

# Ontario Police Record Checks Reform Act, 2015 to Come into Force on November 1, 2018

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As we previously reported, the Ontario government unanimously passed the *Police Record Checks Reform Act, 2015* (the “Act”) on December 1, 2015. Since being passed in 2015, the Act was pending proclamation into law. On April 25, 2018, the Lieutenant Governor issued an Order in Council proclaiming the Act will come into force on November 1, 2018 — almost three years after being passed.

The Act limits the types of information that can be released in each of three different types of police record checks. Notably, it prohibits disclosure of mental health records and records from police “carding” checks and other non-conviction records, except in limited circumstances. It also standardizes the disclosure procedure. A detailed explanation of the types of police record checks, limits on disclosure of mental health and non-conviction information, as well as standardized disclosure practices can be found in our earlier bulletin, “[Ontario Passes Police Record Checks Legislation](#).”

Along with bringing the Act into force, the government also recently issued four regulations under the Act. The regulations:

- list the offences to which non-conviction information must relate in order to justify “exceptional disclosure”;
- set out provisions for disclosing records under the *Youth Criminal Justice Act*;
- outline the process for requesting reconsideration of disclosure of non-conviction information; and
- provide exemptions for certain types of searches. The exemptions generally relate to licensing applications in sectors such as child and youth care, securities and finance licensing, correctional institutions, police services, and certain public servant roles.

For more details regarding the full set of changes brought in by the Act and how they affect your organization, please contact a member of BLG’s [Labour and Employment Group](#).

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