's licence shall pay a fee of \$7.50.

SCHEDULE 3 OFFICIAL PLAN ADJUSTMENTS ACT, 2023

Currently, sections 1 and 2 of the *Official Plan Adjustments Act, 2023* provide that specified decisions under subsection 17 (34) of the *Planning Act* are deemed never to have been made and that the official plans and amendments to official plans that were the subject of those decisions were deemed to have been approved as of the dates of the respective decisions. A number of the official plans and amendments are modified as indicated in the Act and approved as modified. The Table to section 1, and section 2, are both re-enacted retroactively and include various changes.

SCHEDULE 4 PHOTO CARD ACT, 2008

The Schedule amends the *Photo Card Act, 2008* by adding subsection 8 (2). Subsection 8 (2) provides that for each six-month period or part thereof during which a photo card is valid, the holder of the photo card shall pay a fee of \$3.50.

SCHEDULE 5 PROTECTING AGAINST CARBON TAXES ACT, 2024

The Schedule enacts the *Protecting Against Carbon Taxes Act, 2024*. New rules are established with respect to carbon pricing programs. New rules are also established when an authority to establish a carbon pricing program is to be given to another person or body. Before a carbon pricing program under a statute or regulation can be established and before the authority to establish a carbon pricing program can be given to another person or body, there must be a referendum authorizing it.

Provisions governing referendums and referendum campaigns are set out. Proposed referendum questions are given to the Chief Electoral Officer for review. The Lieutenant Governor in Council decides upon the wording of the referendum question and issues a writ of referendum. The referendum is conducted in accordance with the *Election Act* and the campaign in accordance with the *Election Finances Act*, as modified by the new Act. Offences are established with respect to referendum campaigns. The costs of the Chief Electoral Officer are payable from the Consolidated Revenue Fund. The referendum authorizes a proposed carbon pricing program or a proposal to give a person or body an authority to establish a carbon pricing program, as described in the referendum question, if more than 50 per cent of the votes are cast in favour of it.

Complementary amendments are made with respect to the powers and duties of the Chief Electoral Officer under the *Election Act* and the *Election Finances Act*. The *Taxpayer Protection Act, 1999* is amended to provide that it does not apply to a bill or regulation to which the *Protecting Against Carbon Taxes Act, 2024* applies.

SCHEDULE 6 PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

The *Public Transportation and Highway Improvement Act* is amended to prohibit tolls from being charged for travel on a highway where the road authority is the Crown, unless the toll is authorized by an Act.

**An Act to enact the Protecting Against Carbon Taxes Act, 2024
and amend various Acts**

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Preamble

The Government of Ontario:

Is creating the conditions to rebuild Ontario's economy to support better jobs and deliver economic prosperity.

Is helping to get shovels in the ground sooner on new roads, highways and public transit in order to reduce gridlock, help ensure we have housing for a growing population and move the province's economy forward.

Believes in supporting workers, families and businesses with policies that keep costs down and make life easier and more convenient, including by protecting against the high cost of a provincial carbon tax, banning new tolls on public highways and freezing current fees on driver's licences and Ontario Photo Cards.

Will get it done.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Get It Done Act, 2024*.

**SCHEDULE 1
ENVIRONMENTAL ASSESSMENT ACT**

1 Section 1 of the *Environmental Assessment Act* is amended by adding the following subsection:

Acquisition of property

(7) For greater certainty, under this Act, a reference to acquiring property or rights in property is a reference to acquiring the property or rights in property by purchase, lease, expropriation or otherwise.

Commencement

2 This Schedule comes into force on the day the *Get It Done Act, 2024* receives Royal Assent.

**SCHEDULE 2
HIGHWAY TRAFFIC ACT**

1 (1) The French version of the definition of “conversion unit” in subsection 1 (1) of the *Highway Traffic Act* is repealed.

(2) The French version of subsection 1 (1) of the Act is amended by adding the following definition:

«unité de conversion» Appareil mécanique formé d’un essieu simple conçu pour transformer un véhicule à deux essieux en un véhicule à trois essieux. («conversion unit»)

2 Subsection 5 (1) of the Act is amended by striking out “The Lieutenant Governor in Council” in the portion before clause (a) and substituting “Subject to section 5.0.1, the Lieutenant Governor in Council”.

3 The Act is amended by adding the following section:

Fee for driver’s licence

5.0.1 For each six-month period or part thereof during which a driver’s licence is valid, the holder of the driver’s licence shall pay a fee of \$7.50.

4 Section 6 of the Act is amended by adding the following subsection:

Same

(1.1) In this Part, a permit that is expired, under suspension or cancelled is not a currently validated permit.

