

Business Records Protection Act, R.S.O. 1990, c. B.19

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Business Records Protection Act

R.S.O. 1990, CHAPTER B.19

No Amendments.

Business records not to be taken from Ontario

1. No person shall, under or under the authority of or in a manner that would be consistent with compliance with any requirement, order, direction or summons of any legislative, administrative or judicial authority in any jurisdiction outside Ontario, take or cause to be taken, send or cause to be sent or remove or cause to be removed from a point in Ontario to a point outside Ontario, any account, balance sheet, profit and loss statement or inventory or any resume or digest thereof or any other record, statement, report, or material in any way relating to any business carried on in Ontario, unless such taking, sending or removal,

(a) is consistent with and forms part of a regular practice of furnishing to a head office or parent company or organization outside Ontario material relating to a branch or subsidiary company or organization carrying on business in Ontario;

(b) is done by or on behalf of a company or person as defined in the *Securities Act*, carrying on business in Ontario and as to a jurisdiction outside Ontario in which the securities of the company or person have been qualified for sale with the consent of the company or person;

(c) is done by or on behalf of a company or person as defined in the *Securities Act*, carrying on business in Ontario as a dealer or salesperson as defined in the *Securities Act*, and as to a jurisdiction outside Ontario in which the company or person has been registered or is otherwise qualified to carry on business as a dealer or salesperson, as the case may be; or

(d) is provided for by or under any law of Ontario or of the Parliament of Canada. R.S.O. 1990, c. B.19, s. 1.

Undertaking and recognizance

2. (1) Where the Attorney General or any person having an interest in a business as mentioned in section 1 has reason to believe that a requirement, order, direction or summons as mentioned in section 1 has been or is likely to be made, issued or given in relation to such business, the Attorney General or that person, as the case may be, may apply to the Ontario Court (General Division) for an order requiring any person, whether or not that person is named in the requirement, order, direction or subpoena, to furnish an undertaking and recognizance for the purpose of ensuring that the person will not contravene section 1 and the court may make such order as the court considers proper. R.S.O. 1990, c. B.19, s. 2 (1).

Contempt of court

(2) Every person who, having received notice of an application under this section, contravenes this Act shall be deemed to be in contempt of court and is liable to one year's imprisonment. R.S.O. 1990, c. B.19, s. 2 (2).

Idem

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