

This proposal is also shaped by an older conviction found across philosophical traditions: that hardship, when met with conscience and endurance, may deepen rather than diminish one's moral purpose. As the *Mencius* teaches:

“When Heaven intends to place a great responsibility on someone, it first makes them suffer in mind, toil in body, endure hunger and hardship, and face setbacks in their efforts. Through these trials, their resolve is strengthened, their character is tempered, and their capacities are developed beyond what they once thought possible.”

故天将降大任于是人也，必先苦其心志，劳其筋骨，饿其体肤，空乏其身，行拂乱其所为，所以动心忍性，曾益其所不能。

– *Gaozi II* 《孟子·告子下》 by Mencius

This teaching has long reminded me that difficulty is not always meaningless. Sometimes it is through frustration, exhaustion, loss, and obstruction that one is compelled to cultivate greater patience, deeper courage, and a more disciplined sense of responsibility.

At the same time, no just society should romanticize suffering that is unnecessarily produced by its own institutions. Desperation should not come from justice. A justice system, at its best, should be a source of hope rather than despair. It should not impose avoidable harm on those who seek, in good faith, to serve others and contribute to the public good. Injustice should not happen to those who are trying to do good. A healthy and well-rounded protection mechanism—what we call a justice system—should encourage people to contribute more to society, not discourage them through fear, exclusion, hostility, or institutional indifference.

In this spirit, I am also reminded of Socrates' enduring insistence that conscience must not be abandoned in the face of public authority. Socrates' insistence on moral inquiry and integrity appears throughout Plato's *Apology*, including in the claims that “the life which is

unexamined is not worth living” (*Apology* 38a), that the real difficulty lies not in avoiding death but in avoiding unrighteousness (*Apology* 39a–b), and in his closing words, “The hour of departure has arrived, and we go our ways—I to die, and you to live. Which is better God only knows” (*Apology* 42a). Together, these words speak to the moral seriousness of continuing one’s inquiry, one’s duty, and one’s ethical commitments even when power, fear, or majority judgment point in another direction.

If this work carries any meaning, I hope it affirms that justice must remain tied to humanity, that institutions must not lose sight of the people they are meant to protect, and that hope—not despair—should remain the deeper promise of law.

May this work be a small offering toward that path.

- Dr. Yujia Zhu 朱羽佳, Ph.D., LSSMBB

Social Innovation Good Samaritan Act

Bill

An Act to protect good-faith social innovation and community-serving entrepreneurship in the public interest

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

Preamble

Ontario is home to many individuals and organizations that respond to unmet social needs by building new pathways to care, support, education, navigation, advocacy, safety, and community wellbeing.

Many such efforts arise because existing systems do not fully meet the needs of all Ontarians, particularly where barriers are shaped by language, culture, disability, poverty, geography, stigma, institutional distrust, or systemic exclusion.

Social entrepreneurs, nonprofit founders, community builders, grassroots organizers, peer-led initiatives, hybrid social-purpose entities, and other public-interest actors often act in good faith to reduce those barriers through culturally responsive, multilingual, accessible, digitally enabled, collaborative, and community-based models.

Ontario law already recognizes, in limited circumstances, that persons who voluntarily step forward to help others should not be exposed to undue liability merely because they acted in good faith. The **Good Samaritan Act, 2001** reflects that principle in the context of voluntary emergency medical or first aid services.

The Legislative Assembly recognizes that socially beneficial innovation may also be chilled by disproportionate civil exposure, institutional mischaracterization, or unduly narrow regulatory interpretation where persons act honestly, reasonably, and for a primarily public-interest purpose.

The purpose of this Act is therefore to encourage socially beneficial innovation, preserve accountability for serious wrongdoing, and ensure that good-faith community-serving conduct is assessed in its full social, cultural, and institutional context.

1. Short title

This Act may be cited as the **Social Innovation Good Samaritan Act, 2026**.

2. Purposes

The purposes of this Act are:

- (a) to encourage good-faith social innovation in Ontario;
- (b) to protect social entrepreneurs and other community-serving actors from disproportionate civil or regulatory consequences arising from good-faith public-interest conduct;
- (c) to promote culturally responsive, linguistically accessible, and community-based approaches to unmet social need;
- (d) to require contextual and proportionate interpretation of hybrid, nonprofit, grassroots, and innovative service models; and
- (e) to preserve full accountability for gross negligence, bad faith, fraud, exploitation, abuse, and other serious misconduct.

3. Definitions

In this Act:

“community-serving activity” means an activity undertaken for a public-interest, charitable, nonprofit, educational, accessibility-promoting, mutual-aid, culturally responsive, safety-

enhancing, or social-benefit purpose, including intake support, navigation assistance, referrals, psychoeducation, peer support, translation support, advocacy support, crisis triage, outreach, platform-based support, community coordination, or other barrier-reducing assistance.

“good faith” means honesty of purpose, absence of malice, absence of knowing deception, and a genuine intention to provide socially beneficial assistance, support, innovation, or access.

