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Subject AMO Breaking News - Bill 8 - Effective Date for Municipal Governments Confirmed

May 21, 2015

Bill 8 - Effective Date for Municipal Governments Confirmed

The Ontario Gazette notes that [Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014](#) and related regulations affecting municipal governments are to be proclaimed in effect on January 1, 2016. Schedules 6 and 9 of the Bill relate specifically to municipal governments.

Implementation of Bill 8:

Some municipal governments are investigating the creation of local accountability officers as provided by the Bill and some are looking at how to share accountability officers. In terms of service based complaints that could be the subject of reference to an ombudsman, AMO is currently working with Microsoft Canada and three pilot municipalities to develop a transferable, flexible complaints management system to track complaint intake across departments, complaints processing against customer service metrics, and to enable data analysis to inform service delivery improvement. The objective is to use technology to enable an effective, defensible system that can accommodate new requirements and which can be managed locally. In addition, AMO will be looking at what other information/educational needs would assist in the implementation of the legislation.

Reminder of the Bill's key changes follows:

- The Ontario Ombudsman will become the default ombudsman for municipal governments that do not appoint a municipal ombudsman, except in the City of Toronto.
- The Ontario Ombudsman will have 'final oversight' of individual complaints where a municipal ombudsman has been appointed, except in the City of Toronto.
- The Ontario Ombudsman will have oversight of municipal auditors general and integrity commissioners. The government has not provided clarification on the scope of the Ontario Ombudsman's powers in these areas.
- The Ontario Ombudsman will be able to conduct 'systemic' investigations of all municipal governments, including the City of Toronto.
- The existing closed meeting investigation regime will be maintained. The Ontario Ombudsman will continue to be the default closed meeting investigator where a municipality has not appointed a closed meeting investigator. The definition of 'meeting' will fall to the *Municipal Act* review. (AMO's Bill 8 submission provided advice on this definition.)
- By regulation, boards of health, library boards, long-term care homes, and police services boards are to be excluded from an Ombudsman's oversight.
- The new Patient Ombudsman will have oversight of long-term care homes.

Several of the amendments to the Bill reflected AMO's advice to Standing Committee. For more information, please see AMO's submission and previous [updates on Bill 8](#).

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