



LEGISLATIVE RESEARCH: ONTARIO

LiRN - November 22, 2023

AGENDA

- Review: Legislative Materials
- Research Tasks
 - Point-in-time: e-laws
 - Legislative Intent: LAO

CASES ON
THE LAW OF
TORTS

REVIEW: TYPES OF LEGISLATIVE MATERIALS



- Bills
- Journals / Debates “Hansard”
- Committee Reports
- Statutes / Revised Statutes
- Regulations / Revised Regulations
- Gazette

Other Useful Tools

- Statute Citator
- Table of Public Statutes
- Concordances

REVIEW: LEGISLATIVE MATERIALS

- Statutes / Revised Statutes
 - [CanLII](#) / [e-Laws](#) (~2000-)
 - HeinOnline
- Regulations / Revised Regulations
 - [CanLII](#) / [e-Laws](#) (~2000-)
 - Internet Archive (see [GL LibGuide](#))

REVIEW: LEGISLATIVE TASKS

- Creating a point-in-time / as enacted version
- Finding legislative intent
- Noting Up – locating relevant case law

REVIEW: RESEARCH TASKS TIPS

- Don't panic 🙄
- Narrow the information that you need FIRST
 - ✓ Specific section number?
 - ✓ Is the section number you have the current number or the past number?
 - ✓ Specific wording in the section?
 - ✓ Specific date?
 - ✓ What jurisdiction(s)?

EXAMPLE: POINT-IN-TIME (STATUTE)

I'm trying to track the history of the Ontario Negligence Act. It was originally enacted (in 1930, from what I can see) with a definition section, section 1. Sometime between 1980 and 1990, that section was removed and what had formerly been section 2 became section 1. I'm trying to find the legislation that accomplished that.

Also, before the Negligence Act came into force, there was a statute called the Contributory Negligence Act. I understand that it was repealed with the enactment of the Negligence Act but I haven't been able to find the original version of the latter. (I understand that it was 1930, S.O. 1930, c. 27.) It's possible, I suppose, that it was some other legislation that repealed the Contributory Negligence Act. If so, I'd like to find that provision. Would you be able to assist with these two questions?

Tools Used: HeinOnline

EXAMPLE: POINT-IN-TIME (REGULATION)

Would you be able to search for the old version of O. Reg 664 prior to March 2002 Amendment? I need the O. Reg 664 as it read in 2000.

Tools Used: [e-Laws](#) / [GL LibGuide](#)

EXAMPLE: POINT-IN-TIME (REGULATION)

It looks like there were a bunch of amendments between 1990 - 2000:

- 780/93,
- 823/93,
- 850/93,
- 553/94,
- 399/96,
- 464/96,
- 530/96,
- 301/98,
- 113/00

To reconstruct the regulation you'll need to pull the RRO 1990 version, plus those amending regulations (the first numbers are the reg numbers and last two numbers refer to the year filed).

Legislative Intent

WHAT WERE THEY
THINKING WHEN THEY
DRAFTED THIS LAW?

LEGISLATIVE HISTORY

“In a broad sense the legislative history of an enactment consists of everything that relates to its conception, preparation and passage, from the earliest proposals for legislative change to royal assent. This includes the reports of law reform commissions and other similar bodies; departmental and committee studies and recommendations; proposals and memoranda submitted to Cabinet; the remarks of the Minister responsible for the bill; materials tabled or otherwise brought to the attention of the legislature during the legislative process, including explanatory notes; materials published by the government during the legislative process, such as explanatory papers or press releases; legislative committee hearings and reports; debates on the floor of the legislature; the record of motions to amend the bill; regulatory impact analysis statements; and more. It also includes the record of previous attempts to enact similar or identical legislation that died on the order paper.”

Sullivan on the Construction of Statutes, 6th Ed.

LEGISLATIVE HISTORY

Trace it back

- Find originating statute where the provision first appeared

Find Bill Number

- Often included in the Annual Statutes' Table of Contents, sometimes will need to look in Debates Indices or Journals

Find Associated Documents

LEGISLATIVE INTENT

DEBATES (HANSARD)

- First Reading – explanatory notes by introducing Minister
- Second Reading – debate in the house

OTHER

- Committee Proceedings & Reports
- Reports from Public Consultations
- Government Green & White Papers
- Policy Papers

LEGISLATIVE INTENT

- Ontario Legislative Assembly
 - Bills (1995-)
 - Hansard (1975-)
 - Committees (1990-)
- Internet Archive Debates (1945-80)
- Our Ontario (Government docs)



THANK YOU!

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