The wait is over: Website notice amendment for public hospital member meetings (finally) in force Dec. 7, 2026

November 24, 2026

A long-awaited modernizing amendment to s. 17(2) of the *Public Hospitals Act* (PHA), to provide for notice of meetings of corporate members by publication on the hospital's website, will be effective as of Dec. 7, 2026.[1]

Once proclaimed, the amendment will be a welcome holiday gift for Ontario public hospitals that continue to have community members (*i.e.*, whose corporate members are not solely their directors).

Section 17(2) of the PHA has long allowed for notice by newspaper publication as an alternative to the corporate requirement that would otherwise apply (*i.e.*, sending individual notice to each member of a meeting of corporate hospital members).[2]

In 2016, an amendment to the exception was introduced to instead allow notice of hospital members' meetings to be given by publication on the hospital website (dispensing for the need to either provide individual notice to members or to comply with the newspaper publication exception in the PHA).[3] However, for many years, the 2016 amendment was not proclaimed in force and therefore has not been effective.

Under the *Legislation Act*, an amendment that is not proclaimed by the end of the tenth year since it was introduced is automatically repealed.[4] Likely to avoid this outcome at the end of 2026, the modernizing amendment to s.17(2) of the PHA is finally being proclaimed in force on Dec. 7, 2026.[5]

The amendment repeals the version of s. 17(2) that provides for the newspaper publication exception and replaces it with the website publication exception, as follows:

> "17(2) Notice of any general or special meetings of the members of the hospital corporation is sufficiently given if it is published on the hospital website for at least two continuous weeks prior to the day of the meeting."

The Ontario Hospital Association's Hospital Prototype Corporate By-law (last updated by BLG in 2024), which many (but not all) Ontario hospitals have adopted, anticipated the amendment being proclaimed.[6]

If you have questions about whether or how your hospital can take advantage of this helpful amendment, please reach out to a member of BLG's corporate healthcare practice.

Footnotes

[1] Order in Council 1623/2026 relating to the *Jobs for Today and Tomorrow Act (Budget Measures), 2016*, Schedule 24, s. 1, Ordered Nov. 19, 2026.

[2] *Public Hospitals Act*, R.S.O. 1990, c. P.40, s. 17(2).

[3] *Jobs for Today and Tomorrow Act (Budget Measures), 2016*, Schedule 24, s. 1.

[4] *Legislation Act*, 2006, S.O. 2006, c. 21, Sched. F, s. 10.1.

[5] Order in Council 1623/2026 relating to the *Jobs for Today and Tomorrow Act (Budget Measures), 2016*, Schedule 24, s. 1, Ordered Nov. 19, 2026.

[6] Section 2.6(a)(ii) provides for meeting notice to members "in any [...] manner permitted by the [PHA]".

By

Heather Pessione

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BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

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