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# Bill 241

## **An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 in relation to codes of conduct**

**The Hon. P. Calandra**  
Minister of Municipal Affairs and Housing

### **Government Bill**

1st Reading      December 12, 2024  
2nd Reading  
3rd Reading  
Royal Assent



## EXPLANATORY NOTE

### **SCHEDULE 1 CITY OF TORONTO ACT, 2006**

The Schedule amends Part V of the *City of Toronto Act, 2006* with respect to codes of conduct. Here are some highlights:

1. Currently, the Act provides that the City shall establish a code of conduct. Re-enacted section 157 of the Act provides that the Lieutenant Governor in Council may make regulations prescribing a code of conduct for members of city council and of local boards (restricted definition).
2. New section 159.1 of the Act requires the Integrity Commissioner of Ontario to perform certain functions with respect to the Integrity Commissioner, including providing education and training to the Commissioner.
3. New section 160.0.1 of the Act provides that after conducting an inquiry under section 160 of the Act, the Commissioner may make a recommendation to the Integrity Commissioner of Ontario regarding whether the seat of the member who is the subject of the inquiry be declared vacant. New section 160.0.2 of the Act sets out the responsibilities of the Integrity Commissioner of Ontario upon receiving such a recommendation, including the responsibility to conduct an inquiry. Subsection 160.0.2 (4) of the Act sets out the actions the Integrity Commissioner of Ontario is required to take upon completion of their inquiry.
4. New section 160.0.3 of the Act sets out the consequences where the Integrity Commissioner of Ontario refers a matter back to the Commissioner. New section 160.0.4 of the Act sets out the consequences where the Integrity Commissioner of Ontario recommends that a member's seat be declared vacant, including requiring city council to vote on such recommendation.

### **SCHEDULE 2 MUNICIPAL ACT, 2001**

The Schedule amends Part V.1 of the *Municipal Act, 2001* with respect to codes of conduct. Here are some highlights:

1. Currently, the Act provides that municipalities shall establish codes of conduct. Re-enacted section 223.2 of the Act provides that the Lieutenant Governor in Council may make regulations prescribing a code of conduct for members of councils of municipalities and of local boards.
2. New section 223.3.1 of the Act requires the Integrity Commissioner of Ontario to perform certain functions with respect to Integrity Commissioners, including providing education and training to Commissioners.
3. New section 223.4.0.1 of the Act provides that after conducting an inquiry under section 223.4 of the Act, a Commissioner may make a recommendation to the Integrity Commissioner of Ontario regarding whether the seat of the member who is the subject of the inquiry be declared vacant. New section 223.4.0.2 of the Act sets out the responsibilities of the Integrity Commissioner of Ontario upon receiving such a recommendation, including the responsibility to conduct an inquiry. Subsection 223.4.0.2 (4) of the Act sets out the actions the Integrity Commissioner of Ontario is required to take upon completion of their inquiry.
4. New section 223.4.0.3 of the Act sets out the consequences where the Integrity Commissioner of Ontario refers a matter back to the Commissioner. New section 223.4.0.4 of the Act sets out the consequences where the Integrity Commissioner of Ontario recommends that a member's seat be declared vacant, including requiring the council of the municipality to vote on such recommendation.

**An Act to amend the City of Toronto Act, 2006 and the  
Municipal Act, 2001 in relation to codes of conduct**

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

**Contents of this Act**

**1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.**

**Commencement**

**2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.**

**(2) The Schedules to this Act come into force as provided in each Schedule.**

**(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.**

**Short title**

**3 The short title of this Act is the *Municipal Accountability Act, 2024*.**

**SCHEDULE 1  
CITY OF TORONTO ACT, 2006**

**1 (1) The definition of “code of conduct” in section 156 of the *City of Toronto Act, 2006* is repealed and the following substituted:**

“code of conduct” means the code of conduct prescribed under section 157; (“code de déontologie”)

**(2) Section 156 of the Act is amended by adding the following definitions:**

“Integrity Commissioner” means the Integrity Commissioner appointed by the City under section 158 and “Commissioner” has the same meaning; (“commissaire à l’intégrité”)

“Integrity Commissioner of Ontario” means the Integrity Commissioner appointed under the *Members’ Integrity Act, 1994*; (“commissaire à l’intégrité de l’Ontario”)