5 Section 7 of the Act is amended by adding the following subsections:

Penalty

(3.1) Every person who contravenes clause (1) (a) is guilty of an offence and on conviction is liable to a fine of not less than \$100 and not more than \$1,000.

Same

(3.2) Despite subsection (3.1), every person who contravenes clause (1) (a) is guilty of an offence and, if the offence was committed by means of a commercial motor vehicle, on conviction is liable to a fine of not less than \$250 and not more than \$2,500.

6 The Act is amended by adding the following section:

Validation of permit

7.0.1 (1) Validation of a permit for a prescribed class of vehicle shall be refused if the prescribed requirements are not met.

Change of status, validation period

(2) The Ministry may, at any time, in the prescribed circumstances,

(a) change the status of a permit to valid or expired; or

(b) change the period of validation or expiry date of a permit in accordance with the regulations.

Same

(3) The Ministry shall, in the prescribed circumstances, change the status of a permit from valid to cancelled.

No right to appeal or be heard

(4) There is no appeal from, or right to be heard before, a refusal to validate a permit under subsection (1), a change to a permit’s status under subsection (2) or (3), or a change to a permit’s period of validation or expiry date under subsection (2).

Protection from personal liability

(5) No action or other proceeding shall be instituted against the Minister, the Registrar of Motor Vehicles, a public servant or a delegate or agent of the Minister for anything done in good faith in the execution or intended execution of a power or duty under subsection (1), (2) or (3) or for any alleged neglect or default in the execution in good faith of a power or duty under subsection (1), (2) or (3).

Crown not relieved of liability

(6) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (5) of this section does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (5) to which it would otherwise be subject.

Regulations

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

(a) prescribing, for the purposes of subsection (1), classes of vehicles and requirements for the validation of permits;

- (b) governing the changing of a permit's status, period of validation or expiry date under subsection (2), including,
 - (i) prescribing the circumstances in which the Ministry may change a permit's status, period of validation or expiry date,
 - (ii) prescribing the period of validation or expiry date of a permit or the method of determining the period of validation or expiry date, and
 - (iii) governing whether notice of a change is required to be given to the holder of the permit and if so, by what means;
- (c) governing the changing of a permit's status under subsection (3) from valid to cancelled, including,
 - (i) prescribing the circumstances in which the Ministry may change a permit's status from valid to cancelled, and
 - (ii) governing whether notice of a change is required to be given to the holder of the permit and if so, by what means.

7 The French version of clause 10 (2) (b) of the Act is amended by striking out “d’un essieu relevable” and substituting “d’une unité de conversion”.

8 Clause 41 (5) (a) of the Act is repealed and the following substituted:

- (a) an order directing that the accused be discharged is made under section 730 of the *Criminal Code* (Canada);
- (a.1) an order directing that the accused be discharged is made under or in relation to a provision designated in a reciprocal agreement entered into under section 40; or

9 Clause 42 (4) (a) of the Act is repealed and the following substituted:

- (a) an order directing that the accused be discharged is made under section 730 of the *Criminal Code* (Canada);
- (a.1) an order directing that the accused be discharged is made under or in relation to a provision designated in a reciprocal agreement entered into under section 40; or

10 The French version of clause 48 (11) (d) of the Act is amended by striking out “document” and substituting “matériel”.

11 The French version of the definition of “vehicle” in section 61 of the Act is amended by striking out “un essieu relevable” and substituting “une unité de conversion”.

12 (1) The French version of subsection 105 (1) of the Act is amended by,

- (a) striking out “d’essieux relevables” and substituting “d’unités de conversion”; and
- (b) striking out “des essieux relevables” and substituting “des unités de conversion”.

(2) The French version of subsection 105 (4) of the Act is amended by striking out “d’essieux relevables” and substituting “d’unités de conversion”.

13 (1) The French version of subsection 121 (2) of the Act is amended by,

- (a) striking out “un essieu relevable est utilisé” and substituting “une unité de conversion est utilisée”; and
- (b) striking out “l’essieu relevable est fixé” and substituting “l’unité de conversion est fixée”.

(2) The French version of subsection 121 (3) of the Act is amended by striking out “l’essieu relevable visé” and substituting “l’unité de conversion visée”.

Commencement

14 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Get It Done Act, 2024* receives Royal Assent.

