

MEMORANDUM OF UNDERSTANDING

between the

ONTARIO ASSOCIATION OF ARCHITECTS

and

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE
MINISTER OF MUNICIPAL AFFAIRS AND HOUSING**

and

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE
MINISTER OF THE ATTORNEY GENERAL**

Whereas:

- Meeting the public policy objectives of enhancing public safety through knowledgeable building practitioners, ensuring accountability and streamlining the building regulatory process is a mutual concern to the parties;
- Architecture is a self-regulating, self-governing profession under a public statute, the *Architects Act*;
- The Ontario Association of Architects (OAA) is the regulatory body established under the *Architects Act* for the profession of architecture, including the issuance of certificates of practice to firms and the licensing of individual architects;
- The Ministry of Municipal Affairs and Housing (MAH) is responsible for administering the *Building Code Act, 1992* and the Building Code;
- Amendments to the *Building Code Act, 1992* and the Building Code that take effect July 1, 2005 establish qualification and registration requirements for individual designers and design firms engaged in design activities;
- MAH has indicated its interest in working with OAA to develop a "parallel" qualification and registration system that would enable OAA to administer Building Code requirements for its members that design buildings, and that would recognize the status of architects as self-regulating professionals and build upon the OAA's success in licensing architects and the OAA Professional Excellence Program; and
- The Ministry of the Attorney General (MAG) is responsible for administering the *Architects Act* and its regulations and is the primary point of contact between the Government of Ontario and OAA:

Therefore, OAA, MAH and MAG agree to support a system for the qualification of licensed architects exercising responsible control over design activities and for architectural practices undertaking design activities. The parallel system would be administered by OAA and parallel in public policy to that set out in the Building Code and be developed and administered in accordance with this Memorandum. The parallel system would be implemented simultaneously and in coordination with the amendments to the Building Code, which take effect July 1, 2005, or on such date(s) in the future when those amendments take effect.

1. Commitment to develop and maintain a parallel system

- 1.1 OAA is committed to developing regulations under the *Architects Act* and associated policies and procedures that would result in the establishment of a parallel qualification and registration system for licensed architects exercising responsible control over design activities and for architectural practices undertaking design activities, that meets public policy objectives related to public safety, accountability and streamlining, outlined in Subsections 2.17.4. and 2.17.5. of the Building Code.
- 1.2 MAH is committed to developing amendments to the Building Code, for the consideration of the Lieutenant Governor in Council, to exempt licensed architects and architectural practices from the designer qualification and registration requirements of the Building Code, provided that the OAA establishes a parallel system that meets public policy objectives related to public safety, accountability and streamlining, outlined in Subsections 2.17.4. and 2.17.5. of the Building Code.
- 1.3 MAG is committed to working with OAA in the development and maintenance of regulations described in 1.1 under the *Architects Act* and to present these regulations for the consideration of the Lieutenant Governor in Council provided that the amendments to the Building Code to exempt licensed architects and architectural practices from the designer qualification and registration requirements are made by the Lieutenant Governor in Council.
- 1.4 The implementation of the components of the parallel system by the OAA will coincide with the implementation of the respective components of amendments to the Building Code, which establish qualification and registration requirements for designers.
- 1.5 For the purposes of this Memorandum, "design activities" means those activities described in Appendix A.

2. Consultation and information sharing related to the OAA parallel system

- 2.1 The parties will consult with one another in the development and implementation of the regulations, policies and procedures of the parallel system.
- 2.2 The parties shall cooperate in the development and distribution of information required for effective implementation of this Memorandum. Confidentiality of information will be respected, as described in Appendix G.

3. Establishment of the Parallel System

3.1 Knowledgeable Practitioners

- 3.1.1 Licensed architects will only exercise responsible control for design activities as set out in Regulation 27 under the *Architects Act* in qualification categories in which they have been designated by the OAA.
- 3.1.2 Categories of qualification will correspond with the categories of qualification set out in the Building Code in accordance with Appendix B.
- 3.1.3 The Building Code knowledge of licensed architects will be evaluated by OAA prior to designation in a given category.
- 3.1.4 OAA will develop its own Assessment Events in accordance with Appendix C for certain categories of qualification as set in Appendix B.
- 3.1.5 The successful completion of MAH examinations or Advanced Standing will be OAA's method of evaluation for categories of qualification for which there is no Assessment Event, although architects may also choose to take MAH examinations or Advanced Standing to be assessed in the categories for which there is an Assessment Event.
- 3.1.6 OAA may administer MAH examinations to licensed architects who choose this form of assessment.
- 3.1.7 OAA will consult with building sector stakeholders when developing Assessment Events.
- 3.1.8 Licensed architects who are employed as building officials, or as qualified persons retained by Registered Code Agencies, will be qualified in these capacities by MAH under the *Building Code Act, 1992* and the Building Code.