**2 Section 157 of the Act is repealed and the following substituted:**

**Code of conduct**

**157 (1)** The Lieutenant Governor in Council may make regulations,

- (a) prescribing a code of conduct for members of city council and of local boards (restricted definition) and requiring such members to comply with the code of conduct;
- (b) requiring the Commissioner to provide education or training on the code of conduct to members of city council and of local boards (restricted definition);
- (c) requiring each member of city council and of a local board (restricted definition) to take the education and training relating to the code of conduct provided by the Commissioner;
- (d) requiring the Commissioner to hold meetings with members of city council and of local boards (restricted definition) regarding the matters and in the circumstances specified in the regulations and prescribing the time and form of such meetings;
- (e) providing for such other matters that, in the opinion of the Lieutenant Governor in Council, are necessary or desirable in relation to the code of conduct.

**Transition**

(2) A code of conduct established by the City under section 157 as it read before section 2 of Schedule 1 to the *Municipal Accountability Act, 2024* came into force is of no force and effect.

**3 The Act is amended by adding the following section:**

**Integrity Commissioner of Ontario**

**159.1 (1)** The Integrity Commissioner of Ontario shall perform the following functions:

1. Advise the City, on request, about the independence of a person being considered for appointment as the Commissioner, including whether the person has a conflict of interest.
2. Provide the prescribed education and training to the Commissioner as specified in the regulations.
3. Provide the prescribed information to the City about the status of the Commissioner’s training and education.
4. Conduct inquiries under section 160.0.2.
5. Any additional functions prescribed by the Minister of Municipal Affairs and Housing.

**Confidentiality**

(2) The Integrity Commissioner of Ontario and every person acting under their instructions shall preserve secrecy with respect to all matters that come to their knowledge in the course of their duties under this Part.

**Exception**

- (3) Despite subsection (2), information may be disclosed,
- (a) by the member, or with their consent;
  - (b) in a criminal proceeding, as required by law; or
  - (c) as otherwise permitted in accordance with this Act.

**Freedom of Information and Protection of Privacy Act**

(4) Subsection (2) prevails over the *Freedom of Information and Protection of Privacy Act*.

## **Regulations**

- (5) The Minister of Municipal Affairs and Housing may make regulations,
- (a) prescribing education or training that the Integrity Commissioner of Ontario is required to provide under paragraph 2 of subsection (1) and the manner and timing in which the education or training is to be provided;
  - (b) prescribing the information the Integrity Commissioner of Ontario must provide to the City for the purposes of paragraph 3 of subsection (1); and
  - (c) prescribing additional functions for the purposes of paragraph 5 of subsection (1), including any conditions or limitations on those functions.

## **4 Section 160 of the Act is amended by adding the following subsection:**

### **Regulations**

- (10) The Minister of Municipal Affairs and Housing may make regulations prescribing content requirements, standards and process requirements for inquiries conducted under this section, including prescribing,
- (a) the manner in which complaints shall be provided to the Commissioner; and
  - (b) the types of complaints in respect of which the Commissioner may refuse to conduct or continue an inquiry.

## **5 The Act is amended by adding the following sections:**

### **Commissioner's recommendation**

**160.0.1** (1) On completion of an inquiry conducted under section 160, the Commissioner may make a recommendation to the Integrity Commissioner of Ontario that the seat of a member of city council or of a local board (restricted definition) be declared vacant if the Commissioner is of the opinion that all of the following criteria are met:

1. The member has contravened the code of conduct.
2. The contravention is of a serious nature.
3. The member's conduct that is the subject of the inquiry has resulted in harm to the health, safety or well-being of any person.
4. The penalties set out in subsection 160 (5) are insufficient to address the contravention or to ensure that the contravention is not repeated.

### **Same**

(2) In considering whether the contravention is of a serious nature for the purposes of paragraph 2 of subsection (1), the Commissioner may consider, among other matters, whether the contravention is a repeated contravention.

### **No recommendation during election period**

(3) No recommendation under subsection (1) shall be made during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act.

### **Limitation**

(4) No recommendation under subsection (1) shall be made after the sixth anniversary of the contravention.

### **Regulations**

(5) The Minister of Municipal Affairs and Housing may make regulations prescribing content requirements, standards and process requirements for recommendations under this section.

### **Inquiry by Integrity Commissioner of Ontario**

**160.0.2** (1) Where the Integrity Commissioner of Ontario receives a recommendation from the Commissioner under section 160.0.1 with respect to a member of city council or of a local board (restricted definition), the Integrity Commissioner of Ontario shall conduct an inquiry to determine whether the conduct of the member meets all of the criteria set out in subsection 160.0.1 (1).