(2) Sections 1 to 7 and 11 to 13 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 3
OFFICIAL PLAN ADJUSTMENTS ACT, 2023**

1 The Table to section 1 of the *Official Plan Adjustments Act, 2023* is repealed and the following substituted:

TABLE

Item	Column 1 Official plan or amendment to an official plan	Column 2 Date of decision under subsection 17 (34) of the <i>Planning Act</i>	Column 3 Modifications set out in the decision referred to in subsection 1 (1) that apply to the official plan or amendment to an official plan
1.	Official plan adopted by the City of Barrie pursuant to By-law 2022-016	April 11, 2023	Modifications numbered 1, 3, 4, 6 to 8, 11 to 17, 19 to 24, 26 to 37, 39 to 63, 65 to 69, 71 and 72
2.	Official plan adopted by the City of Belleville pursuant to By-law 2021-180	April 11, 2023	Modifications numbered 1, 9 to 11, 13, 14, 16 and 23
3.	Official plan amendment 80 adopted by the City of Guelph pursuant to By-law 2022-20731	April 11, 2023	Modifications numbered 1, 2, 5 to 8, 13 to 15 and 17
4.	Official plan amendment 49 adopted by the Regional Municipality of Halton pursuant to By-law 35-22	November 4, 2022	Modifications numbered 1 to 19, 39, 42 and 45
5.	Official plan amendment 34 amending the Rural Hamilton Official Plan and adopted by the City of Hamilton pursuant to By-law 22-146	November 4, 2022	None
6.	Official plan amendment 167 amending the Urban Hamilton Official Plan and adopted by the City of Hamilton pursuant to By-law 22-145	November 4, 2022	Modifications numbered 17, 18, 26, 35, 36 and 40 to 47
7.	Official plan adopted by the Regional Municipality of Niagara pursuant to By-law 2022-47	November 4, 2022	Modifications numbered 5, 24, 25, 32, 33, 39, 42 and 44
8.	Official plan adopted by the City of Ottawa pursuant to By-law 2021-386	November 4, 2022	Modifications numbered 7, 8, 9, 10, 12 and 13
9.	Official plan adopted by the Regional Municipality of Peel pursuant to By-law 20-2022	November 4, 2022	Modifications numbered 1, 3, 5, 16 to 19, 21 to 26, 28, 30 to 35 and 37 to 43
10.	Official plan adopted by the City of Peterborough pursuant to By-law 21-105	April 11, 2023	Modifications numbered 8 to 10, 12, 13, 16, 18, 19, 20 to 27, 33, 35, 39, 41 to 44, 46 to 49, 50 to 56 and 58 to 60
11.	Official plan amendment 6 adopted by the Regional Municipality of Waterloo pursuant to By-law 22-038	April 11, 2023	None
12.	Official plan amendment 119 adopted by the County of Wellington pursuant to By-law 5760-22	April 11, 2023	Modifications numbered 1 to 20, 22 a), 25, 27 b), 28 b), 28 g), 28 l), 29 d), 31 and 32 b)
13.	Official plan adopted by the Regional Municipality of York pursuant to By-law 2022-40	November 4, 2022	Modifications numbered 8, 15, 16, 18, 22, 25, 30, 32, 40, 41, 42, 44, 45, 47, 48, 57 to 59, 60 i), 61 to 65, 78, 79 ii), 79 iv), 79 v) and 80

2 Section 2 of the Act is repealed and the following substituted:

Additional modifications

2 The following are the additional modifications mentioned in subclause (a) (ii) of subsection 1 (2):

1. The official plan adopted by the Regional Municipality of York pursuant to By-law 2022-40 is modified as follows:
 - i. Map 1B, Urban System Overlays, is modified by,
 - A. deleting the Gormley GO Major Transit Station Area symbol, and
 - B. removing from Designated Greenfield Area the lands underlying the overlay that is noted in Modification 60 i) referred to Column 3 of item 13 of the Table to section 1.
 - ii. Policy 4.4.43 is deleted in its entirety and replaced with the following: “4.4.43 Other future major transit station areas have been identified on Map 1 B. These station areas require further planning and consultation to finalize their location and delineation”.
2. Official plan amendment 80 adopted by the City of Guelph pursuant to By-law 2022-20731 is modified as follows:
 - i. Schedule D: Downtown Secondary Plan Minimum and Maximum Building Heights is modified to replace the building heights only for properties located in the Special Policy Area, as designated on Schedule C: Downtown

Secondary Plan Land Use Plan of the City of Guelph Official Plan, February 2022 consolidation with the building heights from Schedule D: Downtown Secondary Plan Minimum and Maximum Heights from the City of Guelph Official Plan, February 2022 consolidation.

