



Français

Freedom of Information and Protection of Privacy Act

R.R.O. 1990, REGULATION 460

GENERAL

Consolidation Period: From September 24, 2021 to the e-Laws currency date.

Last amendment: 670/21.

Legislative History: [+]

This is the English version of a bilingual regulation.

1. (1) The agencies, boards, commissions, corporations and other bodies listed in Column 1 of the Schedule are designated as institutions. R.R.O. 1990, Reg. 460, s. 1 (1).

(2) The person occupying the position listed in Column 2 of the Schedule opposite to each institution listed in Column 1 is designated as the head of that institution. R.R.O. 1990, Reg. 460, s. 1 (2).

2. A record capable of being produced from machine readable records is not included in the definition of "record" for the purposes of the Act if the process of producing it would unreasonably interfere with the operations of an institution. R.R.O. 1990, Reg. 460, s. 2.

3. (1) A head who provides access to an original record must ensure the security of the record. R.R.O. 1990, Reg. 460, s. 3 (1).

(2) A head may require that a person who is granted access to an original record examine it at premises operated by the institution. R.R.O. 1990, Reg. 460, s. 3 (2).

(3) A head shall verify the identity of a person seeking access to his or her own personal information before giving the person access to it. R.R.O. 1990, Reg. 460, s. 3 (3).

4. (1) Every head shall ensure that reasonable measures to prevent unauthorized access to the records in his or her institution are defined, documented and put in place, taking into account the nature of the records to be protected. R.R.O. 1990, Reg. 460, s. 4 (1).

(2) Every head shall ensure that only those individuals who need a record for the performance of their duties shall have access to it. R.R.O. 1990, Reg. 460, s. 4 (2).

(3) Every head shall ensure that reasonable measures to protect the records in his or her institution from inadvertent destruction or damage are defined, documented and put in place, taking into account the nature of the records to be protected. R.R.O. 1990, Reg. 460, s. 4 (3).

5. (1) An institution that uses personal information shall retain the information for at least one year after use, except if,

- (a) the individual to whom the information relates consents to its earlier disposal; or
- (b) the information is credit or debit card payment data. O. Reg. 123/15, s. 1.

(2) Despite subsection (1), an institution that uses personal information that is contained in a telecommunication logger tape in the custody or under the control of the institution shall retain the information for at least 45 days after use, except if the individual to whom the information relates consents to its earlier disposal. O. Reg. 123/15, s. 1.

5.1 A head of an institution that receives a request for access to a record or personal information shall conclude that the request is frivolous or vexatious if,

- (a) the head is of the opinion on reasonable grounds that the request is part of a pattern of conduct that amounts to an abuse of the right of access or would interfere with the operations of the institution; or
- (b) the head is of the opinion on reasonable grounds that the request is made in bad faith or for a purpose other than to obtain access. O. Reg. 21/96, s. 1.

5.2 The fee that shall be charged for the purposes of clause 24 (1) (c) or 48 (1) (c) of the Act shall be \$5. O. Reg. 21/96, s. 1.

5.3 (1) For the purposes of subsection 50 (1.1) of the Act, the fee payable for appealing a decision of a head to the Commissioner shall be,

- (a) \$25, if the person appealing has made a request for access to a record under subsection 24 (1);
- (b) \$10, if the person appealing has made a request for access to personal information under subsection 48 (1); and
- (c) \$10, if the person appealing has made a request for correction of personal information under subsection 47 (2). O. Reg. 21/96, s. 1.

(2) For the purposes of subsection 50 (1.1) of the Act, no fee is payable for appealing a decision of a head to the Commissioner if the person appealing is given notice of a request under subsection 28 (1) of the Act. O. Reg. 21/96, s. 1.

6. The following are the fees that shall be charged for the purposes of subsection 57 (1) of the Act for access to a record:

1. For photocopies and computer printouts, 20 cents per page.
2. For records provided on CD-ROMs, \$10 for each CD-ROM.
3. For manually searching a record, \$7.50 for each 15 minutes spent by any person.
4. For preparing a record for disclosure, including severing a part of the record, \$7.50 for each 15 minutes spent by any person.
5. For developing a computer program or other method of producing a record from machine readable record, \$15 for each 15 minutes spent by any person.
6. The costs, including computer costs, that the institution incurs in locating, retrieving, processing and copying the record if those costs are specified in an invoice that the institution has received. O. Reg. 21/96, s. 2; O. Reg. 92/07, s. 1.