### **Considerations**

- (2) In making a determination under subsection (1), the Integrity Commissioner of Ontario may consider, among other matters, whether,
- (a) the contravention negatively impacts public confidence in the ability of the member to discharge their duties; and
  - (b) the contravention negatively impacts public confidence in the ability of city council or the local board (restricted definition) to fulfil its role, including by meeting its statutory obligations.

### **Powers under *Public Inquiries Act, 2009***

(3) In conducting an inquiry under subsection (1), the Integrity Commissioner of Ontario may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case those sections apply to the inquiry.

### **Decision on completion of inquiry**

(4) On completion of an inquiry under subsection (1), the Integrity Commissioner of Ontario shall take the following actions in the following circumstances:

1. If the Integrity Commissioner of Ontario determines that the member's conduct does not meet all of the criteria set out in subsection 160.0.1 (1), the Integrity Commissioner of Ontario shall refer the matter back to the Commissioner.
2. If the Integrity Commissioner of Ontario determines that the member's conduct does meet all of the criteria set out in subsection 160.0.1 (1), the Integrity Commissioner of Ontario shall make a report to city council recommending that city council declare the member's seat vacant.

### **Limitation**

(5) If the Integrity Commissioner of Ontario has not completed an inquiry under subsection (1) before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, the Integrity Commissioner of Ontario shall terminate the inquiry on that day.

### **Commencement of another inquiry**

(6) If an inquiry is terminated under subsection (5), the Integrity Commissioner of Ontario shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*, the Commissioner makes a written request to the Integrity Commissioner of Ontario that the inquiry be commenced.

### **Consequences of referral to Commissioner**

**160.0.3** (1) If a matter in respect of a member of city council or of a local board (restricted definition) is referred back to the Commissioner under paragraph 1 of subsection 160.0.2 (4), the Commissioner shall consider the matter and make a report to city council or the local board (restricted definition) with respect to whether the penalties described in subsection 160 (5) should be imposed on the member.

### **Same**

(2) On receiving a report made under subsection (1), city council may impose either of the penalties described in subsection 160 (5) on the member.

### **Same**

(3) On receiving a report made under subsection (1), the local board (restricted definition) may impose either of the penalties described in subsection 160 (5) on the member if city council has not imposed a penalty on the member under subsection (2) in respect of the same contravention.

### **Regulations**

(4) The Minister of Municipal Affairs and Housing may make regulations prescribing content requirements, standards and process requirements for reports under this section.

### **Consequences of recommendation to declare seat vacant**

**160.0.4** (1) Within 30 days of receiving a recommendation from the Integrity Commissioner of Ontario under paragraph 2 of subsection 160.0.2 (4), city council shall vote to determine whether to approve the Integrity Commissioner of Ontario's recommendation.

### **Vote**

(2) A recommendation referred to in subsection (1) shall be approved only if all members of city council, other than the members referred to in subsection (3) who are excluded from taking part in the vote, vote in favour of the recommendation.

### **Excluded Members**

(3) The following members of city council are excluded from taking part in a vote for the purposes of subsection (2):

1. A member who is the subject of the inquiry.
2. A member who is not present at the meeting, and
  - i. has been authorized to be absent by a resolution of city council, or
  - ii. is on a pregnancy leave or parental leave.
3. A member who has any pecuniary interest, direct or indirect, as described in section 5, 5.2 or 5.3 of the *Municipal Conflict of Interest Act*.

**Same**

(4) Despite paragraph 1 of subsection (3) and sections 5, 5.2 and 5.3 of the *Municipal Conflict of Interest Act*, the member who is the subject of the recommendation may take part in the discussion of the matter, including making submissions to city council, and may attempt to influence the voting in respect of the matter, whether before, during or after the meeting, however, the member is not permitted to vote in respect of the matter.

**Consequences of approval of recommendation**

- (5) If city council approves the recommendation under subsection (1),
- (a) the member of city council or of the local board (restricted definition) is removed from their seat and the seat is declared vacant; and
  - (b) the member is disqualified from being a member of city council and of any local boards (restricted definition) for the four-year period beginning when the seat is declared vacant.

**No vacancy or penalty**

- (6) If city council does not approve the recommendation under subsection (1),
- (a) the member of city council or of the local board (restricted definition) is not removed from their seat and the seat is not declared vacant; and
  - (b) the city council and the local board (restricted definition) cannot impose the penalties described in subsection 160 (5).