3. Official plan amendment 119 adopted by the County of Wellington pursuant to By-law 5760-22 is modified as follows:
 - i. Schedules A-1, A-3, A-4 and A-8 to Official Plan Amendment 119 are modified to reflect the Greenbelt Boundaries of the Greenbelt Area, as defined in the *Greenbelt Act, 2005*.
 - ii. Schedules A-1 and A-3 to Official Plan Amendment 119 are modified to identify the community of Brisbane, Town of Erin as a hamlet in the Greenbelt Plan, 2017, as amended.
 - iii. Schedules A-1, A-8, and A-16 to Official Plan Amendment 119 are modified to remove parts of the Regionally Significant Economic Development Study Area that are located in the Greenbelt Boundaries of the Greenbelt Area, as defined in the *Greenbelt Act, 2005*.
 - iv. Schedules A-1 and A-8 are modified to delete the hamlet of Puslinch from being identified as a hamlet within the Greenbelt Plan, 2017, as amended. Schedule A-17 is deleted in its entirety.
4. The official plan adopted by the City of Barrie pursuant to By-law 2022-016 is modified as follows:
 - i. Appendix 2: Phasing Plan is deleted in its entirety.
 - ii. Policy 2.4.2.3.e) is modified by adding the following new sentence at the end “The portion of Designated Greenfield Area lands identified as Phase 1 West, Phase 2 West, and Phase 3 West on Appendix 2: Phasing Plan as adopted by By-law 2022-016, excluding the Employment Areas, may be planned to achieve a minimum density of 52 persons and jobs per hectare to 2051”.
 - iii. Policies 9.5.2.c), d) and j) are deleted and section 9.5.2. is renumbered accordingly.
5. The official plan adopted by the City of Belleville pursuant to By-law 2021-180 is modified as follows:
 - i. Schedule A – Land Use Plan – Rural Area is modified by delineating lands, shown as the Black Bear Ridge Village Planning Area on Schedule E – Detailed Planning Areas as Fully Serviced Resort Area.
 - ii. Schedule B – Land Use Plan – Urban Serviced Area is modified by redesignating lands, shown as the Old Fairgrounds Planning Area on Schedule E – Detailed Planning Areas as Residential Land Use.
6. The Official Plan adopted by the City of Peterborough pursuant to By-law 21-105 is modified as follows:
 - i. Policy 3.3.6 b is deleted in its entirety and replaced with the following:

Lands within the Coldsprings Special Study Area are anticipated to accommodate growth to 2051.
 - ii. Policy 3.3.6 c is deleted in its entirety and replaced with the following:

The completion of a Secondary Plan for the Coldsprings Special Study Area is a priority of the City. The City will complete a Secondary Plan and an Official Plan Amendment to establish the appropriate urban structure, delineate land use boundaries, and provide urban design guidelines and development policies that will support the establishment of employment land and compatible development to help meet the City’s land needs.
 - iii. Policy 4.6.2 b is deleted in its entirety and replaced with the following:

Natural Areas are designated on Schedule B: Land Use Plan and Schedule F: Natural Heritage System and Environmental Constraints and are further articulated in Appendix I. In recognition of the wide spectrum of natural heritage features that comprise the Natural Heritage System, a graduated protective approach is applied that reflects the function and significance of the various system components. For some natural heritage features, evaluation may be required and policies for the appropriate Level applied accordingly.

The following policies apply to Level A, B and C features:

 - i. Level A features are afforded the highest level of protection and the intent is to protect the form and function of these areas in situ. Development and site alteration will not be permitted in Level A Provincially Significant Wetlands, Significant Woodlands, or Significant Life Science Areas of Natural or Scientific Interest. In accordance with Provincial and Federal requirements, development and site alteration may be permitted in Level A Fish Habitat or Level A Habitat of Endangered or Threatened Species. Development and site alteration may be permitted within or adjacent to Significant Wildlife Habitat, provided it has been demonstrated that there will be no negative impact on the features' form and function.
 - ii. Level B features are important to the overall function of the Natural Heritage System. The intent is to preserve the function that these areas provide to the Natural Heritage System while allowing some flexibility in the protection of the feature in cases where it can be demonstrated that a net gain in function can be achieved through mitigation or a compensation strategy.

