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Bill 140

An Act to enact the Defibrillator Registry Act, 2019

Ms F. Gélinas

Private Member's Bill

1st Reading November 18, 2019

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill enacts the *Defibrillator Registry Act, 2019*. The Act provides for the creation of a registry of the location of defibrillators installed in premises that are accessible to members of the public and for the appointment of a Registrar to maintain the registry. The registry is to be made available to 9-1-1 call takers and dispatchers in Ontario.

Persons responsible for premises that are accessible to members of the public are required to notify the Registrar when installing a defibrillator or when removing or relocating it. The Act also sets out certain requirements related to the maintenance of the defibrillators. The Minister responsible for the administration of the Act may develop programs and services that aim to assist in identifying where to install defibrillators and in appropriately maintaining the defibrillators. The Minister is required to develop a complaints mechanism for use by members of the public respecting alleged contraventions of the Act.

An Act to enact the Defibrillator Registry Act, 2019

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

INTERPRETATION, MINISTER'S RESPONSIBILITIES

Interpretation

1 (1) In this Act,

“defibrillator” means an automated external defibrillator; (“défibrillateur”)

“Minister” means the member of the Executive Council assigned the administration of this Act under the *Executive Council Act*; (“ministre”)

“prescribed” means prescribed by the regulations; (“prescrit”)

“regulations” means the regulations made under this Act. (“règlements”)

Person responsible for a premises

(2) For the purposes of this Act, the person responsible for a premises that is accessible to members of the public and in which a defibrillator is installed is the owner of the premises, subject to the regulations.

Joint responsibility

(3) If there is more than one person responsible for a premises that is accessible to members of the public and in which a defibrillator is installed, they are jointly responsible for reporting in respect of the defibrillator and maintaining and testing it.

Responsibilities of Minister

2 The Minister shall appoint a public servant employed under Part III of the *Public Service of Ontario Act, 2006* as the Registrar for the purposes of this Act.

Programs and services

(2) The Minister may develop programs and services to assist persons responsible for premises that are accessible to members of the public with identifying appropriate places to install defibrillators and appropriately maintaining defibrillators that have been installed.

RESPONSIBILITIES RESPECTING DEFIBRILLATORS

Notification to Registrar

3 (1) If a defibrillator is installed in a premises that is accessible to members of the public, the person responsible for the premises shall notify the Registrar in the prescribed manner within 30 days of the installation.

Content of notification

(2) In notifying the Registrar, the person responsible for the premises shall provide the Registrar with,

- (a) the precise location of the defibrillator and any limitations respecting how and when the defibrillator may be accessed;
- (b) the manner and times at which the defibrillator must be maintained and tested in accordance with section 4; and
- (c) any other prescribed information.

Notification in case of removal or relocation

(3) If the defibrillator is to be removed or relocated, the person responsible for the premises shall notify the Registrar in accordance with the regulations before the defibrillator is removed or relocated and, in the case of a defibrillator that is to be moved, shall provide updated information in respect of the defibrillator.

Initial registration

(4) Within 30 days after the day on which this Act receives Royal Assent, the person responsible for a premises that is accessible to members of the public and in which a defibrillator is installed shall notify the Registrar in the prescribed manner and provide to the Registrar the information referred to in subsection (2).

Maintenance and testing of defibrillators

4 (1) A person responsible for a premises that is accessible to members of the public and in which a defibrillator is installed shall ensure that the defibrillator is maintained and tested in accordance with the manufacturer's guidelines and in accordance with any other prescribed requirements.

Records to be kept

(2) The person responsible for the premises shall, in accordance with the regulations, keep a record of the maintenance and testing.

REGISTRY**Defibrillator Registry**

5 (1) The Registrar shall maintain a registry containing the information communicated to the Registrar in accordance with this Act.

Notice to owners

(2) The Registrar shall, in the prescribed manner and at the prescribed times, provide notice to persons indicated in the registry as being responsible for premises accessible to members of the public and in which a defibrillator is installed of the need to maintain and test the defibrillator.

Removal of defibrillator

(3) The Registrar shall remove a defibrillator from the registry if it comes to the attention of the Registrar that the defibrillator has been removed or is not being maintained in accordance with section 4.

Access to registry for 9-1-1 purposes

6 The Minister shall take all necessary steps to ensure that 9-1-1 call takers and dispatchers throughout Ontario have immediate access to the most recent version of the registry at all times.

Complaints

7 The Minister shall establish a mechanism by which members of the public may report alleged contraventions of sections 3 and 4 to the Registrar.

REGULATIONS, CROWN BOUND**Regulations**

8 The Minister may make regulations respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act including,

- (a) providing for anything that this Act refers to as being provided for in the regulations;
- (b) designating, in respect of a premises that is accessible to members of the public and in which a defibrillator is installed, a person other than the owner as the person responsible for the premises for the purposes of this Act;
- (c) governing inspections, including the powers and duties of inspectors.

Crown bound

9 This Act binds the Crown.

COMMENCEMENT AND SHORT TITLE**Commencement**

10 This Act comes into force on the day it receives Royal Assent.

Short title

11 The short title of this Act is the *Defibrillator Registry Act, 2019*.