

Fighting Forced Labour and Child Labour in Supply Chains Act Report

Date: May 17, 2024
To: Board of Management of the Toronto Zoo
From: Director, Finance, Technology, and Innovation
Wards: All

SUMMARY

This report provides an update on the Toronto Zoo's reporting requirements under the federal government's Fighting Forced Labour and Child Labour in Supply Chains Act, 2023.

RECOMMENDATIONS

The Director, Finance, Technology, and Innovation recommends that:

1. The Board of Management of the Toronto Zoo receive this report for information.

FINANCIAL IMPACT

There is no financial impact resulting from the adoption of the recommendations in this report.

DECISION HISTORY

The Board of Management of the Toronto Zoo previously received a report recommending revisions to the Board's Financial Authorities By-law at its meeting on March 31, 2019.

<https://www.toronto.ca/legdocs/mmis/2019/zb/bgrd/backgroundfile-131552.pdf>

COMMENTS

The federal Fighting Forced Labour and Child Labour in Supply Chains Act (the Act) came into effect on January 1, 2024. Under the Act, applicable government institutions

and businesses are required to report annually to the Ministry of Public Safety, starting May 31, 2024, on steps that have been taken to prevent the use of forced labour and child labour within their supply chains.

The Act specifically applies to "government institutions" and "entities" (including corporations, trusts, partnerships, or unincorporated organizations) that: (1) produce, sell or distribute goods in Canada or elsewhere; (2) import goods into Canada; or (3) directly or indirectly control a business that is engaged in either activity described above.

Zoo staff have reviewed the requirements of the Act and determined that the Zoo does not meet the definition of a "government institution". However, it is unclear whether the Zoo has obligation as an "entity". In seeking clarification on our obligation as a possible "entity" as defined in the Act, questions were submitted to Public Safety Canada on April 5, 2024. To date, no response has been received.

In the absence of a response to the questions sent to Public Safety Canada, staff have determined that the Act does not seem intended to apply to the Toronto Zoo. Legal counsel was consulted in the drafting of this report and the interpretation of the matter. As a result, the Zoo will not be submitting a report by the May 31, 2024 timeline. A letter has been forwarded to the federal Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs advising that the Zoo will not be making a submission under the Act. It further notes that in the event clarification is received from Public Safety Canada in response to the questions posed and/or the Zoo's obligations under the Act, a submission can be provided as necessary.

Notwithstanding the decision to not report under the Act at this time, the Toronto Zoo remains committed to inclusive and ethical business practices in the pursuit of our mission to fight extinction. The Zoo's reputation and credibility are integral to our efforts to engage and educate our community on the importance of conservation, animal well-being and action on climate change.

Independent of the requirements under the Act, Zoo staff have initiated a fulsome review of the Board's Financial Authorities By-law and Purchasing Protocol for the purposes of updating procurement thresholds to align with City of Toronto limits, ensuring reasonable authority levels are in place to conduct Zoo business, and strengthening policy commitments related to community benefits, social procurement, forced labour and child labour, and innovation, among others. Proposed by-law and policy updates will be brought to the Board for approval in the Fall of 2024.

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SIGNATURE

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