- iii. Level C features are recognized for the supporting role they provide to the Natural Heritage System. Development and site alteration will be considered where there is an opportunity to replicate the function on site or elsewhere in the City, in conformity with Provincial and/or Federal requirements.
- 7. Official plan amendment 49 adopted by the Regional Municipality of Halton pursuant to By-law 35-22 is modified as follows:
 - i. Maps 1, 1B to 1H and 3 to 5 are modified by adding the following lands to the Regional Urban Boundary:
 - A. The lands delineated as “New Community Area” and “New Employment Area” in Attachment 6, Preferred Growth Concept – Regional Urban Structure, to Halton Region Report No. LPS88-21 dated February 9, 2022.
 - B. The lands delineated in Appendices 5, 7 to 12, 14, 17 and 21 to 24, contained within the decision referred to in Column 2 of item 4 of the Table to section 1.
 - C. The lands shown in a map numbered 350 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.
 - ii. Maps 1 and 1C to 1G are modified by redesignating the lands shown in Appendices 21 and 22 of the decision referred to in Column 2 of item 4 of the Table to section 1 from “North Aldershot Policy Area” to “Urban Area”.
 - iii. Maps 1C and 1H are modified by designating the following lands as “Employment Area”:
 - A. The lands delineated as “New Employment Area” in Attachment 6, Preferred Growth Concept – Regional Urban Structure to Halton Region Report No. LPS88-21 dated February 9, 2022.
 - B. The lands delineated in Appendices 5, 7, 9, 10, 11, 12, 14 and 17 contained within the decision referred to in Column 2 of item 4 of the Table to section 1.
 - iv. Maps 1C and 1H are modified by removing lands delineated in Appendices 3 and 4 of the decision referred to in Column 2 of item 4 of the Table to section 1 from the “Employment Area” designation.
 - v. Map 5, Regional Phasing, is modified by designating the lands referred to in subparagraph i as “Urban Area with Regional Phasing between 2021 and 2051”.
- 8. Official plan amendment 6 adopted by the Region of Waterloo pursuant to By-law No. 22-038 is modified as follows:
 - i. Map 3, Employment Area, is deleted and replaced with Map 3, Employment Area, being a map numbered 349 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.
 - ii. Map 1, Regional Structure, and Map 2, Urban System, are modified to designate lands as Urban Area, Township Urban Area or Designated Greenfield Area, as applicable in accordance with Map 3.

Commencement

3 This Schedule is deemed to have come into force on December 6, 2023.

**SCHEDULE 4
PHOTO CARD ACT, 2008**

1 (1) Section 8 of the *Photo Card Act, 2008* is amended by striking out “The Minister” in the portion before clause (a) and substituting “Subject to subsection (2), the Minister”.

(2) Section 8 of the Act is amended by adding the following subsection:

Same

(2) For each six-month period or part thereof during which a photo card is valid, the holder of the photo card shall pay a fee of \$3.50.

Commencement

2 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 5
PROTECTING AGAINST CARBON TAXES ACT, 2024**

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INTERPRETATION

Definitions

1 In this Act,

“campaign organizer” means a person or entity who is required by section 9 to apply for registration with the Chief Electoral Officer; (“organisateur de campagne”)

“carbon pricing program” means a program intended to reduce greenhouse gas emissions by imposing a tax, fee, charge or other levy on those emissions; (“programme de tarification du carbone”)

“Chief Electoral Officer” means the Chief Electoral Officer appointed under the *Election Act*; (“directeur général des élections”)

“greenhouse gas” means greenhouse gas within the meaning of the *Environmental Protection Act*; (“gaz à effet de serre”)

“person” includes a trade union. (“personne”)

CARBON PRICING PROTECTION

Restriction on establishment of carbon pricing program

2 (1) A member of the Executive Council shall not include in a bill a provision that establishes a carbon pricing program unless,

- (a) a referendum concerning the carbon pricing program is held under this Act before the bill is introduced in the Assembly; and
- (b) the referendum authorizes the carbon pricing program.

Same, regulation

(2) A person or entity with the power to make a regulation shall not make a regulation that establishes a carbon pricing program unless,

- (a) a referendum concerning the carbon pricing program is held under this Act before the regulation is made; and
- (b) the referendum authorizes the carbon pricing program.

Same

(3) For greater certainty, subsection (2) does not apply with respect to a regulation that changes the industrial greenhouse gas emissions program established by Ontario Regulation 241/19 (Greenhouse Gas Emissions Performance Standards) made under the *Environmental Protection Act* but subsection (2) does apply if the regulation establishes a new carbon pricing program by imposing a tax, fee, charge or other levy on emissions from activities that are not industrial activities.

Restriction on authority re carbon pricing program

3 A member of the Executive Council shall not include in a bill a provision that gives a person or body (other than the Crown) the authority to establish a carbon pricing program unless,

- (a) a referendum concerning the authority that is given to the person or body is held under this Act before the bill is introduced in the Assembly; and
- (b) the referendum authorizes the authority to be given to the person or body.

THE REFERENDUM QUESTION AND THE EFFECT OF THE REFERENDUM

Criteria for referendum question

4 (1) A referendum question must be clear, concise and impartial in its wording and must be capable of being answered in the affirmative or the negative.

Same, carbon pricing program

(2) A referendum question may refer to a proposed carbon pricing program in general terms or may propose a specific carbon pricing program.

Proposed referendum question

5 (1) The Executive Council shall give a proposed referendum question to the Chief Electoral Officer for review.

