

Media Release:

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Craitor to Re-Introduce Bill to ensure Transparency in Public Bodies

Niagara Falls: Niagara Falls MPP Kim Craitor announced today he will reintroduce and strengthen more encompassing version of Bill 123 – Transparency in Public Matters Act of 2005 this Tuesday in the Ontario Legislative Assembly. The private member’s bill introduced originally by MPP Caroline di Cocco and strongly co-sponsored by Craitor had passed 2nd reading and committee stages. It was withdrawn from the legislative agenda when the Sarnia MPP was appointed to cabinet as Minister of Culture. (Traditionally cabinet members do not introduce private member’s bill because as a minister of the crown (the government) they are no longer considered private members.

Craitor’s reintroduction of the bill reinserts many organizations including Universities, College and Police Boards that were stripped out of the bill in committee stages and it now includes Park Commissions, Hydro Utility companies such as Niagara Hydro even though they may be privately owned by the municipality, CCAC and Local Integrated Health Networks (LIHN) to the list.

“As a proponent of the original bill I tried to make a few amendments to strengthen the original bill in committee and was discouraged when those amendments and some bodies were left on the table,” said Craitor adding that “the amended bill would have been a first step but when Caroline withdrew the bill I saw a legislative opportunity to add even more teeth to the concept that the

public have an inalienable right to know how and why their money is being spent.”

With this knowledge Craitor believes the public can make informed decisions on how they are being served by the political process and be more informed at election time. “I believe that a knowledgeable public, is an engaged public and when engaged they will become involved. When that happens, the quality of our democracy will improve” said Craitor.

Craitor added, “Just like the legislation by the McGuinty Government to ensure that the public accounts are transparent and released before a fixed election date by an independent auditor, transparency applied to public bodies will aid us in our democratic renewal process, and we will be a better society as a result.”

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Background:

Craitor’s proposed Bill designates certain public bodies and types of public bodies and requires those designated public bodies to give reasonable notice of their meetings to the public and ensure that the meetings are open to the public. A designated public body may exclude the public from a meeting if matters specified in the Bill are going to be discussed at the meeting. A designated public body is required to keep minutes of its meetings and to publish them. The Bill requires a designated public body to make rules respecting how it will give notice of its meetings and how minutes will be made available to the public.

The Bill establishes a procedure by which a person who believes a designated public body has contravened or is about to contravene the Bill may make a complaint to the Information and Privacy Commissioner. The Commissioner is empowered to review the complaint and to undertake a review on his or her own initiative. The Bill sets out the powers the Commissioner may exercise when reviewing a suspected contravention, including the power to enter and inspect premises, to demand production of things relevant to the review and to require any person to appear before the Commissioner to give evidence.

The Bill authorizes the Commissioner to make certain orders after a review, including an order that voids a decision made by a designated public body at a

meeting that did not conform to the requirements of the Bill. It is an offence to wilfully fail to comply with an order of the Commissioner. The Bill sets out certain other powers of the Commissioner, including the power to delegate his or her powers, and makes it an offence to wilfully obstruct or attempt to mislead the Commissioner when he or she is performing functions authorized under the Bill.

Other provisions of the Bill are a conflict provision in the event of a conflict with another Act or regulation and a provision authorizing the Lieutenant Governor in Council to make specified regulations.

Specific clauses added by Craitor include:

11.	A public library board, a union board, a county library board or a county library co-operative board established or continued under the <i>Public Libraries Act</i> .
12.	A parks commission established or continued under a parks commission Act.
13.	A local health integration network that is continued under subsection 3 (1) of the <i>Local Health System Integration Act, 2006</i> or incorporated by regulation under subsection 3 (3) of that Act.
14.	The board of a corporation that generates, transmits, distributes or retails electricity.
15.	The board of directors of a community care access corporation continued or established under section 2 of the <i>Community Care Access Corporations Act, 2001</i> .

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