“gross negligence” means conduct amounting to a marked or substantial departure from the standard of care reasonably expected in the circumstances.

“hybrid social-purpose entity” means an organization, initiative, platform, or enterprise that advances a community-serving purpose through any combination of nonprofit, charitable, educational, volunteer-based, technological, grant-supported, partnership-based, revenue-supported, or cross-sector structures.

“public-interest purpose” means a dominant purpose of reducing barriers, addressing unmet need, improving access, supporting vulnerable or underserved populations, advancing community wellbeing, or promoting inclusion, safety, dignity, or cultural and linguistic responsiveness.

“social entrepreneur” means an individual who founds, leads, designs, operates, funds, coordinates, supports, or substantially contributes to an organization, initiative, platform, enterprise, or program intended primarily to address social need, reduce barriers, improve access, or advance community wellbeing, whether or not the model is nonprofit, charitable, hybrid, digital, educational, or partnership-based.

“social innovation activity” means a community-serving activity that is novel, adaptive, cross-sectoral, culturally specific, technologically enabled, multilingual, nontraditional in institutional form, or otherwise designed to address unmet social need through expanded or alternative access pathways.

“volunteer or community contributor” includes a volunteer, intern, trainee, student, board member, advisor, peer supporter, collaborator, or unpaid or modestly compensated contributor acting primarily for a public-interest purpose.

4. Application of Act

This Act applies to acts or omissions occurring in Ontario in the course of a social innovation activity or community-serving activity.

5. Protection from civil liability

(1) Subject to this Act, no person or entity described in subsection (2) is liable in a civil proceeding for damages arising from an act or omission done in the course of a social innovation activity or community-serving activity.

(2) Subsection (1) applies to:

(a) a social entrepreneur;

(b) a volunteer or community contributor;

(c) a nonprofit organization;

(d) a charitable organization;

(e) a hybrid social-purpose entity; and

(f) a person acting under the direction of, in collaboration with, or in support of any person or entity described in clauses (a) to (e).

(3) Protection under subsection (1) applies only where the legal test in section 6 is satisfied.

(4) For greater certainty, protection under this section may apply where the activity includes:

(a) referral to a nonprofit, charitable, culturally specific, community-based, educational, peer, advocacy, or support resource;

(b) support delivered through multilingual, culturally adapted, community-generated, or digitally enabled pathways;

(c) activities carried out through volunteers, interns, trainees, students, peer supporters, or community partners;

(d) hybrid organizational forms that do not conform to conventional institutional models; or

(e) good-faith efforts to respond to unmet need where conventional systems are inaccessible, unavailable, inadequate, mistrusted, or culturally misaligned.

6. Legal test for statutory protection

(1) A person or entity seeking the protection of this Act shall establish, on a balance of probabilities, that:

(a) the impugned act or omission arose from a social innovation activity or community-serving activity within the meaning of this Act;

(b) the activity was undertaken for a primarily public-interest purpose;

(c) the person or entity acted in good faith;

(d) the act or omission was objectively reasonable in the circumstances as they appeared at the time, having regard to the information then available, the practical context, the nature of the need addressed, and the institutional constraints then present; and

(e) the conduct did not constitute gross negligence, reckless misconduct, wilful misconduct, bad faith, fraud, exploitation, abuse, or knowing contravention of a clearly applicable legal prohibition.

(2) In determining whether subsection (1) is satisfied, the court, tribunal, regulator, committee, investigator, or other decision-maker shall consider all relevant circumstances, including:

(a) the existence of unmet social need or access barriers;

(b) the cultural, linguistic, disability-related, geographic, economic, technological, or systemic context in which the activity occurred;

(c) whether the activity was designed to expand access, reduce exclusion, promote safety, provide support, or improve community wellbeing;

(d) whether the organizational model was nonprofit, hybrid, grassroots, collaborative, volunteer-supported, intern-supported, educational, digital, or otherwise nontraditional;

(e) whether the actor's role combined professional, nonprofit, educational, advocacy, community, technological, or organizational functions;

(f) whether the alleged harm arose from an honest attempt to help, support, guide, build access, or reduce barriers;

(g) whether less restrictive, more context-sensitive, or more proportionate interpretations of the conduct were reasonably available; and

(h) whether concerns about the conduct arise primarily from novelty, hybridity, public visibility, mixed role complexity, or institutional unfamiliarity, rather than from demonstrable wrongdoing.

(3) The presence of mixed motives does not by itself defeat protection under this Act if the dominant purpose of the activity remained public-interest oriented and the conduct was otherwise consistent with this Act.

(4) Protection under this Act shall apply where subsection (1) is satisfied unless the opposing party proves, on a balance of probabilities, that the conduct falls within section 9.