3.2 Updating of Qualifications

- 3.2.1 MAH will provide not less than 90 days notice to OAA of its intention to issue new examinations, and share information OAA requires to develop parallel Assessment Events.
- 3.2.2 OAA will ensure that where licensed architects are assessed through OAA Assessment Events, the event curriculum will reflect updates to requirements set out in MAH's examination program.
- 3.2.3 OAA will ensure that where licensed architects are being assessed using MAH examinations, the examination requirements reflect updates to requirements set out in MAH's examination program.
- 3.2.4 OAA will ensure that any changes to the categories of qualification or classes of registration set out in the Building Code are reflected in changes to OAA's parallel system.
- 3.3 Architectural Practices
 - 3.3.1 Architectural practices will only engage in design activities in categories of qualification in which they have been designated by OAA. This will not, however, prevent practices from providing architectural services for a project in a category in which it is not designated by the OAA provided that it engages or enters into a joint venture with a practice which is designated in that category and which will exercise responsible control over the "design activities" on the project.
 - 3.3.2 Categories of qualification identified in Appendix B will correspond with the classes of registration for designers set out in the Building Code.
 - 3.3.3 Architectural practices will be designated by the OAA in categories where responsible control is exercised by licensed architects designated by the OAA in the same categories.
 - 3.3.4 Architectural practices that operate as Registered Code Agencies will be registered in this capacity by MAH under the *Building Code Act, 1992* and the Building Code.
- 3.4 Public Registers
 - 3.4.1 OAA will establish and maintain an internet-based publicly accessible register of licensed architects and architectural practices engaged in design activities, showing their categories of qualification.
 - 3.4.2 The register referred to in 3.4.1 will contain at least: the name of the architectural practice; the name(s) of each licensed architect exercising responsible control; the qualification categories for the architectural practice and each licensed architect exercising responsible control; the business address of the architectural

- practice; and identifying numbers assigned by OAA to the architectural practice and licensed architect(s) exercising responsible control.
- 3.4.3 OAA will maintain the sole registry of the information referenced in 3.4.1.
 - 3.4.4 OAA and MAH will undertake best efforts to provide clear, publicly accessible links to the other's internet-based register site.
 - 3.4.5 OAA and MAH commit to keeping their registers up to date.
 - 3.5 OAA Professional Excellence Program – Practice Advisory Services
 - 3.5.1 OAA will continue to offer Practice Advisory Services as part of its Professional Excellence Program in accordance with Appendix D.
 - 3.5.2 OAA will continue to issue Practice Bulletins as part of its Professional Excellence Program in accordance with Appendix D.
 - 3.5.3 OAA will consult with MAH and the Engineers, Architects and Building Officials Committee (EABO) when developing Practice Bulletins related to Building Code matters.
 - 3.6 OAA Professional Excellence Program - Professional Standards
 - 3.6.1 OAA will establish and administer Professional Standards related to Building Code matters for licensed architects and architectural practices in accordance with Appendix E.
 - 3.7 OAA Professional Excellence Program – Practice Consultation Service
 - 3.7.1 OAA will continue to administer the Practice Consultation Service (Practice Review as set out in Regulation 27 under the *Architects Act*) for architectural practices in accordance with Appendix F.
 - 3.8 OAA Professional Excellence Program - Complaints and Discipline
 - 3.8.1 OAA is responsible for enforcing the *Architects Act* including all complaints and discipline matters.
 - 3.8.2 As provided for in legislation, OAA will notify MAH of disciplinary action concerning licensed architects and architectural practices which the OAA knows are engaged in registered code agency activities or persons engaged in the business of constructing on site, installing, repairing, servicing, cleaning or emptying sewage systems.

3.8.3 MAH will not deal with complaints received with respect to the conduct of licensed architects and architectural practices in their capacity as designers. MAH will direct those complaints and those making allegations against licensed architects and architectural practices to the OAA.