6.1 The following are the fees that shall be charged for the purposes of subsection 57 (1) of the Act for access to personal information about the individual making the request for access:

1. For photocopies and computer printouts, 20 cents per page.
2. For records provided on CD-ROMs, \$10 for each CD-ROM.
3. For developing a computer program or other method of producing the personal information requested from machine readable record, \$15 for each 15 minutes spent by any person.
4. The costs, including computer costs, that the institution incurs in locating, retrieving, processing and copying the personal information requested if those costs are specified in an invoice that the institution has received. O. Reg. 21/96, s. 2; O. Reg. 92/07, s. 2.

7. (1) If a head gives a person an estimate of an amount payable under the Act and the estimate is \$100 or more, the head may require the person to pay a deposit equal to 50 per cent of the estimate before the head takes any further steps to respond to the request.

O. Reg. 21/96, s. 3.

(2) A head shall refund any amount paid under subsection (1) that is subsequently waived. R.R.O. 1990, Reg. 460, s. 7 (2).

8. The following are prescribed as matters for a head to consider in deciding whether to waive all or part of a payment required to be made under the Act:

1. Whether the person requesting access to the record is given access to it.
 2. If the amount of a payment would be \$5 or less, whether the amount of the payment is too small to justify requiring payment.
- R.R.O. 1990, Reg. 460, s. 8.

9. If a person is required to pay a fee for access to a record, the head may require the person to do so before giving the person access to the record. R.R.O. 1990, Reg. 460, s. 9.

10. (1) The following are the terms and conditions relating to security and confidentiality that a person is required to agree to before a head may disclose personal information to that person for a research purpose:

1. The person shall use the information only for a research purpose set out in the agreement or for which the person has written authorization from the institution.
2. The person shall name in the agreement any other persons who will be given access to personal information in a form in which the individual to whom it relates can be identified.
3. Before disclosing personal information to other persons under paragraph 2, the person shall enter into an agreement with those persons to ensure that they will not disclose it to any other person.
4. The person shall keep the information in a physically secure location to which access is given only to the person and to the persons given access under paragraph 2.
5. The person shall destroy all individual identifiers in the information by the date specified in the agreement.
6. The person shall not contact any individual to whom personal information relates, directly or indirectly, without the prior written authority of the institution.
7. The person shall ensure that no personal information will be used or disclosed in a form in which the individual to whom it relates can be identified without the written authority of the institution.
8. The person shall notify the institution in writing immediately if the person becomes aware that any of the conditions set out in this section have been breached. R.R.O. 1990, Reg. 460, s. 10 (1).

(2) An agreement relating to the security and confidentiality of personal information to be disclosed for a research purpose shall be in the form titled "Security and Confidentiality Agreement of Personal Information for Research Purposes", dated May 1, 2016 and available on the Government of Ontario's Central Forms Repository website. O. Reg. 171/16, s. 1.

11. A request for access to a record under Part II of the Act or for access to or correction of personal information under Part III of the Act shall be in a written form that specifies that it is a request made under the Act. O. Reg. 34/11, s. 2.

SCHEDULE

Item	Column 1 Institution	Column 2 Head
1.	Revoked: O. Reg. 27/19, s. 1 (1).	
2.	Accessibility Standards Advisory Council	Minister for Seniors and Accessibility
3.	Advertising Review Board	Minister of Government and Consumer Services

