



CPSO

# Declaration of Adherence Package 2025

This package contains the Declaration of Adherence and Board and Committee Code of Conduct. For convenience of reference, it also includes links and access to policies and other documents referred to in the Declaration of Adherence and Board and Committee Code of Conduct.

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# 2024-2025 Declaration of Adherence



## CPSO Board Directors and Committee Members

As a Director of the Board<sup>1</sup> of the College of Physicians and Surgeons of Ontario (“CPSO”) and/or a CPSO Committee member, I acknowledge that:

- the CPSO’s duty under the *Regulated Health Professions Act, 1991* (the “RHPA”) and the Health Professions Procedural Code (the “Code”) (relevant excerpts of which are attached to this document) is to serve and protect the public interest.
- I stand in a fiduciary relationship to the CPSO. This means that I must act in the best interests of the CPSO. As a fiduciary, I must act honestly, in good faith and in the best interests of the CPSO, and must support the interests of the CPSO over the interests of others, including my own interests and the interests of physicians or physician assistants<sup>2</sup>.
- I must avoid conflicts between my duty to the CPSO and my personal/self-interest or other professional interests. This includes, but is not limited to, conflicts of interest by virtue of having competing fiduciary obligations to the CPSO and to another organization or holding another position with an organization whose mandate conflicts with the mandate of the CPSO. More information about conflicts of interest is contained in the Conflict of Interest Policy. A conflict of interest is defined in the CPSO By-laws as:  
*A Conflict of Interest means any real or perceived, actual or potential, direct or indirect situation in which a Director or committee member has a personal or financial interest, a relationship or affiliation that affects, or a reasonable person would conclude that such interest, relationship or affiliation may affect, the Director’s or committee member’s judgment or ability to discharge their duties and responsibilities to the College, the Board or a committee, as the case may be.*
- As part of my Board or Committee work, I am expected to declare any actual or potential conflicts of interest and act in accordance with the requirements of the CPSO By-laws relating to such conflict.

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<sup>1</sup> Board means the Board of Directors of CPSO and is deemed to be a reference to the Council of CPSO as specified in the Code and the Medicine Act. See the definition in the CPSO By-laws.

<sup>2</sup> Physician assistants are being added as of April 1, 2025.

- As part of this Declaration of Adherence, I have completed the attached Disclosure Form to the best of my ability, by identifying any personal or financial interest(s) I have, and any relationship(s) or affiliation(s) I currently have or had in the last three years or anticipate having with any organization, in order to assist the CPSO with determining if the interest(s), relationship(s) or affiliation(s) may create a conflict of interest, even if I do not believe the interest(s), relationship(s) or affiliation(s) creates a conflict of interest.
- I will promptly notify CPSO in writing if I become involved with an organization (for example, take on a new job or become a director of the Board of the organization) or of any other changes or additions to the disclosed information.
- I am aware of the confidentiality obligations imposed upon me by Section 36 (1) of the RHPA, a copy of which is attached to this Declaration of Adherence. All information that I become aware of in the course of or through my CPSO duties is confidential and I am prohibited, both during and after the time I am a Director or a CPSO Committee member, from communicating this information in any form and by any means, except in the limited circumstances set out in Sections 36(1)(a) through 36(1)(k) of the RHPA.
- I have read Section 40 (2) of the RHPA, and understand that it is an offence to contravene subsection 36 (1) of the RHPA. I understand that this means in addition to any action the CPSO or others may take against me, I could be convicted of an offence if I communicate confidential information in contravention of Section 36 (1) of the RHPA, and if convicted, I may be required to pay a fine of up to \$25,000 for a first offence, and a fine of not more than \$50,000 for a second or subsequent offence.
- I have read and agree to abide by the Board and Committee Code of Conduct (a copy of which is attached to this Declaration of Adherence).
- I understand that I am subject to the CPSO By-laws, including the provisions setting out the circumstances in which I will or may be disqualified from sitting on the Board or on a Committee. I will immediately notify CPSO in writing if any of the criteria for disqualification as a Director or a Committee member, as applicable, arises regarding me.

