

Human Resources Legislative Update

Ontario Implements Anti-Racism Act Regulations

Date: May 16, 2018

On April 20, 2018, the Ontario government filed [regulations under the *Anti-Racism Act, 2017 \(ARA\)*](#) setting out personal information that certain public sector organizations (PSOs) will be authorized or required to collect under the ARA for the purpose of eliminating systematic racism.

O. Reg. 267/18 (General) specifically identifies the following PSOs:

- A board as defined in subsection 1 (1) of the *Education Act*, with the exception of a board established under section 68 of that Act
- Ministry of the Attorney General
- Ministry of Children and Youth Services
- Ministry of Community Safety and Correctional Services
- Office of the Independent Police Review Director established under the *Police Services Act*
- Specified children's aid societies.

The Regulation provides a table setting out the particular obligations of each PSO or class of PSOs with respect to:

- Whether collection is required or authorized for that PSO or class of PSOs
- The specified information to be collected by the PSO or class of PSOs
- The program, service or function to which the specified information relates
- Whether none or all of the data standards apply with respect to personal information or, if the standards apply in part, the specific parts of the standards that apply
- The date by which the PSO is authorized or required to collect the information.

[As we previously reported](#), the government published a regulatory proposal to establish *Anti-Racism Data Standards* under the ARA to create standards to regulate the collection, use and management of the personal information collected under the legislation.

The Regulation came into force on April 20, 2018, subject to specified exceptions.