4.	Advisory Council on Special Education	Minister of Education
5.	Agricorp	Chair of the Board
6.	Agricultural Research Institute of Ontario	Minister of Agriculture, Food and Rural Affairs
7.	Agriculture, Food and Rural Affairs Appeal Tribunal	Minister of Agriculture, Food and Rural Affairs
8.	Alcohol and Gaming Commission of Ontario	Chief Executive Officer
9.	Algoma University	Executive Head
10.	Algonquin Forestry Authority	Chair
11.	Animal Care Review Board	Executive Chair, Tribunals Ontario
12.	Assessment Review Board	Executive Chair, Tribunals Ontario
13.	Autism Spectrum Disorder Clinical Expert Committee	Minister of Children and Youth Services
13.1	Big Game Management Advisory Committee	Minister of Natural Resources and Forestry
14.	Board of Negotiation (<i>Environmental Protection Act</i>)	Minister of Agriculture, Food and Rural Affairs
15.	REVOKED: O. Reg. 371/21, s. 1 (1).	
16.	Brock University	Executive Head
17.	Building Code Commission	Minister of Municipal Affairs and Housing
18.	REVOKED: O. Reg. 184/21, s. 1 (6).	
19.	Building Materials Evaluation Commission	Minister of Municipal Affairs and Housing
20.	Business Risk Management Review Committee	Minister of Agriculture, Food and Rural Affairs
21.	REVOKED: O. Reg. 184/21, s. 1 (6).	
22.	Carleton University	Executive Head
23.	The Centennial Centre of Science and Technology	Minister of Heritage, Sport, Tourism and Culture Industries
23.1	Centralized Supply Chain Ontario	Chief Executive Officer
24.	Child and Family Services Review Board	Executive Chair, Tribunals Ontario
25.	Chiropody Review Committee	Minister of Health and Long-Term Care
26.	Citizens' Council	Minister of Health and Long-Term Care
27.	College of Trades Appointments Council	Minister of Labour, Training and Skills Development
28.	Colleges of Applied Arts and Technology	Chair of the Board
29.	Collège universitaire de Hearst	Executive Head
30.	Committee on the Status of Species at Risk in Ontario	Minister of the Environment, Conservation and Parks
31.	Committee to Evaluate Drugs	Minister of Health and Long-Term Care
32.	REVOKED: O. Reg. 27/19, s. 1 (11).	
33.	Consent and Capacity Board	Minister of Health and Long-Term Care
34.	REVOKED: O. Reg. 371/21, s. 1 (1).	
35.	Criminal Injuries Compensation Board	Executive Chair, Tribunals Ontario
36.	Crown Employees Grievance Settlement Board	Minister of Labour, Training and Skills Development
37.	Custody Review Board	Executive Chair, Tribunals Ontario
38.	Death Investigation Oversight Council	Minister of Community Safety and Correctional Services
39.	Dentistry Review Committee	Minister of Health and Long-Term Care
40.	Education Quality and Accountability Office	Chair
41.	Education Relations Commission	Minister of Education
42.	REVOKED: O. Reg. 184/21, s. 1 (8).	
43.	REVOKED: O. Reg. 371/21, s. 1 (1).	

44.	Financial Services Regulatory Authority of Ontario	Chief Executive Officer
45.	Financial Services Tribunal	Minister of Finance
46.	Fire Safety Commission	Executive Chair, Tribunals Ontario
47.	Fish and Wildlife Heritage Commission	Minister of Natural Resources and Forestry
48.	French Language Health Services Advisory Council	Minister of Health and Long-Term Care
49.	Grain Financial Protection Board	Minister of Agriculture, Food and Rural Affairs
50.	Greenbelt Council	Minister of Municipal Affairs and Housing
51.	REVOKED: O. Reg. 184/21, s. 1 (8).	
52.	Health Professions Appeal and Review Board	Minister of Health and Long-Term Care
53.	Health Professions Regulatory Advisory Council	Minister of Health and Long-Term Care
54.	Health Services Appeal and Review Board	Minister of Health and Long-Term Care
54.1	REVOKED: O. Reg. 184/21, s. 1 (8).	
55.	Higher Education Quality Council of Ontario	Chair
56.	Human Rights Legal Support Centre	Chair
57.	Human Rights Tribunal of Ontario	Executive Chair, Tribunals Ontario
58.	Independent Electricity System Operator	Chief Executive Officer
59.	Investment Advisory Committee of the Public Guardian and Trustee	Attorney General
60.	Joint Committee on the Schedule of Benefits	Minister of Health and Long-Term Care
61.	Justices of the Peace Remuneration Commission	President of the Treasury Board
62.	Labour-Management Advisory Committee	Minister of Labour, Training and Skills Development
63.	Lakehead University	Executive Head
64.	Landlord and Tenant Board	Executive Chair, Tribunals Ontario
65.	Languages of Instruction Commission of Ontario	Minister of Education
66.	Laurentian University of Sudbury	Executive Head
67.	Legal Aid Ontario	President of Legal Aid Ontario
68.	Licence Appeal Tribunal	Executive Chair, Tribunals Ontario
69.	Liquor Control Board of Ontario	President and Chief Executive Officer
70.	Livestock Financial Protection Board	Minister of Agriculture, Food and Rural Affairs
71.	REVOKED: O. Reg. 184/21, s. 1 (8).	
72.	Local Health Integration Networks, each Network	Chief Executive Officer
72.1	REVOKED: O. Reg. 371/21, s. 1 (1).	
73.	McMaster University	Executive Head
74.	McMichael Canadian Art Collection	Chief Executive Officer
75.	Medical Eligibility Committee — Health Insurance	Minister of Health and Long-Term Care
76.	Metrolinx	Chief Executive Officer
77.	Metropolitan Toronto Convention Centre Corporation	President and Chief Executive Officer of the Corporation
78.	REVOKED: O. Reg. 371/21, s. 1 (1).	
79.	REVOKED: O. Reg. 184/21, s. 1 (8).	
80.	Nawiingnokiima Forest Management Corporation	Minister of Natural Resources and Forestry
81.	Niagara Escarpment Commission	Minister of Natural Resources and Forestry
82.	Niagara Parks Commission	Chair of the Commission
83.	Nipissing University	Executive Head