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- I have read and am familiar with the CPSO By-laws and governance policies. I am bound to adhere to and respect the CPSO By-laws and the policies applicable to Directors and Committee members, including without limitation, the following:
  - [Board and Committee Code of Conduct](#)
  - [Conflict of Interest Policy](#)
  - [Impartiality in Decision Making Policy](#)
  - [Confidentiality Policy](#)
  - [Use of CPSO Technology Policy](#)
  - [Safe Disclosure Policy](#)
  - [E-mail Management Policy](#)
  - [Information Breach Protocol](#)
  - [CPSO Access Protocol](#)
  - [Protection from Workplace Violence, Harassment and Discrimination Policy](#)
  - Role Description of a CPSO Director/Committee Member (as applicable)
  
- I must conduct CPSO work using a CPSO-issued computer or laptop, that I will return promptly after the end of my term as a Director or Committee member, or earlier upon request by the CPSO, and that I am not permitted to use a personal computer or laptop for CPSO work.
  
- I must use **only** my CPSO-provided email address (e.g., cpso.on.ca) for any and all communications relating to CPSO work.
  
- I confirm I have read, considered and understand the Declaration of Adherence including associated documents, and agree to abide by its provisions.
  
- I understand that any breach of this Declaration of Adherence may result in remedial action, censure or removal from office.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Disclosure Form**

Please complete this Disclosure Form in full. This information will be reviewed by the CPSO to determine whether a conflict of interest exists or may be perceived to exist, and the extent of the impact of any conflicts or potential conflicts on your involvement in CPSO work. Please note that listing a personal or financial interest or a relationship or affiliation with an organization does not necessarily mean there is a conflict of interest. Please indicate if any of the following apply, even if you do not think it creates a conflict of interest:

	Yes	No
I have a <u>financial or personal</u> interest (or a person who is related to me has a financial or personal interest) that may relate to the CPSO in any way and therefore may be perceived to be a conflict of interest.	<input type="checkbox"/>	<input type="checkbox"/>

I am, or have been within the last three years, an employee, Board director or officer of, or in another position of responsibility with, any of the following organizations or types of organizations:	<input type="checkbox"/>	<input type="checkbox"/>
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- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• The Ontario Medical Association</li> <li>• The Canadian Medical Protective Association</li> <li>• The Canadian Medical Association</li> <li>• The Coalition of Family Physicians and Specialists of Ontario</li> <li>• The Ontario Specialists Association</li> <li>• A medical specialty association or society (for example, Canadian Anesthesiologists Society)</li> <li>• Canadian Association of Physician Assistants</li> </ul> | <ul style="list-style-type: none"> <li>• An organization involved in physician or physician assistant advocacy</li> <li>• Hospital (including a Hospital Board or other leadership positions)</li> <li>• Ontario government agency (ex. Ontario Health) or Ministry etc.</li> <li>• Royal College of Physicians and Surgeons of Canada</li> <li>• The College of Family Physicians of Canada</li> <li>• Ontario College of Family Physicians</li> <li>• Medical Council of Canada</li> <li>• Other regulatory authority</li> </ul> |
|--|--|

I am, or have been within the last three years, an employee, Board director or officer of, or in another position of responsibility with, any other organization (not listed or covered above).	<input type="checkbox"/>	<input type="checkbox"/>
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If you selected “Yes” to any of the above, please provide the name of the organization, your position, when and for how long the role was held and any other explanation or information about it. If you think there may be any potential conflict not captured in the above questions please disclose it below, providing all relevant information.

1.
2.
3.

I have no conflicts to declare other than those indicated above.

Printed Name	Signature	Date
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## Purpose

This Code of Conduct sets out expectations for the conduct of Directors and Committee members to assist them in:

- carrying out the CPSO's duties under the [Regulated Health Professions Act, 1991](#) (the "RHPA") to serve and protect the public interest; and,
- ensuring that in all aspects of its affairs, Directors and Committees maintain the highest standards of public trust and integrity.

## Application

This Code of Conduct applies to all CPSO Board Directors and to all CPSO Committee members, including non-Board Committee members.