Results of review

(2) The Chief Electoral Officer shall advise the Executive Council whether, in the opinion of the Chief Electoral Officer, the proposed question complies with subsection 4 (1) and may suggest changes to a proposed question to make it better comply with that subsection.

Referendum question

6 (1) The Lieutenant Governor in Council shall determine the wording of a referendum question.

Same

(2) The wording of a referendum question is not reviewable by any court or tribunal for the purpose of determining whether the question complies with section 4.

Public notice

(3) Before issuing a writ of referendum, the Lieutenant Governor in Council shall give the following documents to the Clerk of the Assembly and shall make them available to the public:

1. A copy of the referendum question.
2. A copy of the proposed question given to the Chief Electoral Officer and the advice received from the Chief Electoral Officer about the proposed question.
3. A statement setting out the increase in annual revenues that the Government of Ontario expects to result from any proposed carbon pricing program described in the referendum question.

Effect of the referendum

7 (1) A referendum authorizes the action described in the referendum question if more than 50 per cent of votes cast in the referendum are cast in favour of the action.

Effect on subsequent government

(2) A referendum shall not be interpreted to require the Executive Council of a subsequent government formed by another party to establish a carbon pricing program or give authority to establish a carbon pricing program as described in the referendum question.

THE REFERENDUM PROCESS

Writ of referendum

8 (1) The Lieutenant Governor in Council may issue a writ of referendum and shall fix the date of the referendum.

Date

(2) The date of the referendum must be at least 28 days and not more than 56 days after the day on which the writ is issued, and must fall on a Thursday.

Duty to register

9 (1) Every person or entity who wishes to organize a campaign to solicit votes in favour of a particular result or to promote a particular result in a referendum shall apply to the Chief Electoral Officer for registration as a campaign organizer.

Same

(2) Every person or entity who wishes to advertise in order to solicit votes in favour of a particular result or to advertise to promote a particular result in a referendum shall apply to the Chief Electoral Officer for registration as a campaign organizer.

Exception

(3) A person or entity is not required to apply for registration if the following requirements are met:

1. The person or entity must not spend more than \$1,000 on the campaign to solicit votes or promote a particular result.
2. The person or entity must not combine the person or entity's money with that of another person or entity and then spend it on the campaign to solicit votes or promote a particular result.

Same

(4) A broadcaster or publisher is not required to apply for registration solely because the broadcaster or publisher broadcasts or publishes advertisements described in subsection (2) in the ordinary course of business.

Contents of application

(5) The application must contain such information as the Chief Electoral Officer requires and must be accompanied by the application fee set by the Chief Electoral Officer.

Prerequisite

(6) No application may be made until the applicant has appointed a chief financial officer and an auditor licensed under the *Public Accounting Act, 2004*.

Registration

(7) The Chief Electoral Officer shall register an applicant upon receipt of the application and fee unless the name of the applicant so closely resembles the name of another registered campaign organizer that the two are likely to be confused.

Register

(8) The Chief Electoral Officer shall maintain a register containing the names of all registered campaign organizers and the information set out in their respective applications for registration, as that information may be revised.

Inspection

(9) The Chief Electoral Officer shall make the register available for inspection by the public on request.

Duty to notify

(10) A registered campaign organizer shall notify the Chief Electoral Officer within a reasonable time if there is any change to the information provided in the application for registration, and the Chief Electoral Officer shall revise the register accordingly.

Change of name

(11) If the change relates to the name of the campaign organizer, the Chief Electoral Officer shall not revise the register if the changed name would so closely resemble the name of another registered campaign organizer that the two are likely to be confused. In those circumstances, the name of the campaign organizer shall not be changed.

Prohibition, receiving campaign contributions

10 (1) After a writ of referendum is issued, no person or entity shall accept a contribution to a campaign to solicit votes in favour of a particular result or to promote a particular result in the referendum unless the person or entity is, or is acting on behalf of, a registered campaign organizer.

Same

(2) After a writ of referendum is issued, no registered campaign organizer shall knowingly accept, directly or indirectly, contributions from an individual who usually resides outside Ontario, a corporation that does not carry on business in Ontario or a trade union that does not engage in activities in Ontario.

Limit on campaign contributions

11 (1) No person or entity shall contribute more than \$7,500, multiplied by the indexation factor determined under section 40.1 of the *Election Finances Act*, to one or more campaign organizers who are soliciting votes in favour of the same result or are promoting the same result in a referendum.

Campaign organizer's funds

(2) If a campaign organizer spends the campaign organizer's own money on a campaign, the money shall be considered to be a contribution.

Records

(3) If a registered campaign organizer (or a person or entity acting on behalf of one) receives contributions from a person or entity that, in the aggregate, exceed \$25 in connection with the same referendum question, the campaign organizer's chief financial officer shall record the contributions and, if the contributions in the aggregate exceed \$100, shall record the person's or entity's name and address.