84.	Normal Farm Practices Protection Board	Minister of Agriculture, Food and Rural Affairs
85.	Northern Ontario Grow Bonds Corporation	Chair of the Board of Directors
86.	Northern Ontario Heritage Fund Corporation	Minister of Energy, Northern Development and Mines
87.	Northern Ontario School of Medicine	Executive Head
88.	Office for Victims of Crime	Attorney General
89.	Office of the Employer Adviser	Minister of Labour, Training and Skills Development
90.	Office of the Fairness Commissioner	Commissioner
91.	REVOKED: O. Reg. 184/21, s. 1 (8).	
92.	Office of the Independent Police Review Director	Director
93.	Office of the Worker Adviser	Minister of Labour, Training and Skills Development
94.	Ontario Advisory Committee on HIV/AIDS	Minister of Health and Long-Term Care
95.	Ontario Agency for Health Protection and Promotion	Chief Executive Officer
95.1	Ontario Arts Council	Director and Chief Executive Officer
95.2	Ontario Cannabis Retail Corporation	President and Chief Executive Officer
96.	Ontario Capital Growth Corporation	Minister of Economic Development, Job Creation and Trade
97.	Ontario Civilian Police Commission	Executive Chair, Tribunals Ontario
98.	Ontario Clean Water Agency	Chair
99.	Ontario College of Art & Design University	Executive Head
100.	Ontario Electricity Financial Corporation	Chief Executive Officer
101.	Ontario Energy Board	Chair
102.	Ontario Farm Products Marketing Commission	Minister of Agriculture, Food and Rural Affairs
103.	Ontario Financing Authority	Minister of Finance
104.	Ontario Food Terminal Board	Chair of the Board
105.	Ontario Geographic Names Board	Minister of Natural Resources and Forestry
105.1	Ontario Health	Chair of the Board
106.	REVOKED: O. Reg. 184/21, s. 1 (8).	
107.	Ontario Heritage Trust	Minister of Heritage, Sport, Tourism and Culture Industries
108.	Ontario Highway Transport Board	Minister of Transportation
109.	Ontario Honours Advisory Council	Minister of Heritage, Sport, Tourism and Culture Industries
110.	Ontario Human Rights Commission	Chief Commissioner
111.	Ontario Immigrant Investor Corporation	Minister of Labour, Training and Skills Development
112.	Ontario Infrastructure and Lands Corporation	Chief Executive Officer
112.1	Ontario Internal Audit Committee	President of the Treasury Board
113.	Ontario Labour Relations Board	Minister of Labour, Training and Skills Development
113.1	Ontario Land Tribunal	Chair
114.	Ontario Lottery and Gaming Corporation	President and Chief Executive Officer
115.	Ontario Media Development Corporation	Minister of Heritage, Sport, Tourism and Culture Industries
116.	Ontario Mental Health Foundation	Chair
117.	REVOKED: O. Reg. 184/21, s. 1 (11).	
118.	Revoked: O. Reg. 184/21, s. 1 (12).	