**Dual vacancies**

(7) If a person holds a seat on city council and is a member of a local board (restricted definition) and one of those seats is declared vacant under this section, the other seat is deemed to be vacant.

**Regulations**

**160.0.5** The Minister of Municipal Affairs and Housing may make regulations governing transitional matters that arise out of the implementation of sections 160.0.1 to 160.0.4.

**6 Subsection 161 (2.3) of the Act is amended by striking out “or” the end of clause (b), by adding “or” at the end of clause (c) and by adding the following clause:**

- (d) in a recommendation to the Integrity Commissioner of Ontario under section 160.0.1.

**7 Section 183 of the Act is repealed and the following substituted:**

**Regulations**

**183** The Minister of Municipal Affairs and Housing may make regulations,

- (a) prescribing local boards for the purposes of the definition of “local board (restricted definition)” in section 156;
- (b) requiring the Commissioner to take the education and training specified in the regulations and providing for when and how such education and training must be taken;
- (c) requiring the Commissioner to provide reports or information and governing such reports or information, including specifying the time and manner for providing such reports or information and specifying the persons to whom the reports or information must be provided;
- (d) requiring the City or local boards (restricted definition) to provide reports or information relating to this Part to the public and governing such reports or information.

**8 Paragraph 1 of subsection 208 (3) of the Act is amended by striking out “section 207” in the portion before subparagraph i and substituting “section 160.0.4 or 207”.**

**Public Inquiries Act, 2009**

**9 Clause 34 (2) (a) of the *Public Inquiries Act, 2009* is amended by striking out “160 (2)” and substituting “160 (2), 160.0.2 (3)”.**

**Commencement**

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

**SCHEDULE 2  
MUNICIPAL ACT, 2001**

**1 (1) The definition of “code of conduct” in section 223.1 of the *Municipal Act, 2001* is repealed and the following substituted:**

“code of conduct” means the code of conduct prescribed under section 223.2; (“code de déontologie”)

**(2) Section 223.1 of the Act is amended by adding the following definitions:**

“Integrity Commissioner” means an Integrity Commissioner appointed by a municipality under section 223.3 and “Commissioner” has the same meaning; (“commissaire à l’intégrité”)

“Integrity Commissioner of Ontario” means the Integrity Commissioner appointed under the *Members’ Integrity Act, 1994*; (“commissaire à l’intégrité de l’Ontario”)

**2 Section 223.2 of the Act is repealed and the following substituted:**

**Code of conduct**

**223.2** (1) The Lieutenant Governor in Council may make regulations,

- (a) prescribing a code of conduct for members of councils of municipalities and of local boards and requiring such members to comply with the code of conduct;
- (b) requiring Commissioners to provide education or training on the code of conduct to members of councils and of local boards;
- (c) requiring each member of council and of a local board to take the education and training relating to the code of conduct provided by a Commissioner;
- (d) requiring Commissioners to hold meetings with members of councils and of local boards regarding the matters and in the circumstances specified in the regulations and prescribing the time and form of such meetings;
- (e) providing for such other matters that, in the opinion of the Lieutenant Governor in Council, are necessary or desirable in relation to the code of conduct.

**Transition**

(2) A code of conduct established by a municipality under section 223.2 as it read before section 2 of Schedule 2 to the *Municipal Accountability Act, 2024* came into force is of no force and effect.

**3 The Act is amended by adding the following section:**

**Integrity Commissioner of Ontario**

**223.3.1** (1) The Integrity Commissioner of Ontario shall perform the following functions:

1. Advise municipalities, on request, about the independence of a person being considered for appointment as a Commissioner, including whether the person has a conflict of interest.
2. Provide the prescribed education and training to Commissioners as specified in the regulations.
3. Provide the prescribed information to a municipality about the status of each Commissioner’s training and education.
4. Conduct inquiries under section 223.4.0.2.
5. Any additional functions prescribed by the Minister.

**Confidentiality**

(2) The Integrity Commissioner of Ontario and every person acting under their instructions shall preserve secrecy with respect to all matters that come to their knowledge in the course of their duties under this Part.

**Exception**

- (3) Despite subsection (2), information may be disclosed,
- (a) by the member, or with their consent;
  - (b) in a criminal proceeding, as required by law; or
  - (c) as otherwise permitted in accordance with this Act.