Campaign advertising as contribution

12 (1) In this section,

“campaign advertising” includes printing documents but does not include news reporting.

Threshold

(2) If a person or entity engages in campaign advertising with the knowledge and consent of a campaign organizer and the aggregate cost of the advertising exceeds \$100, the cost is a contribution to the campaign organizer and is a campaign expense of the campaign organizer.

Authorization

(3) All campaign advertising must indicate the campaign organizer, if any, who has authorized it and the persons or entities sponsoring it.

Identification

(4) No person or entity shall cause any campaign advertising to be broadcast or published unless the person or entity gives the broadcaster or publisher, in writing, the person's or entity's name and the name of the persons or entities sponsoring the advertising.

Records

(5) The broadcaster or publisher shall keep the following information for at least two years and shall make it available for inspection by the public on request:

1. A copy of the campaign advertising.
2. The dates and, if applicable, the times when the advertising was broadcast or published.
3. The names given to the broadcaster or publisher under subsection (4).
4. The amount charged to broadcast or publish the advertising.
5. The amount that the broadcaster or publisher would ordinarily have charged to broadcast or publish the advertising, if the amount is different from the amount actually charged.

Period for campaign advertising

13 (1) In this section,

“blackout period” means the day on which the referendum is held, and the preceding day.

Same

(2) No person or entity shall arrange for or consent to campaign advertising that appears during the blackout period.

Same

(3) No broadcaster or publisher shall allow campaign advertising to appear during the blackout period.

Exceptions

(4) Subsections (2) and (3) do not prohibit the following:

1. The publication of campaign advertising on the day on which the referendum is held or the preceding day in a newspaper that is published once a week or less often and whose regular day of publication falls on that day.
2. A campaign advertisement on the Internet or in a similar electronic medium, if it is posted before and not altered during the blackout period.
3. A campaign advertisement in the form of a poster or billboard, if it is posted before and not altered during the blackout period.

Exceptions subject to guidelines

(5) Subsections (2) and (3) do not apply with respect to the following activities if they are done in accordance with the guidelines of the Chief Electoral Officer:

1. Advertising public meetings.
2. Announcing the location of a registered campaign organizer's headquarters.
3. Advertising for volunteer campaign workers.
4. Announcing services to be provided by a registered campaign organizer in connection with enumeration and the revision of lists of voters.
5. Announcing services to be provided by a registered campaign organizer on the day the referendum is held.

Limit on campaign expenses

14 (1) Subject to subsection (2), no campaign organizer (or a person or entity acting on behalf of one) shall incur campaign expenses in an electoral district that exceed the amount that is the aggregate of \$0.80, multiplied by the indexation factor described in subsection (3), for each of the eligible voters in the electoral district (as certified by the Chief Electoral Officer).

Same

(2) In such northern electoral districts as may be prescribed, the amount calculated under subsection (1) is increased by \$9,310, multiplied by the indexation factor described in subsection (3).

Indexation

(3) The indexation factor is the factor determined under section 40.1 of the *Election Finances Act*.

Regulations

(4) The Lieutenant Governor in Council may by regulation prescribe northern electoral districts for the purposes of subsection (2).

Financial Report

15 The chief financial officer for a registered campaign organizer shall file the following documents with the Chief Electoral Officer within six months after the referendum is held:

1. The campaign organizer's financial statements with respect to the referendum campaign.
2. The information required by subsection 11 (3) in connection with the campaign.
3. The auditor's report on the financial statements and on the information required by subsection 11 (3).

Application of the *Election Finances Act*

16 (1) The *Election Finances Act* applies, with necessary modifications including the modifications set out in this Act, in respect of a referendum campaign unless the context requires otherwise.

Definition

(2) For the purposes of this Act,

“person”, in the *Election Finances Act*, shall be deemed to include a corporation and a trade union.

Application of *Election Act*

17 The *Election Act* applies, with necessary modifications including the modifications set out in this Act, in respect of a referendum unless the context requires otherwise.

Cost of referendum

18 The costs of the Chief Electoral Officer that are associated with a referendum under this Act shall be paid from the Consolidated Revenue Fund.

GENERAL

Offences

- 19** (1) Every person or entity who contravenes or fails to comply with any of the following provisions is guilty of an offence:
1. Subsection 9 (1) or (2) (registration, campaign organizer).
 2. Subsection 10 (1) or (2) (receiving campaign contributions).
 3. Subsection 11 (1) (limit on campaign contributions).
 4. Subsection 12 (4) (restriction on campaign advertising).
 5. Subsection 13 (2) or (3) (period for campaign advertising).
 6. Section 15 (financial report re campaign).