## Fiduciary Duty and Serving and Protecting the Public Interest

### Fiduciary Duty

Directors and Committee members are fiduciaries of the CPSO and owe a fiduciary duty to the CPSO. This means they are obligated to act honestly, in good faith and in the best interests of the CPSO, putting the interests of the CPSO ahead of all other interests, including their own interests and the interests of physicians and physician assistants.

As set out in the Declaration of Adherence, Directors and Committee members must avoid situations where their personal interests will conflict with their duties to the CPSO. See the CPSO's [Conflict of Interest Policy](#) for further information.

Directors and Committee members who are appointed or elected by a particular group must act in the best interests of the CPSO even if this conflicts with the interests of their appointing or electing group. In particular:

- Registrants<sup>1</sup> who are elected to the Board as Directors do not represent their electors.

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<sup>1</sup> Registrant means a member of CPSO. See the definition in the CPSO By-laws.

- Registrants of academic faculties who are appointed to the Board as Directors do not represent the interests of their academic institutions.
- Public Directors of the Board who are appointed by the Lieutenant Governor in Council do not represent the government's interests.

## **Serving and Protecting the Public Interest**

The CPSO is the self-regulating body for the province's medical profession. In carrying out its role as a regulator governed by the RHPA, the CPSO has a duty to "serve and protect the public interest". This duty takes priority over advancing any other interest. For greater clarity, advancing other interests must only occur when those interests are not inconsistent with protecting and serving the public interest. As Directors and Committee members have a fiduciary duty to the CPSO, they must keep in mind that in performing their duties they are expected to work together to support the CPSO in fulfilling this mandate.

## **Advancing the Profession's Interests**

It is possible that while serving and protecting the public, Directors and Committee members can also collectively advance the interests of the profession. However, there may be times when serving and protecting the public may not align with the interests of the profession. When this occurs, Directors and Committee members must protect and serve the public interest over the interests of the profession.

## **Conduct and Behaviour**

### **Respectful Conduct**

Directors and Committee members bring to the Board and CPSO Committees diverse backgrounds, skills and experiences. While Directors and Committee members may not always agree on all issues, discussions shall take place in an atmosphere of mutual respect and courtesy and should be limited to formal meetings as much as possible.

For greater clarity, discussing Board or Committee matters outside of formal meetings is strongly discouraged.



The authority of the Board Chair<sup>2</sup> must be respected by all Directors.

## **Board and Committee Solidarity**

Directors and Committee members acknowledge that they must support and abide by authorized decisions of the Board and Committees they sit on, even if they did not support those decisions. The Board and each Committee speaks with one voice. Those Directors or Committee members who have abstained or voted against a motion must adhere to and support the decision of a majority of the Directors or Committee members, as the case may be.

## **Media Contact, Social Media, and Public Discussion**

Directors and Committee members must always consider the potential impact of all their communications, media contact, social media use and online conduct, whether public or private, on the reputation of, or public trust in, the CPSO, the profession, medical self-regulation or a CPSO stakeholder (including the Ontario Medical Association, the government, medical schools and others). This applies whether the Director or Committee member has or has not explicitly stated that their views do not reflect the views of the CPSO.

## **Board and CPSO Spokespersons**

The Board Chair is the official spokesperson for the Board. The Board Chair represents the voice of the Board to all stakeholders. The Registrar/CEO is the official spokesperson for the CPSO.

## **Media Contact, Communications and Public Discussion**

News media contact and responses and public discussion of the CPSO's affairs should only be made through the authorized spokespersons. Authorized spokespersons may include the Board Chair, the Registrar/CEO, or specified delegate(s).

No Director or a CPSO Committee member shall speak, communicate or make representations (including in social media or in private communications) on behalf of the Board or the CPSO unless authorized by the Board Chair (or, in the Board Chair's

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<sup>2</sup> Board Chair is deemed to be a reference to the President of CPSO as specified in the Code and the Medicine Act. See the definition in the CPSO By-laws.

absence, the Board Vice-Chair<sup>3</sup>) and the Registrar/CEO. When so authorized, the Director or Committee member's representations must be consistent with accepted positions and policies of the CPSO and the Board and must comply with the confidentiality obligations under the RHPA.

