

Good News from Ontario

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Canada's economy continues to flourish, despite the strong dollar. Employment rose by 93,000 in June, pushing the unemployment rate down to 7.9%. Virtually all of June's employment gains were in Ontario (+60,000) and Quebec (+30,000). For more, see the Statistics Canada site at www.statcan.gc.ca.

In this issue: Ontario has created a revenue opportunity for owners of warehouses and large retail stores. The Ontario and Canadian governments have eased existing or planned regulations in the areas of privacy, eco-fees and foreign ownership.

Ontario rooftops generate new revenues

Ontario's new solar energy incentives have created revenue opportunities for owners of warehouses and large retail stores in the province.

The Feed-in Tariff (FIT) Program provides for attractively priced long-term contracts from Ontario's power authority for green energy sources. In response, several energy developers are offering programs to lease rooftops for solar installations. Ideal rooftops are flat, on low-rise buildings and 50,000 square feet or more in area.

Businesses interested in leasing rooftops to solar developers should review any existing lease or mortgage agreements and the developer's rooftop lease contract.

Building owners can also develop and own a solar installation themselves. Those choosing this option will face a longer list of project items, many of which will benefit from legal advice.

For more on the FIT program, go to <http://fit.powerauthority.on.ca/>. For advice on specific client requirements, please contact us.

Amendments to privacy legislation

The federal government is amending the Personal Information Protection and Electronic Documents Act, ("PIPEDA"), first introduced in 2001. Included is a new provision clarifying the right of a business to share personal information on its clients as part of the due diligence process in a proposed sale or merger. We recommend that companies with Canadian operations ensure their policies and procedures comply with privacy legislation.

For more information, please contact us.



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Eco-fee expansion nixed

Ontario-resident companies with revenues over \$2 million that are brand owners or first importers are responsible for registering with Stewardship Ontario and for paying fees towards the safe recycling of their products.

Stewardship Ontario recognizes two broad categories of waste for recycling: general and hazardous or special waste. The special waste category contains nine materials. Stewardship Ontario had sought to increase that number to 22.

Under pressure from retailers and consumers, the planned expansion was abandoned in July. For more, see www.stewardshipontario.ca

Foreign ownership update:

In the last issue we noted Government of Canada moves to ease foreign ownership rules. Since then, Amazon.com has received permission to set up a distribution center in Canada, and the government has released a consultation paper: *Opening Canada's Doors to Foreign Investment in Telecommunications: Options for Reform*. For a PDF of the consultation paper, please email me at MHenry@houserhenry.com.