

BY-LAW NO. 3

A by-law relating
to the meetings which may be closed to the public of

Greater Toronto Transit Authority

BE IT ENACTED as a by-law of Greater Toronto Transit Authority
(the "Authority") as follows:

1. All previous by-laws of the Authority and any amendments thereto relating to the subject matter of this by-law, including those by-laws and regulations relating to the subject matter hereto deemed by section 33(3) of the *GO Transit Act, 2001* (Ontario) (the "*GO Transit Act*") to have been passed as a by-law of the Authority are repealed and the by-laws contained herein shall become the by-laws of the Authority for the subject matter contained herein.
2. No meeting or part of a meeting of the Members of the Authority shall be closed to the public unless the subject matter being considered involves:
 - (a) the security of the property of the Authority;
 - (b) personal matters about any identifiable individual, including any Authority employee;
 - (c) a proposed or pending acquisition of land for Authority purposes;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Authority;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which the Members have authorized a meeting to be closed under any Act;
 - (h) a request pursuant to, or information which is protected under, the *Freedom of Information and Protection of Privacy Act*;
 - (i) confidential information of or about a third party; or

- (j) information which could, if disclosed, prejudice significantly the competitive position of the Authority or interfere significantly with contractual or other negotiations.
3. In addition to the exceptions set out in Section 1(a) through (j), a meeting of the Members of the Authority may be closed to the public if the meeting is held for the purpose of:
- (a) educating or training the Members; or
 - (b) conveying to the Members information with respect to the Authority's strategy and business and financial planning,
4. Before holding a meeting or part of a meeting of the Members that is to be closed to the public, (excluding any meeting held pursuant to Section 3):
- (a) the fact of the holding of the closed meeting shall be noted on the meeting agenda;
 - (b) the meeting agenda shall indicate the general nature of the matter to be considered at the closed meeting; and
 - (c) the meeting agenda shall be made available to the public.
5. A meeting of the Members shall not be closed to the public during the taking of a vote.
6. Notwithstanding Section 5, a meeting of the Members may be closed to the public during a vote if the vote is:
- (a) with respect to a matter identified in Section 1(a) through (j);
 - (b) for a procedural matter; or
 - (c) for giving directions or instructions to officials, employees or agents of the Authority, or persons retained by or under contract with the Authority.
7. Notwithstanding Section 1, meetings of any committee of the Authority:
- (a) may be closed to the public; and
 - (b) shall not be subject to the requirements of Section 4 or 5.
8. The Chair may expel any person for improper conduct at any meeting of the Members.

The foregoing restated By-law No. 3 is hereby consented to and passed by the Members of the Authority, this 14th day of December, 2007, pursuant to Section 7(4) of the *GO Transit Act*.