Same

(2) If a chief financial officer fails to comply with section 15, the chief financial officer's registered campaign organizer is guilty of an offence, whether or not the chief financial officer has been prosecuted or convicted for failure to comply.

Penalty

(3) Upon conviction of an offence, an individual is liable to a fine of not more than \$25,000 or imprisonment for a term of not more than one year, or both.

Same

(4) Upon conviction of an offence, a corporation, trade union or other entity is liable to a fine of not more than \$100,000.

CONSEQUENTIAL AMENDMENTS

Election Act

20 Clause 114 (1.1) (b) of the *Election Act* is amended by striking out “and the *Taxpayer Protection Act, 1999*” at the end and substituting “the *Taxpayer Protection Act, 1999* and the *Protecting Against Carbon Taxes Act, 2024*”.

Election Finances Act

21 (1) Subsection 2 (1) of the *Election Finances Act* is amended by adding the following clause:

- (a.2) assist campaign organizers under the *Protecting Against Carbon Taxes Act, 2024* in the preparation of returns required under that Act;
- (2) Clause 2 (1) (c) of the Act is amended by striking out “and the *Taxpayer Protection Act, 1999*” at the end and substituting “the *Taxpayer Protection Act, 1999* and the *Protecting Against Carbon Taxes Act, 2024*”.
- (3) Clause 2 (1) (g) of the Act is amended by striking out “or sections 7 to 13 of the *Taxpayer Protection Act, 1999*” at the end and substituting “sections 11 to 17 of the *Taxpayer Protection Act, 1999* or sections 9 to 15 of the *Protecting Against Carbon Taxes Act, 2024*”.
- (4) Clause 2 (1) (i) of the Act is amended by striking out “or the *Taxpayer Protection Act, 1999*” at the end and substituting “the *Taxpayer Protection Act, 1999* or the *Protecting Against Carbon Taxes Act, 2024*”.
- (5) Subsection 2 (1) of the Act is amended by adding the following clause:
 - (j.1.1) provide such guidelines for the proper administration of the *Protecting Against Carbon Taxes Act, 2024* as the Chief Electoral Officer considers necessary for the guidance of campaign organizers and any of their officers;
- (6) Clause 2 (1) (k) of the Act is amended by striking out “and (j.1)” in the portion before subclause (i) and substituting “(j.1) and (j.1.1)”.
- (7) Subsection 2 (4) of the Act is amended by striking out “and the *Taxpayer Protection Act, 1999*” and substituting “the *Taxpayer Protection Act, 1999* and the *Protecting Against Carbon Taxes Act, 2024*”.
- (8) Section 3 of the Act is amended by striking out “or the *Taxpayer Protection Act, 1999*” and substituting “the *Taxpayer Protection Act, 1999* or the *Protecting Against Carbon Taxes Act, 2024*”.
- (9) Section 6 of the Act is amended by striking out “or the *Taxpayer Protection Act, 1999*” and substituting “the *Taxpayer Protection Act, 1999* or the *Protecting Against Carbon Taxes Act, 2024*”.
- (10) Section 7 of the Act is amended by adding the following subsection:

Same

(1.2) If information with respect to the affairs of a registered campaign organizer under the *Protecting Against Carbon Taxes Act, 2024* is reasonably necessary for the performance of the Chief Electoral Officer's duties under that Act, the Chief Electoral Officer may request the information and the campaign organizer shall provide it.

(11) Section 8 of the Act is amended by striking out “and the *Taxpayer Protection Act, 1999*” and substituting “the *Taxpayer Protection Act, 1999* and the *Protecting Against Carbon Taxes Act, 2024*”.

Taxpayer Protection Act, 1999

22 The *Taxpayer Protection Act, 1999* is amended by adding the following section:

Non-application

1.1 This Act does not apply to a bill or regulation to which the *Protecting Against Carbon Taxes Act, 2024* applies.

COMMENCEMENT AND SHORT TITLE**Commencement**

23 The Act set out in this Schedule comes into force on the day the *Get It Done Act, 2024* receives Royal Assent.

Short title

24 The short title of the Act set out in this Schedule is the *Protecting Against Carbon Taxes Act, 2024*.

**SCHEDULE 6
PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT**

1 The *Public Transportation and Highway Improvement Act* is amended by adding the following section:

No toll

100 (1) No toll may be charged for travel on a highway where the road authority is the Crown, unless the toll is authorized by an Act.

Definition

(2) In this section,

“toll” means a charge or levy imposed for travel on a highway, the amount of which is calculated proportionately to the distance travelled or is a fixed amount.

Commencement

2 This Schedule comes into force on the day the *Get It Done Act, 2024* receives Royal Assent.