## **Social Media Use**

Directors and Committee members are held to a very high standard that moves beyond the Social Media policy that applies to physicians and physician assistants generally. In addition, Directors and Committee members must recognize that effective advocacy is generally difficult to balance with their role at the CPSO.

Directors and Committee members are permitted (and encouraged) to share and positively comment on or interact with social media postings that have been approved by the CPSO, for example, sharing CPSO job postings, eDialogue, or other posts from CPSO official channels. Doing so is consistent with speaking with one voice when representing the CPSO.

If or When Engaging on Social Media:

- Do not speak on behalf of the CPSO unless authorized by the Board Chair (or, in the Board Chair's absence, the Board Vice-Chair) and the Registrar/CEO;
- Do not engage on social media in any way that could be interpreted to represent or establish the position of the CPSO, or compromise the reputation of the CPSO, its Board or its Committees, even if the views expressed are noted to be an individual's views and not representative of the CPSO;
- Do not engage (including posting, responding or commenting) on matters that relate or could relate to the CPSO or issues that the CPSO is involved in. It is up to the CPSO to determine if it will respond to these postings. A response or comment by a Director or Committee member to such matters on social media may be perceived by others as being a response or comment by or on behalf of CPSO, even if they say they are not speaking on behalf of CPSO;

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<sup>3</sup> Board Vice-Chair is deemed to be a reference to the Vice-President of CPSO as specified in the Code and the Medicine Act. See the definition in the CPSO By-laws.

- Do not engage on matters that relate to or touch upon specific cases or general themes with regards to cases that may have come before a CPSO Committee. This may create a possible apprehension of bias on the part of the Committee member for future cases. For example, strong statements about a specific Registrant or group of Registrants, or an area of medical practice, could give rise to the appearance of bias when deciding cases related to them;
- Do not respond to any negative or confrontational content that is or could be seen to be related to the CPSO, and notify CPSO staff should they discover or receive any negative or confrontational content on social media; and,
- Be professional and respectful on social media, including but not limited to not engaging in harassing, discriminatory or otherwise abusive behaviour.

All Directors and Committee members are expected to respond to and cooperate with the CPSO if the CPSO raises concerns about the member's social media engagement. If asked by the CPSO, the Director or Committee member will immediately stop engaging in social media identified by the CPSO, and will follow the direction of the CPSO, including to remove or edit the post, stop posting to or engaging on social media, whether or not the Director or Committee member thinks their posts are appropriate.

Directors and Committee members are encouraged to obtain guidance from the CPSO prior to engaging with social media to assist with compliance with this Code of Conduct. Contact the Governance Office should you have any questions ([govsupport@cpso.on.ca](mailto:govsupport@cpso.on.ca)).

## **Representation on Behalf of the CPSO**

Directors and Committee members may be asked to present to groups on behalf of the CPSO or may be invited to represent the CPSO at events or within the community. Directors and Committee members are expected to first obtain authorization to do so, as noted above, and to coordinate with CPSO staff to develop appropriate messaging and materials for such presentations.

Every Director and Committee member of the CPSO shall respect the confidentiality of information about the CPSO whether that information is received in a Board or Committee meeting or is otherwise provided to or obtained by the Director or Committee member. The duty of confidentiality owed by Directors and Committee members is set out in greater detail in the CPSO's Confidentiality Policy.

## Equity, Diversity, and Inclusion

Equity, diversity, and inclusion is important to the CPSO in order to fulfil our mandate to protect and serve the public interest. Directors and Committee members are expected to support the CPSO's work towards providing a more diverse, equitable, and inclusive environment at the CPSO, within the profession, and for patients across the province, and approach all work at the CPSO with a diversity, equity, and inclusion lens.