3.9 Insurance

3.9.1 OAA will develop regulations under the *Architects Act* to establish requirements for insurance for architectural practices that parallel the public policy objectives of Section 2.21 of the Building Code.

3.10 Training

3.10.1 MAH will provide the OAA with the opportunity to become a licensed delivery agent for MAH Building Code technical training courses.

4. Prior Consultation

4.1 Subject to the Cabinet confidentiality rules and this Memorandum of Understanding, all parties will endeavour to consult with one another on proposed statutory, regulatory, policy or programmatic changes which are relevant to this Memorandum.

4.2 Despite 4.1, MAH and MAG retains the discretion to determine whether the impact of proposed legislation or regulation would warrant consultation with the OAA.

5. Exclusions

5.1 Emergency situations, matters subject to public interest immunity and matters in the Provincial budget, budget papers and budget bills are excluded from the application of this Memorandum

6. Cost and Revenue Sharing

6.1 MAH will be responsible for all past and future costs with respect to the development and administration of building practitioner qualification/registration under the *Building Code Act, 1992* and the Building Code, including costs associated with the development of MAH examinations, MAH technical training courses, and the Qualification and Registration Tracking System (QuARTS).

6.2 Architects that choose to take MAH examinations or Advanced Standing through MAH will be charged the same rate as applies to other examination candidates.

6.3 Where OAA chooses to deliver MAH examinations to its licensees, OAA will pay MAH 50% of the paper-based rate as applies to other examination candidates.

- 6.4 Should the OAA choose to deliver MAH Building Code technical training courses, MAH's standard licensing fees will apply.
- 6.5 Where OAA and MAH agree that MAH will deliver OAA legal/process examinations, OAA will pay MAH 50% of the paper-based rate MAH charges to candidates for its legal/process examinations.
- 6.6 OAA will be responsible for all costs associated with the development and maintenance of its parallel system.
- 6.7 MAH and OAA will each be responsible for their own costs associated with developing the registers described in 3.4.

7. Meetings

- 7.1 In the interest of continuing open communication and the effective implementation of the Memorandum, meetings will be held between the parties.
- 7.2 Meetings will be held quarterly during the first year of this Memorandum and annually thereafter.
- 7.3 Notwithstanding 6.2, meetings may be held as jointly determined by the parties.

8. Amendments to the Memorandum of Understanding

- 8.1 Amendments to the Memorandum may be made with the agreement of all parties.
- 8.2 This Memorandum will be reviewed by the parties two years after adoption, or at any other time mutually agreed upon by the parties.

9. Failure to Comply

- 9.1 Failure of the parties to comply with this Memorandum does not affect the validity of any action taken by the parties or give rise to any rights or remedies by the parties.

10. Term

- 10.1 This Memorandum takes effect on the dates this Memorandum is executed by the parties and shall remain in effect until terminated by one or more of the parties.
- 10.2 Any party may terminate this Memorandum without cause on three months notice to the other parties.

IN WITNESS WHEREOF to make best efforts to adhere to the terms established in this Memorandum, the parties have executed this Memorandum.

HER MAJESTY THE QUEEN in right of Ontario as represented by the Minister of Municipal Affairs and Housing

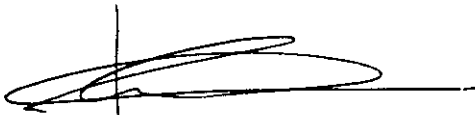


Minister of Municipal Affairs and Housing

MARCH 23, 2005

Date

ONTARIO ASSOCIATION OF ARCHITECTS

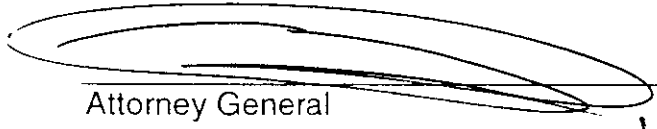


G. Randy Roberts, President, Ontario Association of Architects

8 MARCH 2005

Date

HER MAJESTY THE QUEEN in right of Ontario as represented by the Minister of the Attorney General



Attorney General

MAR 23 2005

Date

Appendix A:
Design Activities covered by this Memorandum

Design activity means

- (1) the preparation of a plan, specification, sketch, drawing or graphic representation, or
- (2) providing information or giving an opinion concerning whether a building or part of a building complies with the Building Code if the design, information or opinion is to be submitted to a chief building official in connection with:
 - (i) an application for a permit;
 - (ii) a request for an authorization referred to in subsection 8(12) or (13) of the *Building Code Act, 1992* ; or
 - (iii) a report based on the general review of the construction of a building or a part of a building where general review is required by the Building Code.

