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Subject AMO Policy Update - Bill 8, Accountability and Transparency Measures Update

December 5, 2014

## Bill 8, Accountability and Transparency Measures Update

The Standing Committee on General Government passed amendments to Bill 8 this week. The Bill is apparently scheduled for Third Reading on December 8<sup>th</sup>. We have not been advised as to what schedules may be proclaimed and when.

AMO has reviewed the amended Bill 8 and understands that it will do the following:

- If a municipality does not appoint a municipal ombudsman, the Ontario Ombudsman will become the default municipal ombudsman.
- If a municipality appoints a municipal ombudsman, the Ontario Ombudsman may investigate the same complaint as the municipal ombudsman if the municipal ombudsman has refused to investigate the complaint; the municipal ombudsman has investigated and concluded his or her investigation of the complaint; or the time for bringing the complaint to the municipal ombudsman has expired. In addition, the Ontario Ombudsman will be able to conduct "systemic" investigations on his own motion.
- The Ontario Ombudsman will be able to investigate complaints that are within the jurisdiction of a municipal auditor general, registrar, or a municipal integrity commissioner if the municipal auditor general or integrity commissioner refuses to investigate, has completed and concluded his or her investigation, or the time for bringing a complaint has expired.
- Any party directly affected by an investigation by the Ontario Ombudsman will be able to apply to a court to determine whether the Ontario Ombudsman has jurisdiction to investigate.
- 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 review provision of another closed meeting investigator's decision by the Ontario Ombudsman was deleted. The definition of meeting will fall to the *Municipal Act* review.
- The Patient Ombudsman will be appointed for one five-year term, renewable for one further term of five years.
- Caregivers will be able to make complaints to the Patient Ombudsman. "Caregiver" will be defined in regulation.

AMO will seek input on the regulations to this Bill. Watch for the next update on Bill 8.

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