**Freedom of Information and Protection of Privacy Act**

(4) Subsection (2) prevails over the *Freedom of Information and Protection of Privacy Act*.



## Regulations

- (5) The Minister may make regulations,
- (a) prescribing education or training that the Integrity Commissioner of Ontario is required to provide under paragraph 2 of subsection (1) and the manner and timing in which the education or training is to be provided;
  - (b) prescribing the information the Integrity Commissioner of Ontario must provide to a municipality for the purposes of paragraph 3 of subsection (1); and
  - (c) prescribing additional functions for the purposes of paragraph 5 of subsection (1), including any conditions or limitations on those functions.

### 4 Section 223.4 of the Act is amended by adding the following subsection:

#### Regulations

- (10) The Minister may make regulations prescribing content requirements, standards and process requirements for inquiries conducted under this section, including prescribing,
- (a) the manner in which complaints shall be provided to Commissioners; and
  - (b) the types of complaints in respect of which Commissioners may refuse to conduct or continue an inquiry.

### 5 The Act is amended by adding the following sections:

#### Commissioner's recommendation

**223.4.0.1** (1) On completion of an inquiry conducted under section 223.4, the Commissioner may make a recommendation to the Integrity Commissioner of Ontario that the seat of a member of council or of a local board be declared vacant if the Commissioner is of the opinion that all of the following criteria are met:

1. The member has contravened the code of conduct.
2. The contravention is of a serious nature.
3. The member's conduct that is the subject of the inquiry has resulted in harm to the health, safety or well-being of any person.
4. The penalties set out in subsection 223.4 (5) are insufficient to address the contravention or to ensure that the contravention is not repeated.

#### Same

(2) In considering whether the contravention is of a serious nature for the purposes of paragraph 2 of subsection (1), the Commissioner may consider, among other matters, whether the contravention is a repeated contravention.

#### No recommendation during election period

(3) No recommendation under subsection (1) shall be made during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act.

#### Limitation

(4) No recommendation under subsection (1) shall be made after the sixth anniversary of the contravention.

#### Regulations

(5) The Minister may make regulations prescribing content requirements, standards and process requirements for recommendations under this section.

#### Inquiry by Integrity Commissioner of Ontario

**223.4.0.2** (1) Where the Integrity Commissioner of Ontario receives a recommendation from a Commissioner under section 223.4.0.1 with respect to a member of council or of a local board, the Integrity Commissioner of Ontario shall conduct an inquiry to determine whether the conduct of the member meets all of the criteria set out in subsection 223.4.0.1 (1).

#### Considerations

- (2) In making a determination under subsection (1), the Integrity Commissioner of Ontario may consider, among other matters, whether,
- (a) the contravention negatively impacts public confidence in the ability of the member to discharge their duties; and
  - (b) the contravention negatively impacts public confidence in the ability of the council or local board to fulfil its role, including by meeting its statutory obligations.

### **Powers under *Public Inquiries Act, 2009***

(3) In conducting an inquiry under subsection (1), the Integrity Commissioner of Ontario may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case those sections apply to the inquiry.

### **Decision on completion of inquiry**

(4) On completion of an inquiry under subsection (1), the Integrity Commissioner of Ontario shall take the following actions in the following circumstances:

1. If the Integrity Commissioner of Ontario determines that the member's conduct does not meet all of the criteria set out in subsection 223.4.0.1 (1), the Integrity Commissioner of Ontario shall refer the matter back to the Commissioner.
2. If the Integrity Commissioner of Ontario determines that the member's conduct does meet all of the criteria set out in subsection 223.4.0.1 (1), the Integrity Commissioner of Ontario shall make a report to the municipality recommending that the municipality declare the member's seat vacant.

### **Limitation**

(5) If the Integrity Commissioner of Ontario has not completed an inquiry under subsection (1) before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, the Integrity Commissioner of Ontario shall terminate the inquiry on that day.

### **Commencement of another inquiry**

(6) If an inquiry is terminated under subsection (5), the Integrity Commissioner of Ontario shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*, the Commissioner makes a written request to the Integrity Commissioner of Ontario that the inquiry be commenced.

### **Consequences of referral to Commissioner**

**223.4.0.3** (1) If a matter in respect of a member of council or of a local board is referred back to the Commissioner under paragraph 1 of subsection 223.4.0.2 (4), the Commissioner shall consider the matter and make a report to the municipality or local board with respect to whether the penalties described in subsection 223.4 (5) should be imposed on the member.