**Appendix B:
OAA Qualification Categories and Methods of Assessment**

Categories of Qualification ¹	Assessment Alternatives ²	
	MAH Technical Examinations ³	OAA Assessment Events
House	House – 2003	Part 9 Assessment
Small Buildings	Small Buildings – 2003	
Large Buildings	Large Buildings – 2003	Part 3 Assessment
Complex Buildings	Complex Buildings – 2003	
Plumbing – House	Plumbing – House – 2003	See footnote 4
Plumbing – All Buildings	Plumbing – All Buildings – 2003	See footnote 4
HVAC – House	HVAC – House – 2003	See footnote 4
Building Services	Building Services – 2003	See footnote 4
Building Structural	Building Structural – 2003	See footnote 4
On-site Sewage Systems	On-site Sewage Installer – 1997	See footnote 4
Fire Protection	Fire Protection – 2003	See footnote 4
Detection, Lighting and Power	Detection, Lighting and Power – 2005	See footnote 4

¹Consistent with classes of registration and categories of qualification for designers set out in columns 2 and 3 of Table 2.20.2.1. of the Building Code. The scope of qualification for each category correspond to the type of building set out in column 4 of Table 2.20.2.1. of the Building Code.

²All practitioners must also pass either an MAH legal/process examination on the Building Code or an OAA legal/process examination as set out in Appendix C.

³Licensed architects may also choose corresponding MAH Advanced Standing Alternatives, where available.

⁴Architects seeking qualification in categories for which there is no OAA Assessment Event must complete MAH examinations for those categories.

Appendix C

OAA Assessment Events

1. Architects' Legal and Process Exam

1.1 The OAA Legal and Process Exam will be:

1.1.1 75 multiple choice questions, of which

- 35 questions will be drawn from a pool created for the MAH General Legal/Process Exam
- 40 questions will be drawn from a pool created by the OAA, including:
 - Architects Act
 - Regulation 27
 - 15 questions drawn from Practice Bulletins, Standards and Procedures related to the Building Code and the parallel system outlined in this Memorandum

1.1.2 3 hour duration

1.1.3 Individual work

1.1.4 Administered by OAA or MAH or both by mutual consent

1.1.5 Open Book

1.1.6 Pass is based on achieving a total grade of at least 70% (53 correct out of 75)

2. OAA Part 9 Assessment

2.1 Section A (1 to 2 hours)

2.1.1 Candidates address questions individually

2.1.2 30 multiple choice questions

2.1.3 Pass is based on achieving a total grade of at least 70% (21 correct out of 30)

2.1.4 Open book

2.1.5 All questions from pool created by OAA. The pool will cover issues related to compliance with the Building Code and OAA standards related to the Building Code such as:

- When do other parts of Building Code apply to 'Part 9' buildings?
- OAA Standards

- Good practices regarding Building Code analysis, documentation
- Content for permit submissions
- OAA requirements such as:
 - When is professional seal required
 - What does professional seal mean
 - When is Title Block required and what must it contain when submitted to a chief building official
 - When is Certificate of Practice required
 - Insurance requirements
 - Responsible Control
 - Responsible Control regarding Building Code matters
 - Standards
 - Temporary Licence, Certificate of Practice issued under s.23 of the *Architects Act*, joint venture
- Test is subsequently machine-graded

2.2 Section B (2 to 3 hours)

2.2.1 Work in small groups (6 candidates per group)

2.2.2 Each group gets pre-prepared schematic/design development drawings for two Part 9 projects

2.2.3 Group analyses of Building Code issues:

- Find Building Code errors
- Identify Building Code issues that need to be dealt with

2.2.4 Open Book

2.2.5 Findings presented to plenary session

2.2.6 Group critique

2.2.7 Self- assessment and preparation for Section C

2.3 Section C (4 to 7 hours)

2.3.1 Candidates address questions individually

2.3.2 Each candidate receives material for two separate Part 9 building projects

- Site plan
- Building program/description

2.3.3 Each candidate prepares detailed Building Code analysis, including Building Code citations, for both building projects

- 2.3.4 Each candidate completes expanded Code Data Matrix for both building projects
- 2.3.5 Analyses are turned in and manually graded
 - Pass assigned where the analysis generally meets Building Code requirements

2.4 Grading

- 2.4.1 Candidate is deemed to pass if a pass is achieved in both Sections A and C.
- 2.4.2 Candidates may repeat either Sections A or C and carry successful grades from separate Sections.