## Email and CPSO Technology

More information on email and CPSO technology use can be found in the:

- [Use of CPSO Technology Policy](#)
- [Information Breach Protocol](#)
- [E-mail Management Policy](#)
- [CPSO Access Protocol](#)

## CPSO Email Address

Directors and Committee members must use **only** their CPSO-provided email address (eg., cpso.on.ca) for all communications relating to their CPSO work. CPSO emails (including virtual meeting invitations) must not be forwarded or sent to a personal email address under any circumstances. This is very important to maintain the confidentiality of CPSO-related communications. The use of the CPSO email system by Directors and Committee members for personal matters should be incidental and kept to a minimum.

Members are expected to check their CPSO email account regularly. Directors and Committee members should not expect to receive notifications that CPSO email has been sent to them via a personal email, text or phone number, and should not ask CPSO staff to send these notifications. Directors and Committee members may contact IT for assistance with accessing or using their CPSO email, including having IT download the CPSO Outlook app on their personal mobile phones.

## CPSO Technology

Directors and Committee members should have no expectation of privacy in their use of CPSO Technology or in CPSO Information. The CPSO may monitor and review the use of CPSO Technology by Directors and Committee members, and may open and review e-mail messages, instant messaging, internet activity and other CPSO Information

(including those of a personal nature), at any time without notice for the purposes of verifying compliance with CPSO policies, to protect CPSO Information and other CPSO property and for other lawful purposes.

The CPSO Policy on Use of CPSO Technology applies to Directors and Committee members. As provided in that policy, all information and data (including e-mail and instant messaging) (referred to as CPSO Information) generated or stored on CPSO systems, devices and associated computer storage media (referred to as CPSO Technology) are the exclusive and confidential property of the CPSO.

Directors and Committee members must conduct CPSO work using CPSO-issued computers or laptops, not personal computers or laptops. Use of CPSO-issued computers or laptops by Directors and Committee members for personal or non-CPSO matters should be kept to a minimum.

Additionally, the Information Technology department must approve any software downloads to CPSO Technology or systems.

CPSO information must be saved in CPSO systems, and Directors and Committee members should not download, save or store CPSO information on CPSO Technology (e.g. on C drive or desktop) or on personal devices. Any printed hard copies of materials and handwritten notes relating to any Board and Committee meetings should be securely destroyed (such as cross-shredding) immediately after the meeting. For OPSDT and FTP matters, notes and materials must be shredded or deleted once any appeals have concluded.

Directors and Committee members should be aware that they leave a CPSO “footprint” on the internet when accessing it from the CPSO’s wireless network or while using CPSO Technology or their CPSO email address. Directors and Committee members are reminded that when they use CPSO networks, they are representing the CPSO at all times during their Internet travels.

### **Other Director and Committee Member Commitments**

In addition to any other obligation listed in this Code of Conduct or in the Declaration of Adherence, each Director and Committee member commits to:

- uphold strict standards of honesty, integrity and loyalty;

- adhere to all applicable CPSO By-laws and policies, in addition to those listed or referred to in this Code of Conduct;
- attend Board and Committee meetings, as applicable to the member, be on time and engage constructively in discussions undertaken at these meetings;
- prepare prior to each Board and Committee meeting, as applicable to the member, so that they are well-informed and able to participate effectively in the discussion of issues and policies;
- state their ideas, beliefs and contributions to fellow Directors and Committee members and CPSO staff in a clear and respectful manner;
- where the views of the Director or Committee member differ from the views of the majority of Directors or Committee members, work together with the Board or the Committee, as applicable, toward an outcome in service of the highest good for the public, the profession and the CPSO;
- uphold the decisions and policies of the Board and Committees;
- behave in an ethical, exemplary manner, including respecting others in the course of a member's duties and not engaging in verbal, physical or sexually harassing or abusive behaviour;
- participate fully in evaluation processes requested by CPSO that endeavour to address developmental needs in the performance of the Board, Committee and/or individual Director or Committee member;
- willingly participate in Board and Committee responsibilities;
- promote the objectives of the CPSO through authorized outreach activities consistent with CPSO's mandate and strategic plan and in accordance with this Code of Conduct; and
- respect the boundaries of CPSO staff whose role is neither to report to nor work for individual Directors or Committee members.

## **Amendment**

This Code of Conduct may be amended by Board.