### **Same**

(2) On receiving a report made under subsection (1), the municipality may impose either of the penalties described in subsection 223.4 (5) on the member.

### **Same**

(3) On receiving a report made under subsection (1), the local board may impose either of the penalties described in subsection 223.4 (5) on the member if a municipality has not imposed a penalty on the member under subsection (2) in respect of the same contravention.

### **Regulations**

(4) The Minister may make regulations prescribing content requirements, standards and process requirements for reports under this section.

### **Consequences of recommendation to declare seat vacant**

**223.4.0.4** (1) Within 30 days of receiving a recommendation from the Integrity Commissioner of Ontario under paragraph 2 of subsection 223.4.0.2 (4), the council of the municipality shall vote to determine whether to approve the Integrity Commissioner of Ontario's recommendation.

### **Vote**

(2) A recommendation referred to in subsection (1) shall be approved only if all members of council, other than the members referred to in subsection (3) who are excluded from taking part in the vote, vote in favour of the recommendation.

### **Excluded members**

(3) The following members of council are excluded from taking part in a vote for the purposes of subsection (2):

1. A member who is the subject of the inquiry.
2. A member who is not present at the meeting, and
  - i. has been authorized to be absent by a resolution of council, or
  - ii. is on a pregnancy leave or parental leave.
3. A member who has any pecuniary interest, direct or indirect, as described in section 5, 5.2 or 5.3 of the *Municipal Conflict of Interest Act*.

**Same**

(4) Despite paragraph 1 of subsection (3) and sections 5, 5.2 and 5.3 of the *Municipal Conflict of Interest Act*, the member who is the subject of the recommendation may take part in the discussion of the matter, including making submissions to council, and may attempt to influence the voting in respect of the matter, whether before, during or after the meeting, however, the member is not permitted to vote in respect of the matter.

**Consequences of approval of recommendation**

- (5) If the council of the municipality approves the recommendation under subsection (1),
- (a) the member of council or of the local board is removed from their seat and the seat is declared vacant; and
  - (b) the member is disqualified from being a member of council or of any local board of the municipality for the four-year period beginning when the seat is declared vacant.

**No vacancy or penalty**

- (6) If the council of the municipality does not approve the recommendation under subsection (1),
- (a) the member of council or of the local board is not removed from their seat and the seat is not declared vacant; and
  - (b) the municipality and the local board cannot impose the penalties described in subsection 223.4 (5).

**Dual vacancies**

(7) If a person holds a seat on the council of a local municipality and its upper-tier municipality and one of those seats is declared vacant under this section, the other seat is deemed to be vacant.

**Same**

(8) If a person holds a seat on council and is a member of a local board of the municipality and one of those seats is declared vacant under this section, the other seat is deemed to be vacant.

**Multiple vacancies**

(9) If a person holds a seat on the council of a local municipality and its upper-tier municipality and holds a seat on a local board of one of those municipalities and one of the seats is declared vacant, all of the seats are deemed to be vacant.

**Regulations**

**223.4.0.5** The Minister may make regulations governing transitional matters that arise out of the implementation of sections 223.4.0.1 to 223.4.0.4.

**6 Subsection 223.5 (2.3) of the Act is amended by striking out “or” the end of clause (b), by adding “or” at the end of clause (c) and by adding the following clause:**

- (d) in a recommendation to the Integrity Commissioner of Ontario under section 223.4.0.1.

**7 Section 223.24 of the Act is repealed and the following substituted:**

**Regulations**

**223.24** The Minister may make regulations,

- (a) prescribing local boards for the purposes of the definition of “local board” in section 223.1;
- (b) requiring Commissioners to take the education and training specified in the regulations and providing for when and how such education and training must be taken;
- (c) requiring Commissioners to provide reports or information and governing such reports or information, including specifying the time and manner for providing such reports or information and specifying the persons to whom the reports or information must be provided;
- (d) requiring municipalities or local boards to provide reports or information relating to this Part to the public and governing such reports or information.

**8 Paragraph 1 of subsection 263 (5) of the Act is amended by striking out “section 262” in the portion before subparagraph i and substituting “section 223.4.0.4 or 262”.**

**Public Inquiries Act, 2009**

**9 Clause 34 (2) (c) of the *Public Inquiries Act, 2009* is amended by striking out “223.4 (2)” and substituting “223.4 (2), 223.4.0.2 (3)”.**

**Commencement**

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