3. OAA Part 3 Assessment

3.1 Section A (1 to 2 hours)

- 3.1.1 Candidates address questions individually
- 3.1.2 30 multiple choice questions
- 3.1.3 Pass is based on achieving a total grade of at least 70% (21 correct out of 30)
- 3.1.4 Open book
- 3.1.5 All questions from pool created by OAA. The pool will cover issues such as:
 - When do other parts of Building Code apply to 'Part 3' buildings?
 - OAA Standards
 - Good practices regarding Building Code analysis, documentation
 - Content for permit submissions
 - OAA requirements regarding:
 - When is professional seal required
 - What does professional seal mean
 - When is Title Block required and what must it contain
 - When is Certificate of Practice required
 - Insurance requirements
 - Responsible Control
 - Responsible Control regarding Building Code
 - Standards
 - Temporary Licence, Certificate of Practice issued under s.23 of the *Architects Act*, joint venture
 - Test is subsequently machine-graded

3.2 Section B (2 to 3 hours)

- 3.2.1 Work in small groups (6 candidates per group)

- 3.2.2 Each group gets pre-prepared schematic/design development drawings for two Part 3 projects
- 3.2.3 Group analyses of Building Code issues:
 - Find Building Code errors
 - Identify Building Code issues that need to be dealt with
- 3.2.4 Open Book
- 3.2.5 Findings presented to plenary session
- 3.2.6 Group critique
- 3.2.7 Self- assessment and preparation for Section C
- 3.3 Section C (4 to 7 hours)
 - 3.3.1 Candidates address questions individually
 - 3.3.2 Each candidate receives material for two separate Part 3 building projects
 - Site plan
 - Building program/description
 - 3.3.3 Each candidate prepares detailed Building Code analysis, including Building Code citations, for both building projects
 - Includes 'complex building' elements as set out in Building Code
 - 3.3.4 Each candidate completes expanded Code Data Matrix for both building projects
 - 3.3.5 Analyses are turned in and manually graded
 - Pass assigned where the analysis generally meets Building Code requirements
- 3.4 Grading
 - 3.4.1 Candidate is deemed to pass if a pass is achieved in both Sections A and C.
 - 3.4.2 Candidates may repeat either Sections A or C and carry successful grades from separate Sections.
- 4. General
 - 4.1 Open book means that candidates may bring or use only the following reference documents:
 - *Building Code Act, 1992*

- Building Code
- Supplementary Guidelines
- *Architects Act*
- Regulation 27 under the *Architects Act*
- Practice Bulletins and other published OAA guides

4.2 OAA will include architects, building officials and other designers in the peer-based development of Assessment Events.

Appendix D

OAA Professional Excellence Program as it applies to Building Code matters

1. Education

- 1.1 Education, Examination and Experience are the qualifications for the licensing of an architect by OAA as set out in the *Architects Act* and Regulation 27 there under.
- 1.2 Continuing Education as set out in Regulation 27 under the *Architects Act* is a mandatory requirement to maintain licensure in Ontario.
- 1.3 Continuing Education with respect to matters related to the Building Code will include OAA-Directed content of at least 8 hours of Building Code content every five years.

2. Practice Advisory Services / Practice Bulletins

- 2.1 The following Practice Bulletins will be specified under Regulation 27 under the *Architects Act* as being mandatory for architects:
 - 2.1.1 OBC Data on documents - OAA will update and issue Practice Bulletins to specifically require the OAA equivalent of the information in Clause 2.17.4.7.(1)(f) (i), (iii) and (iv) of the Building Code.
 - 2.1.2 General Review during Construction
 - 2.1.3 Responsible Control, including:
 - 2.1.3.1 Defining the role and responsibility of the architect exercising Responsible Control regarding all Building Code matters;
 - 2.1.3.2 Developing detailed guidance for Building Code analysis and compliance; and
 - 2.1.3.3 Documenting and communicating results
 - 2.1.3.4 Defining the use of the professional seal with respect to exercise of Responsible Control regarding Building Code matters

3. Complaints and Discipline Process

- 3.1 Regulation 27 under the *Architects Act* includes in the definition of professional misconduct knowingly contravening any provision of the *Building Code Act, 1992* or the Building Code. On finding an architect guilty of professional misconduct, the Discipline Committee may impose penalties ranging from reprimand to revocation of licence.