**Updated and approved by Board: September 6, 2024**

### Schedule 1: Relevant Sections of the *Regulated Health Professions Act* and the *Health Professions Procedural Code*

#### *Regulated Health Professions Act*

**36 (1)** Every person employed, retained or appointed for the purposes of the administration of this Act, a health profession Act or the *Drug and Pharmacies Regulation Act* and every member of a Council or committee of a College shall keep confidential all information that comes to his or her knowledge in the course of his or her duties and shall not communicate any information to any other person except,

- (a) to the extent that the information is available to the public under this Act, a health profession Act or the *Drug and Pharmacies Regulation Act*;
- (b) in connection with the administration of this Act, a health profession Act or the *Drug and Pharmacies Regulation Act*, including, without limiting the generality of this, in connection with anything relating to the registration of members, complaints about members, allegations of members' incapacity, incompetence or acts of professional misconduct or the governing of the profession;
- (c) to a body that governs a profession inside or outside of Ontario;<sup>1</sup>
- (d) as may be required for the administration of the *Drug Interchangeability and Dispensing Fee Act*, the *Healing Arts Radiation Protection Act*, the *Health Insurance Act*, the *Health Protection and Promotion Act*, the *Integrated Community Health Services Centres Act, 2023*, the *Laboratory and Specimen Collection Centre Licensing Act*, the *Fixing Long-Term Care Act, 2021*, the *Retirement Homes Act, 2010*, the *Ontario Drug Benefit Act*, the *Coroners Act*, the *Controlled Drugs and Substances Act (Canada)* and the *Food and Drugs Act (Canada)*;
- (d.1) for a prescribed purpose, to a public hospital that employs or provides privileges to a member of a College, where the College is investigating a complaint about that member or where the information was obtained by an investigator appointed pursuant to subsection 75 (1) or (2) of the Code, subject to the limitations, if any, provided for in regulations made under section 43;
- (d.2) for a prescribed purpose, to a person other than a public hospital who belongs to a class provided for in regulations made under section 43, where a College is investigating a complaint about a member of the College or where the information was obtained by an investigator appointed pursuant to subsection

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<sup>1</sup> Note: On December 1, 2024, the day named by proclamation of the Lieutenant Governor, subsection 36 (1) of the Act is amended by adding the following clause: (See: 2021, c. 27, Sched. 2, s. 70 (1))  
(c.1) to the Health and Supportive Care Providers Oversight Authority for the purposes of administering the Health and Supportive Care Providers Oversight Authority Act, 2021;

75 (1) or (2) of the Code, subject to the limitations, if any, provided for in the regulations;

- (e) to a police officer to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;
- (f) to the counsel of the person who is required to keep the information confidential under this section;
- (g) to confirm whether the College is investigating a member, if there is a compelling public interest in the disclosure of that information;
- (h) where disclosure of the information is required by an Act of the Legislature or an Act of Parliament;
- (i) if there are reasonable grounds to believe that the disclosure is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons;
- (j) with the written consent of the person to whom the information relates; or
- (k) to the Minister in order to allow the Minister to determine,
  - (i) whether the College is fulfilling its duties and carrying out its objects under this Act, a health profession Act, the *Drug and Pharmacies Regulation Act* or the *Drug Interchangeability and Dispensing Fee Act*, or
  - (ii) whether the Minister should exercise any power of the Minister under this Act, or any Act mentioned in subclause (i). 2007, c. 10, Sched. M, s. 7 (1); 2014, c. 14, Sched. 2, s. 10; 2017, c. 11, Sched. 5, s. 2 (1, 2); 2021, c. 39, Sched. 2, s. 23 (1); 2023, c. 4, Sched. 1, s. 82.

## Offences

40. (2) Every individual who contravenes section 31, 32 or 33 or subsection 34 (2), 34.1 (2) or 36 (1) is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 for a first offence and not more than \$50,000 for a second or subsequent offence. 2007, c. 10, Sched. M, s. 12.

(3) Every corporation that contravenes section 31, 21, or 33 or subsection 34(1), 34.1(1) or 36(1) is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 for a first offence and not more than \$200,000 for a second or subsequent offence. 2007, c. 10, Sched. M, s.12.