

Pay Equity Hearings Tribunal

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**TRIBUNAL ADJUDICATIVE RECORDS ACT, 2019**

The *Tribunal Adjudicative Records Act, 2019* (“TARA”) will be in force effective June 30, 2019.

TARA provides that adjudicative records (as defined in the statute) are presumptively available to the public. Certain records are also expressly excluded by the statute [s. 1(3)]. It also provides that parties and affected persons may apply for, and the PEHT itself may make, confidentiality orders in certain circumstances.

TARA will apply to adjudicative records in all proceedings before the Tribunal that are commenced on or after TARA comes into force. The Tribunal will continue to apply its existing procedures on access to documents and exhibits contained in Tribunal adjudication files to requests in respect of proceedings commenced before that date.

Statutory provisions governing the confidentiality of certain records (including the identity of anonymous employees) will prevail over TARA.

The Tribunal has made rules governing requests for access to adjudicative records, as well as procedures in respect of confidentiality orders. These are Rules 87-96 and available on the Tribunal’s website.

The text of the *Tribunal Adjudicative Records Act, 2019* is available

here: <https://www.ontario.ca/laws/statute/19t07>. The text of the Regulation providing that certain statutes prevail over TARA is available

here: <https://www.ontario.ca/laws/regulation/r19211>.