4. Construction Permit Review Service

- 4.1 The Construction Permit Review Service, operated by the OAA Practice Advisory Services, provides voluntary mediation service to help resolve disputes between building officials and architects.

Appendix E

Professional Standards as they apply to Building Code matters

OAA Professional Standards will be introduced or updated through amendments to Regulation 27 under the *Architects Act* and OAA Council Policy. The updated standards include:

1. Requirement for Compliance with Building Code (in place already)
2. Definition of Responsible Control related to “design activities” as defined in Appendix A of this Memorandum
3. Provision for OAA to maintain a list of:
 - A. Holders of Certificates of Practice undertaking design activities; and
 - B. Licensed architects exercising responsible control over “design activities” in categories set out in the Building Code
4. Qualifications required for an architect to be designated on the lists in 3 and remain listed by OAA
5. Qualifications required for a holder of a certificate of practice to be designated on the lists in 3 in a category or categories and remain listed by the OAA
 - 5.1 New insurance and related requirements
 - 5.2 Architect who is designated on the OAA lists in that category who is a director, officer, partner or employee
6. Requirement that only a practice designated by the OAA in the appropriate category can provide “design activities” as defined in this Memorandum on a building project in that category
 - 6.1 Proviso that a practice may provide architectural services for a project in a category in which it is not designated by the OAA provided that it engages of joint ventures with a practice which is designated in that category and which will exercise responsible control over the “design activities” on the project
7. Requirement that Responsible Control regarding Building Code matters be exercised within the designated practice by an architect who is designated by the OAA on the list under 3.
8. Requirement that the name, contact information and registration number of the practice; and the name and identification number of the architect who exercises responsible control regarding building code matters appear on documents submitted with permit application; specified communication with building officials; reports on General Review
9. Requirement for Building Code Data matrix to appear on all documents submitted with building permit application
10. Requirements related to the performance of General Review During Construction
11. Requirements related to reports on General Review

Appendix F

OAA Practice Consultation Service as it applies to Building Code Matters

1. Practice Consultation Service

- 1.1 Participation in the OAA Practice Consultation Service is mandatory for all Ontario architectural practices as set out (as Practice Review) in Regulation 27 under the *Architects Act*.
- 1.2 Under current Council Policy practices are selected at random such that every practice is reviewed not less than once every 6 years, and new practices are visited between 12 and 24 months of starting out.
- 1.3 Practices are visited by architects specially trained as Practice Consultants to undertake a review of the firm's practice. With respect to the Building Code, the review includes:
 - 1.3.1 Review of documents submitted for permit
 - 1.3.2 Review of documentation of Code analysis and Building Code Data Matrix
 - 1.3.3 Review of comments from building official on plans examination
 - 1.3.4 Review of reports on General Review
- 1.4 Should regulatory issues be identified, the Practice Consultant gives direction to the practice to rectify, and then reassesses the practice within a timeframe set by OAA Council based on the nature of the issue to assess if the issue has been rectified.
- 1.5 Where the practice fails fully cooperate in the Practice Consultation Service, or refuses to address regulatory issues identified by Practice Consultant, the matter will be referred to Council's Practice Review Committee which can file a complaint, or recommend to Council that the matter be referred immediately to the Discipline Committee.

Appendix G Confidentiality

1. Confidentiality

- 1.1 For the purposes of this section, “confidential information” means all information or material of MAH, MAG and OAA that is of a proprietary or confidential nature, including confidential Crown information, regardless whether it is identified as proprietary or confidential or not.
- 1.2 The parties shall treat as confidential and safeguard, either during or after the term of this Memorandum, any confidential information acquired by or produced through the performance of the Memorandum and shall not use or disclose to any person, firm, corporation or municipality, either directly or indirectly, any such information without first obtaining the written permission of the other party.
- 1.3 OAA understands and agrees that this Memorandum and any material or information provided to Ontario through the performance of the Memorandum may be subject to disclosure by MAH or MAG pursuant to the *Freedom of Information and Protection of Privacy Act* (R.S.O. 1990, c.F.31).
- 1.4 Nothing in this Memorandum affects the application or operation of the *Freedom of Information and Protection of Privacy Act*.