7. Interpretive principles

(1) This Act shall be interpreted in a manner that promotes:

(a) substantive fairness;

- (b) contextual and proportionate assessment of conduct;
- (c) protection of good-faith public-interest innovation;
- (d) recognition of cultural, linguistic, and community context; and
- (e) accountability for serious wrongdoing.

(2) In applying this Act, no decision-maker shall deny protection merely because the activity departs from conventional professional pathways, traditional organizational structures, standard service delivery models, or familiar institutional forms, unless that departure itself created or materially contributed to disqualifying misconduct under section 9.

(3) No adverse inference shall be drawn solely from the fact that the activity also generated, or was capable of generating:

- (a) professional visibility;
- (b) institutional affiliation;
- (c) partnership opportunities;
- (d) organizational growth;
- (e) public recognition; or
- (f) incidental revenue,

if the dominant purpose remained public-interest oriented and the conduct was otherwise consistent with this Act.

8. Regulatory interpretation protection

(1) In any regulatory, disciplinary, licensing, administrative, or quasi-judicial proceeding in Ontario, a person shall not be found to have acted improperly solely because the person participated in, founded, supported, referred to, collaborated with, or helped operate a social innovation activity or community-serving activity.

(2) In any proceeding described in subsection (1), the decision-maker shall consider, where relevant:

- (a) the public-interest purpose of the activity;
- (b) the social, linguistic, cultural, accessibility-related, geographic, or systemic barriers the activity sought to address;

(c) whether the activity involved honest efforts to improve access, inclusion, safety, dignity, or support;

(d) whether the person's role was hybrid, nonprofit, innovative, community-based, multilingual, digital, educational, or not easily classified within conventional categories; and

(e) whether a narrower, fairer, or more context-sensitive interpretation was reasonably available.

(3) A finding of professional impropriety, conflict, self-interest, misuse of role, or analogous wrongdoing shall not be based solely on the existence of a nonprofit, hybrid, public-interest, or socially innovative initiative without evidence of disqualifying misconduct under section 9 or other clear legal wrongdoing.

9. No protection for serious misconduct

Nothing in this Act relieves any person or entity from liability, sanction, or other legal consequence for:

(a) gross negligence;

(b) reckless misconduct;

(c) wilful misconduct;

(d) bad faith;

(e) fraud or fraudulent misrepresentation;

(f) coercion, abuse, harassment, exploitation, or predatory conduct;

(g) knowing contravention of an express statutory prohibition that clearly applied to the specific act in question; or

10. Hybrid and collaborative models

(1) An activity does not lose its community-serving or public-interest character merely because it is carried out through a hybrid model involving nonprofit, charitable, educational, technological, partnership-based, grant-supported, volunteer-based, fee-supported, or mixed structures.

(2) The involvement of interns, trainees, students, volunteers, peer supporters, contractors, community partners, translation supports, digital intake systems, public-facing educational materials, or collaborative referral pathways shall not by itself negate protection under this Act.

11. Cultural and linguistic context

In applying this Act and determining good faith, reasonableness, public-interest purpose, or the character of an activity, every court, tribunal, regulator, committee, investigator, and decision-maker shall consider relevant cultural, linguistic, accessibility, disability, and community context, including whether the activity was designed to respond to barriers not adequately addressed by conventional institutions.

12. Burden of proof

(1) The person or entity seeking protection under this Act bears the burden of establishing the matters set out in subsection 6 (1), on a balance of probabilities.

(2) The person or entity opposing protection under this Act bears the burden of proving, on a balance of probabilities, that the conduct falls within section 9.

13. Relationship with other Acts

(1) This Act shall be interpreted consistently with the principle reflected in Ontario's **Good Samaritan Act, 2001**, namely that good-faith assistance undertaken in the public interest should not attract undue liability merely because assistance was provided.

(2) This Act shall also be interpreted in a manner compatible with Ontario's legal framework governing nonprofit corporations, including the **Not-for-Profit Corporations Act, 2010**, which governs Ontario not-for-profit corporations.

(3) Nothing in this Act limits any protection otherwise available at common law or under another Act.

(4) In the event of a conflict between this Act and a regulation, policy, by-law, code, standard, interpretive guideline, or rule of a regulatory body, this Act prevails to the extent of the conflict, unless another Act expressly provides otherwise.

14. Regulations

The Lieutenant Governor in Council may make regulations:

(a) prescribing additional factors relevant to good faith, public-interest purpose, contextual reasonableness, or gross negligence;

(b) prescribing classes of activities or entities to which this Act applies or does not apply;

(c) respecting interpretive guidance for courts, tribunals, regulators, and administrative decision-makers; and

(d) defining any word or expression used but not defined in this Act.

15. Review of Act

(1) Within five years after this Act comes into force, the Minister shall undertake a review of the operation of the Act.

(2) The Minister shall, within one year after commencing the review, submit a report on the review to the Lieutenant Governor in Council and lay the report before the Assembly.

16. Commencement

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

17. Short title

The short title of this Act is the **Social Innovation Good Samaritan Act, 2026**.