119.	Revoked: O. Reg. 27/19, s. 1 (30).	
120.	Ontario Northland Transportation Commission	Chair of the Commission
121.	Ontario Parks Board of Directors	Minister of the Environment, Conservation and Parks
122.	Ontario Parole Board	Executive Chair, Tribunals Ontario
123.	Ontario Place Corporation	Minister of Heritage, Sport, Tourism and Culture Industries
124.	Ontario Police Arbitration Commission	Minister of Community Safety and Correctional Services
125.	Ontario Power Generation Inc.	Chief Executive Officer
126.	Each subsidiary (as defined in subsection 2 (1) of the <i>Electricity Act, 1998</i>) of Ontario Power Generation Inc.	Chief Executive Officer of the subsidiary
126.1	Ontario Research Fund Advisory Board	Minister of Economic Development, Job Creation and Trade
127.	Ontario Review Board	Chair of the Board
128.	Ontario Securities Commission	Minister of Finance
129.	Revoked: O. Reg. 358/17, s. 1 (2).	
130.	Ontario Special Education Tribunal (English)	Executive Chair, Tribunals Ontario
131.	Ontario Special Education Tribunal (French)	Executive Chair, Tribunals Ontario
132.	Ontario Tourism Marketing Partnership Corporation	Minister of Heritage, Sport, Tourism and Culture Industries
133.	Ontario Trillium Foundation	Chief Executive Officer
134.	Revoked: O. Reg. 358/17, s. 1 (2).	
135.	Optometry Review Committee	Minister of Health and Long-Term Care
136.	The Order of Ontario Advisory Council	Chief Justice of Ontario
137.	Ornge, incorporated under the <i>Canada Corporations Act</i> on October 8, 2004 as Ontario Air Ambulance Services Co.	Chair of the board of directors
138.	Ottawa Convention Centre Corporation	President
139.	Owen Sound Transportation Company Limited	President
140.	Revoked: O. Reg. 358/17, s. 1 (2).	
141.	Pay Equity Commission	Minister of Labour, Training and Skills Development
142.	Pay Equity Hearings Tribunal	Minister of Labour, Training and Skills Development
143.	Pesticides Advisory Committee	Minister of the Environment, Conservation and Parks
144.	Pharmacy Council	Minister of Health and Long-Term Care
145.	Physician Payment Review Board	Chair
146.	Physician Services Payment Committee	Minister of Health and Long-Term Care
147.	Post-secondary Education Quality Assessment Board	Minister of Training, Colleges and Universities
148.	Premier's Council on Youth Opportunities	Minister of Children and Youth Services
149.	Prevention Council	Minister of Labour, Training and Skills Development
150.	Provincial Advisory Committee on Francophone Affairs	Minister of Francophone Affairs
151.	Revoked: O. Reg. 358/17, s. 1 (2).	
152.	Provincial Judges Pension Board	President of the Treasury Board
153.	Provincial Schools Authority	Minister of Education
154.	Public Guardian and Trustee	Attorney General
155.	Public Service Commission	Chair

156.	Public Service Grievance Board	Minister of Labour, Training and Skills Development
157.	Queen's University at Kingston	Executive Head
158.	Rabies Advisory Committee	Minister of Natural Resources and Forestry
159.	Royal Ontario Museum	Chair of the Board
160.	Rural Economic Development Advisory Panel	Minister of Agriculture, Food and Rural Affairs
161.	Ryerson University	Executive Head
162.	St. Lawrence Parks Commission	Minister of Heritage, Sport, Tourism and Culture Industries
163.	Science North	Chief Executive Officer
164.	Social Benefits Tribunal	Executive Chair, Tribunals Ontario
165.	Soldiers Aid Commission	Minister of Community and Social Services
165.1	Special Investigations Unit	Director
166.	Species at Risk Program Advisory Committee	Minister of the Environment, Conservation and Parks
167.	Toronto Organizing Committee for the 2015 Pan American and Parapan American Games	Chair of the Board
168.	Training Completion Assurance Fund Advisory Board	Minister of Training, Colleges and Universities
169.	Trent University	Executive Head
170.	Revoked: O. Reg. 202/21, s. 1.	
170.1	Université de l'Ontario français	Executive Head
171.	University of Guelph	Executive Head
172.	University of Ontario Institute of Technology	Executive Head
173.	University of Ottawa	Executive Head
174.	University of Toronto	Executive Head
175.	The University of Waterloo	Executive Head
176.	The University of Western Ontario	Executive Head
177.	University of Windsor	Executive Head
178.	Walkerton Clean Water Centre	Chief Executive Officer
179.	Wilfrid Laurier University	Executive Head
180.	Workplace Safety and Insurance Appeals Tribunal	Minister of Labour, Training and Skills Development
181.	Workplace Safety and Insurance Board	Chair of the Board
182.	York University	Executive Head

O. Reg. 441/16, s. 1; O. Reg. 358/17, s. 1; O. Reg. 34/18, s. 1; O. Reg. 27/19, s. 1; O. Reg. 175/19, s. 1; O. Reg. 184/21, s. 1; O. Reg. 202/21, s. 1; O. Reg. 371/21, s. 1.

Note: On January 1, 2022, the day section 4 of Schedule 11 to the *Protecting What Matters Most Act (Budget Measures)*, 2019 comes into force, item 35 of the Schedule to the Regulation is revoked. (See: O. Reg. 670/21, s. 1)

FORM 1 REVOKED: O. REG. 171/16, S. 3.

FORM 2 REVOKED: O. REG. 34/11, S. 5.

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